



**CITY OF GRASS VALLEY
COMMUNITY DEVELOPMENT DEPARTMENT**

**Subsequent Initial Study & Mitigated Negative Declaration –Heritage Oaks
Phase II – Tentative Subdivision Map**

(23PLN-27)

SCH#2019119068

Revised February 2026

SUBSEQUENT INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

In accordance with the California Environmental Quality Act (CEQA) Guidelines Sections 15152 (Initial Study) and 15162 (Subsequent Negative Declaration), the City of Grass Valley has prepared this Subsequent Initial Study to assess the potential environmental impacts of the proposed Joyce Drive Tentative Subdivision Map and Planned Development.

This Initial Study constitutes a revised environmental analysis addressing new requirements under the California Environmental Quality Act (CEQA) and new technical information discovered since the adoption of the Initial Study/Mitigated Negative Declaration (IS/MND) in November 2019 (2019 IS/MND). Since its adoption, it has been determined that historically deposited fill soil containing elevated metal concentrations associated with historic gold mining operations has been deposited on the subject property from nearby historic mining operations. A remediation plan has been reviewed and approved by the Department of Toxic Substance Control (DTSC). Therefore, this Subsequent Initial Study includes analysis of the remediation work, as well as the proposed tentative map improvements. It has also been updated to include analysis of two environmental factors that have since been added to the CEQA checklist for analysis, Energy and Wildfire. For clarity, the revisions contained herein are identified as underlined text for text that has been inserted, and ~~strikeout text~~ for text that has been deleted.

Specifically, the Subsequent Initial Study/Mitigated Negative Declaration reflects the following:

- Air Quality - While remediation activities will result in the addition of approximately 1,025 total truck trips during off-haul and import of soil, changes to the regulations for on- and off-road mobile sources adopted by the California Air Resource Board (CARB) since 2019 will result in a reduction in emissions from what was initially projected. Therefore, there will be no additional substantial impacts to air quality resulting from remediation measures.
- Biological Resources - The revised project is expected to reduce impacts to biological resources relative to the original project, as the revised tentative map eliminates the original Lot 12 which encroached within the required setback for drainage areas. The revised parcel map meets the required setbacks and therefore does not require mitigation for encroachment or drainage areas.
- Hazards and Hazardous Materials - Remedial actions would not result in any regular or long-term use or transport of hazardous materials, and the proposed project would still be required to comply with Health and Safety Plans, the Dust Mitigation Plan, and Community Air Monitoring Plan. While the remedial actions may result in some impact, they are expected to be less than significant due to regulation of the remedial activities and their short-term nature.
- Noise - Remedial actions are not expected to increase noise impacts relative to the original project. Remedial actions will be short-term in nature and result in similar noise impact as earthwork construction.
- Transportation - Beginning July 1, 2020, transportation impacts measured under CEQA are required to analyze vehicle miles traveled (VMT) rather than level of service (LOS), pursuant to Senate Bill (SB) 743. VMT is not designed to include construction equipment or haul trucks.

The project is a 100 percent affordable residential project located within one half-mile walking distance of transit stops and can therefore be assumed to not result in additional substantial impacts to transportation/traffic. The remedial actions will be short-term in nature and will not increase the VMT analysis for this project.

In accordance with the CEQA Guidelines under the following circumstances:

Section 15162) a Subsequent negative declaration **shall** be prepared when the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following: .

- (1) Substantial changes are proposed in the project which will require major revisions of the EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions of the EIR or Negative Declaration due to involvement of new significant environmental effects or a substantial increase in severity of previously identified significant effects; or
- (3) New information of substantial importance which was not known could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified or the Negative Declaration was adopted, shows the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration.
 - (B) Significant effects previously examined will be substantially more severe than previously shown in the previous EIR.
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent decline to adopt the mitigation measure or alternative.

If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection . Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

(c) If a project was approved prior to the occurrence of the conditions described in the subsection (a), the subsequent EIR or Negative Declaration shall be prepared by the Public Agency which grants the next discretionary approval for the project. In this situation no other Responsible Agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent Negative Declaration adopted.

A subsequent EIR or subsequent Negative Declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or Negative Declaration shall state where the previous document is available and can be reviewed.

Background Summary:

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15063 (Initial Study), the City of Grass Valley (City) has prepared this Initial Study to assess the potential environmental impacts of a proposed and Tentative Subdivision Map for the Heritage Oaks Phase II residential project located on Joyce Drive. On the basis of the Initial Study, the City finds that the proposed project will not have a significant adverse effect on the environment and will not require the preparation of an Environmental Impact Report. Therefore, this Mitigated Negative Declaration has been prepared as the appropriate level of environmental review in accordance with CEQA and the CEQA Guidelines Sections 15063 and 15070 et. seq.

Public and Agency Review:

This Subsequent Initial Study/Mitigated Negative Declaration will be circulated for a 30-day public and agency review commencing April 19, 2026. Copies of this Initial Study and cited references may be obtained at the City of Grass Valley Community Development Department at the address noted below. Written comments on this Initial Study/Mitigated Negative Declaration may also be addressed as noted below.

Project title: Heritage Oaks Phase II – Tentative Subdivision Map (23PLN-27)

Lead agency name and address:

City of Grass Valley Community Development Department
125 E. Main Street
Grass Valley, CA 95945

Contact person, phone number, and e-mail:

Amy Wolfson, City Planner
125 E. Main Street
Grass Valley, CA 95945
530-274-4716
awolfson@cityofgrassvalley.com

Project Location and Site Description:

The project is located on the southside of Joyce Drive, east of the junction of Joyce Drive and Whiting Street (APNs: 029-280-016 & 029-270-033). The ±3.74 acre project site contains one legal parcel. An adjoining parcel of ±0.23 acres is proposed to be reconfigured via Lot Line Adjustment. The reconfigured properties will conform with proposed improvements along the project site and

property to the west.

The project site is located in Section 34, Township 16N, Range 8E on City of Grass Valley 7.5-minute USA quadrangle (*Exhibit A – Vicinity Map and Exhibit B – Aerial Photograph*). Approximate coordinates of the center of the site are 39° 20' 50" north and -121° 06' 32" west).

The general environmental setting of the site is indicative of the Grass Valley Foothill habitat, such as annual Grassland, weedy shrubs (Armenian Blackberry), Ponderosa Pine, Black Oak, and Foothill Riparian habitat associated with Little Wolf Creek. The site slopes are generally minor, being less than 10% with some steeper slopes primarily where grading has occurred, such as Joyce Drive fill slopes. The portion of the property that adjoins Little Wolf Creek along the southwest portion of the property will remain undeveloped and is identified as Parcel C. Parcel C encompasses ±2.29 acres and is within the FEMA Flood Zone associated with Little Wolf Creek.

Surrounding Land Uses:

The project is in an area of residential and commercial uses to the north and south respectively followed by light industrial uses to the southeast. The project area is located adjacent to and on the eastern side of SR 49. The project is bound by Joyce Drive and a Habitat for Humanity residential development to the north, SR 49 along the western side, and commercial development to the south and east (*Exhibit C – Site Photographs*).

Project Objective:

The project is a residential infill site located adjoining the 16-unit Heritage Oaks Phase I residential project that recently built-out. Compatible with the Neighborhood Center Flex (NC-Flex) Zone designations, the Heritage Oaks Phase II project proposes 12 single family lots ranging in size from ±2,775 (Lot 8) to ±6,646 square feet (Lot 11). The project is anticipated to provide housing for the City's Very Low and Low-Income group in accordance with the City's adopted 2019-2027 Adopted *Housing Element* in which 126 units are required (Table II-29).

Project sponsor's name and address:

SCO Planning, Engineering & Surveying
140 Litton Drive, Suite 240
Grass Valley, CA 95945
Martin Wood, PLS, Principal
(530) 272-5841

PROJECT DESCRIPTION:

The site was rezoned from Heavy Commercial (C-3) to Neighborhood Center Flex (NC-Flex) in 2020 to allow residential development.

Tentative Subdivision Map (TSM) – A Tentative Subdivision Map is proposed for the division of the ±3.74-acre parcel into 12 lots. The 12 lots range in size from ±2,775 (Lot 8) to ±6,646 (Lot 11) square

feet. There is no minimum parcel size in the NC-Flex Zone; however, the lots shall be large enough to accommodate their intended use (i.e. residential use). Parcel sizes, parcel dimensions, areas, setbacks and building envelopes are conceptually shown on the Tentative Subdivision Map to illustrate building areas and lot coverages (*Exhibit D – Tentative Subdivision Map*).

In addition to the residential lots, several areas are designated as follows:

- Lot A – ±7,358 sq. ft. street to be dedicated to the City;
- Lot B – ±5,876 sq. ft. common area
- Lot C – ±2.29 acres of common open space with the FEMA Flood Zone;
- Lot D – 5,323 sq. ft. parking and utility area
- Area A – 15-foot-wide sewer easement offered for dedication to the City.
- Area B – 10-foot-wide drainage easement offered for dedication to the City.

Site Remediation - The project includes implementation of the Department of Toxic Substance Control's (DTSC) Response Plan to address site contamination through the off-site disposal of contaminated soil in the proposed building areas and land use restrictions for contaminated sediment remaining in place in the Little Wolf Creek Floodplain. The proposed removal action is intended primarily to remove fill soil and underlying floodplain sediment in the proposed development area with unacceptable arsenic and mercury concentrations. Lead and cobalt were also detected in some soil samples at concentrations that require cleanup. Remediation activities include:

- excavation of approximately 10,712 cubic yards of contaminated soil and underlying floodplain sediment;
- verification soil sampling and analysis to confirm that the remedial goals are achieved;
- characterization of the excavated materials for disposal in accordance with landfill acceptance criteria;
- transport of the materials for disposal at licensed solid waste facilities in accordance with applicable regulations;
- import of clean soil to replace the excavated materials; and
- site restoration.

Fencing the Little Wolf Creek floodplain, as required under the land use controls, will effectively reduce the chance of future human exposure and avoid disturbance of the densely vegetated floodplain. The sediment to remain in place presents relatively low risk to water quality and ecological receptors. A land use covenant (LUC) and an Operation and Maintenance (O&M) Agreement would be required for the floodplain to memorialize prohibitions and long-term requirements for monitoring, maintenance, and reporting.

Access, Parking & Circulation – Primary ingress/egress is proposed via Joyce Drive, a city-maintained roadway constructed to city residential standards on the north side of the street. Joyce Drive was constructed to serve the Heritage Oaks Phase I project. Joyce Drive consists of two 10-foot travel lanes with 9-foot parking and sidewalk on the north side of the street within a 42-foot right-of-way. The southern side of the street will be constructed with curb and gutter with an earthen shoulder to serve the Heritage Oaks Phase II project (See Cross Section A – Existing Joyce Drive Residential Street).

Internal circulation consists of an unnamed roadway at the south end of the development identified as Lot A. Lot A consists of ±7,358 square feet of roadway and utilities to be dedicated to the City of

Grass Valley. The roadway consists of two 10-foot travel lanes with 9-foot parking and sidewalk on the east side of the street (See Cross Section D – Residential Street).

Except for Joyce Drive and Lot A serving Lots 1 – 9, the roads within the Heritage Oaks Phase II development are private roads and will be maintained by the Heritage Oaks Phase II Home Owners Association (HOA) for the project.

All residential driveways will be a minimum of 20 foot in depth to accommodate off-street parking. Street parking will be utilized for guests on the north side of the street. Additionally, a 5-stall ±5,323 sq. ft. parking lot (Lot D) is proposed at the west end of the site for guest and overflow parking. The parking lot will service both Heritage Oaks Phase I & II developments. The parking is located within a common areas and will be maintained by the HOA for both Phase I and II.

Landscaping – Typical front yard landscape plans will be prepared for the project. The landscaping will consist of ground cover, accent shrubs, flower shrubs and a small flowering tree in the front yard. Rear yard landscaping shall be the responsibility of the home purchaser. Landscaping shall also be installed in the common areas and surrounding the parking lot. The landscaping shall be in accordance with the City and State Model Water Efficiency Landscape requirements.

Lighting – Lighting consists of existing street lighting installed with Heritage Oaks Phase I as well as individual lighting for each of the respective homes. As required by the City's Development Code, the lighting will contain shields to direct lighting downward.

Fencing – 6-foot-high wood fencing will be constructed between the individual homes along the property lines. Fencing shall be the responsibility of the respective homeowners. A split rail fence will be installed around the perimeter of the open space flood zone area.

Sound walls – A sound wall is proposed along the west and north property lines of Lot 12. A detail of the sound wall is provided in the *Environmental Noise Assessment prepared by Bollard Acoustical Consultants, Inc., dated May 31, 2019*.

Tree Removal – According to the *Biological Resources Inventory prepared by Greg Matuzak, Biological Resources Consultant dated June 2019*, the project area does not contain any protected oak or other trees to be removed that would be subject to City of Grass Valley policies.

Grading/Retaining Walls – The site is relatively level with an elevation of 2,395 (MSL) at Joyce Drive and along Lot 12. The elevation at the center of the site is 2,388 or 7 feet below Joyce Drive. The elevation at southern end of the site is 2,397 at Lot 5 or 2 feet higher than Joyce Drive. The site slopes are generally minor, being less than 10% with some steeper slopes primarily where grading has occurred, such as Joyce Drive fill slopes. Some fill has been placed upon the existing site in the past.

The project will include the construction of roadways, sidewalks, 12 single family building pads and driveways. The project would require off-haul of ± 10,712 cubic yards of contaminated soil and replacement of 7,200 cubic yards of clean soil for remediation, in addition to cut of ±447 cubic yards and fill of ±3,416 cubic yards of fill for grading and construction. All the lots will be pad graded with slab on grade foundations.

No retaining walls are proposed with the Heritage Oaks Phase II development.

Drainage – On-site drainage will be collected in a new drainage system containing drainage inlets, storm drain, manholes, etc. Runoff from the proposed residences will exit roof downspouts into small infiltration trenches prior to discharge to the existing natural drainage course. Runoff from pavement areas is conveyed along curb and gutter to one of two storm drain inlets with deepened sumps for retention and infiltration. Storm water is further conveyed through new storm drain and ultimately will enter a “Stormceptor” manhole from removal of potential pollutants prior to discharge into new Bio-Swales south of the homes, then conveyed to a new retention pond allowing infiltration and removal of potential pollutants prior to discharge to the adjacent natural drainage course.

Utilities – Water Supply: The subject property will be connected to City of Grass Valley water lines along Joyce Drive that will be extended to serve the site.

Sanitary Sewer: The nearest sanitary sewer connection is located on Joyce Drive, which will be extended to serve the site.

Dry Utilities: The project will connect to dry utilities (i.e., natural gas, electrical supply, telephone, cable) that are located along Joyce Drive.

General Plan Land Use Designation

The project area has a General Plan land use designation of Commercial, according to the *City of Grass Valley 2020 General Plan*. The Commercial designation is a broad category intended to encompass all types of retail commercial and commercial service establishments in any one of a variety of locations.

The Heritage Oaks Phase II project at ±3.74 acres and 14 12 single family dwellings is at a density of ±3.21 units per acre.

Zoning Designation

The property is within the Neighborhood Center Flex (NC-Flex) Zone. The NC-Flex Zone permits single family, multi-family row-housing, multiple-family duplex, triplex and fourplex housing.

The project design shall be in accordance with the NC-Flex zone standards regarding height, setbacks, parking standards, etc.

Offsite Improvements

No offsite improvements are proposed or anticipated as part of the proposed Heritage Oaks Phase II project.

Exhibit A - Vicinity Map

Heritage Oaks Phase II

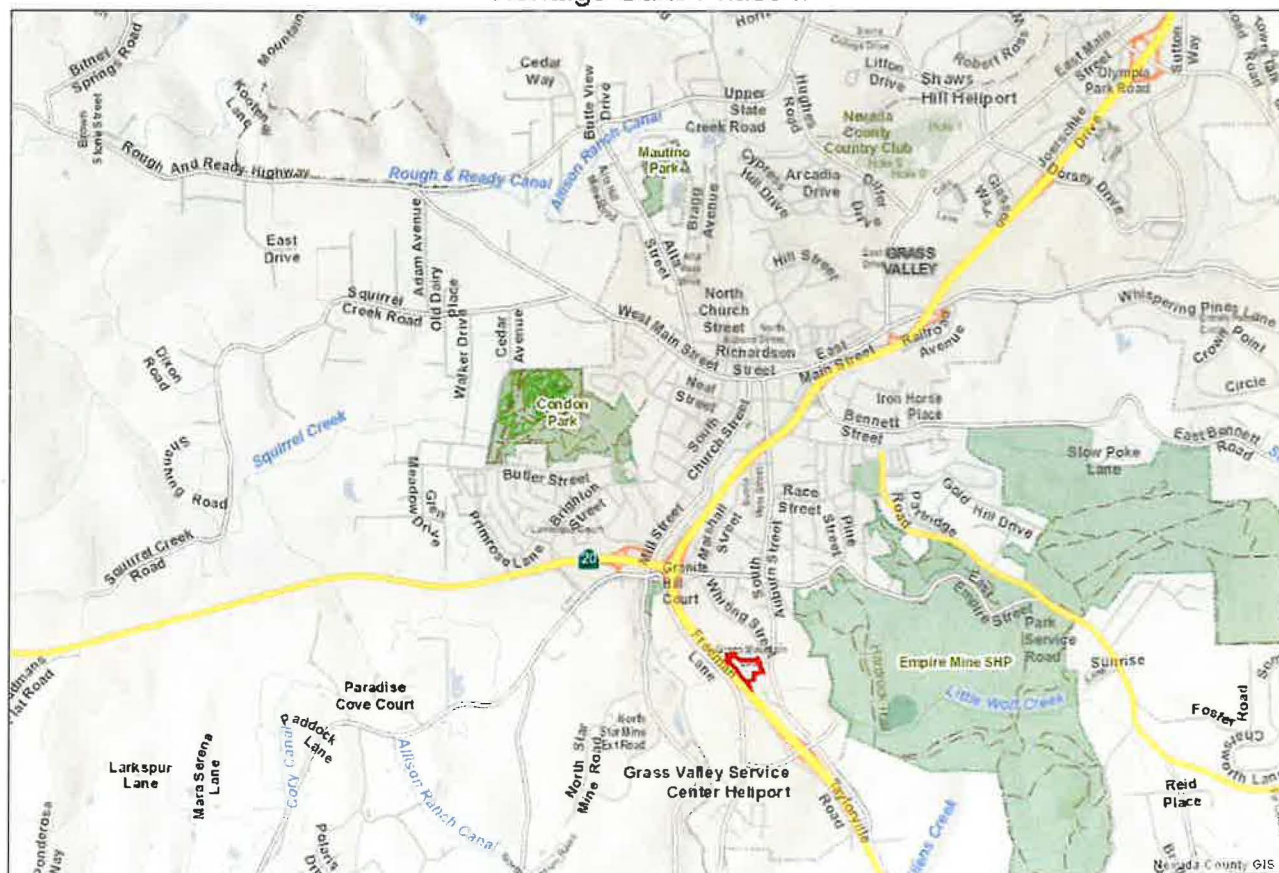


Exhibit B - Aerial Photograph

Heritage Oaks Phase II



Exhibit C – Site Photographs

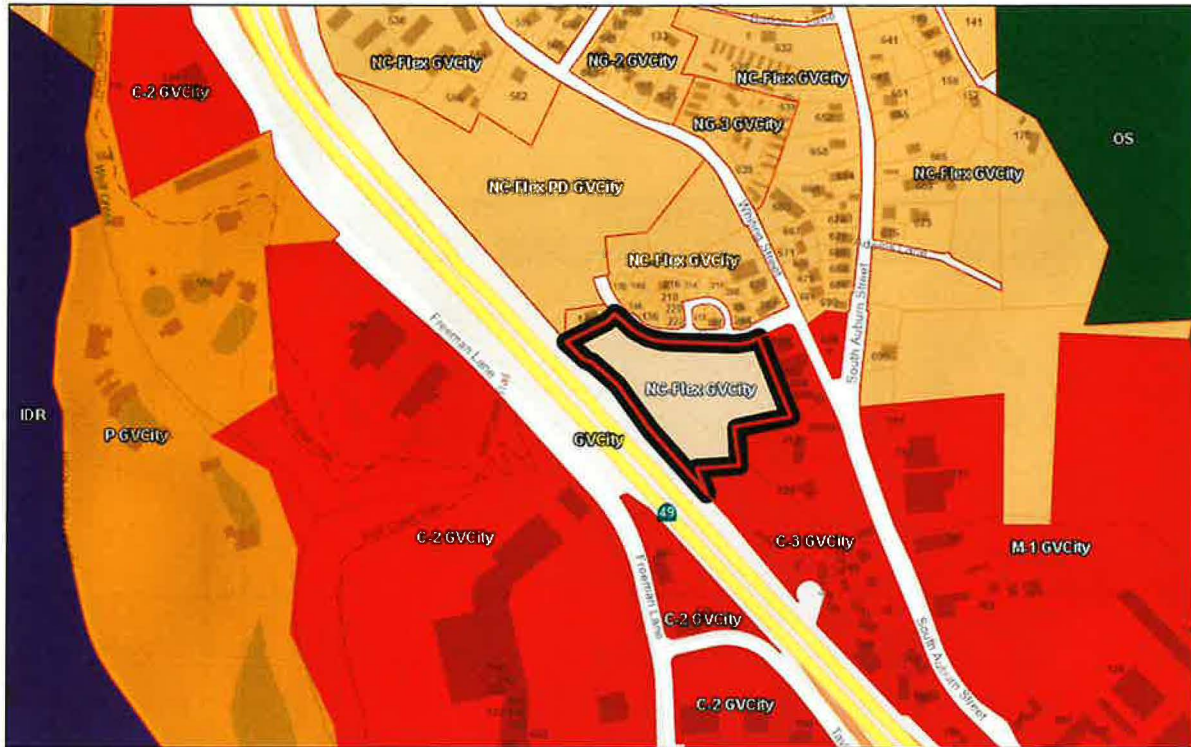


Exhibit C - Site Photographs

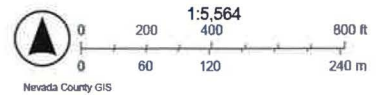


Exhibit D – Heritage Oaks Phase II Zoning Map

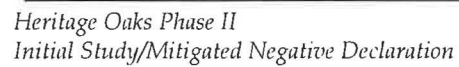
Joyce Drive Zoning



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Nevada County GIS 2025



City of Grass Valley
February 2026

Regulatory Setting and Required Agency Approvals

The following City of Grass Valley, Responsible and/or Trustee Agency permits are required prior to construction of the Heritage Oaks Phase II project:

City of Grass Valley Department of Public Works – Improvement Plan, Grading Plan, Encroachment Permit and Tree Permit approvals.

City of Grass Valley Community Development Department – Site Plan and Building Plan Approvals and Conditions of Approval/Mitigation Measure compliance verification.

City of Grass Valley Building Department – Building, Plumbing, Mechanical, and Electrical Permits in accordance with the California Codes.

City of Grass Valley Fire Department – Site Plan, Improvement Plan and Building Plan Approvals.

A Storm Water Pollution Prevention Plan (SWPPP) shall be approved by the Regional Water Quality Control Board in accordance with the Clean Water Act.

A Dust Mitigation Plan shall be approved by the Northern Sierra Air Quality Management District.

- Timber Harvest Permit Exemption (for less than 3-acre conversion) from the California Department of Forestry and Fire Protection, if applicable.
- State Department of Fish and Wildlife (1600 permits) – A Stream Alteration Agreement is required for encroachment into the bed and bank or existing blackberry bushes associated with the intermittent drainage area or within the bed and bank of the perennial spring fed stream, if disturbed.
- State Department of Toxic Substances Control - Approval of a Removal Action Completion Report (RACR), LUC, and O&M Agreement from DTSC.

Evaluation of Environmental Impacts:

- 1) A brief explanation is required for all answers except “NO Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to a project like the one involved (e.g. the project falls outside a fault rupture zone). A “NO Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) **“Potentially Significant Impact”** is appropriate if there is substantial evidence that an effect is significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required.
- 4) **“Potentially Significant Unless Mitigation Incorporated”** applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- 5) **“Less-Than-significant Impact:”** Any impact that is expected to occur with implementation of the project, but to a less than significant level because it would not violate existing standards.
- 6) **“No Impact:”** The project would not have an impact to the environment.
- 7) Earlier analyses may be used where, pursuant to Tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration.
- 8) Lead agencies are encouraged to incorporate into the checklist reference to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| ☐ Aesthetics | ☐ Agriculture Resources | ☒ Air Quality |
| ☒ Biological Resources | ☒ Cultural Resources | ☒ Energy |
| ☒ Geology/Soils | ☐ Greenhouse Gases | ☐ Hazards & Haz Mat |
| ☒ Hydro/Water Quality | ☐ Land Use/Planning Housing | ☐ Mineral Resources |
| ☒ Noise | ☐ Population/Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation/Traffic | ☐ Utilities/Service Systems |
| ☐ Wildfire | ☐ Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Amy Wolfson, City Planner

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

I. AESTHETICS –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

SETTING The aesthetic value of an area is a measure of its visual character and quality, combined with the viewer response to the area (*Federal Highway Administration, 1983*). The visual quality component can best be described as the overall impression that an individual viewer retains from residing in, driving through, walking through, or flying over an area. Viewer response is a combination of viewer exposure and viewer sensitivity. Viewer exposure is a function of the number of viewers, the number of views seen, the distance of the viewers, and the viewing duration. Viewer sensitivity relates to the extent of the public's concern for a particular view shed (*U.S. Bureau of Land Management, 1980*).

The *City of Grass Valley 2020 General Plan* notes that the City does not contain any designed scenic highways or vistas, but generally acknowledges the City and its surroundings as having a wide range of landscapes, scenic vistas and visual resources.

The project site has ±660 feet of frontage along Highway 49/20 that is partially shielded by trees and vegetation. The views from Joyce Drive and Whitening Street are consistent with residential and commercial uses.

No scenic resources, including, but not limited to: trees, rock outcroppings, and historic buildings are located on the subject ±3.74-acre project site.

Sources of existing light in the project area are streetlights, residential lighting and parking lot lighting. Other sources of light and glare include vehicles traveling along Joyce Drive, Whiting and S Auburn Street.

IMPACTS a) &b) From its undeveloped state, the development of 12 single family dwellings and related improvements would alter the views from Joyce Drive to the west and Highway 49/20 to the east.

A project would normally have a substantial adverse aesthetic effect through removal of natural features or addition of man-made features or structures which degrades the visual intactness and unity of the scenic vista or highway.

Identified as common area Lot C between Highway 49/20 there is ±2.29 acres of wooded and vegetated property that is within the FEMA Flood Zone. This area will remain undisturbed and provides a buffer between Highway 49/20 and the developed ±1.45 acres of the ±3.74-acre site. Though, the project will still be visible from the highway, the existing trees and vegetation, that will remain, shield the majority of views for both motorists and future residents of the site.

Considering scenic vistas or scenic highways are not within the project vicinity, the project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. These potential impacts are less than significant.

- c) Generally, new development, if not carefully designed, can result in adverse impacts on sites open to public view. This property has been designated for urban development in the City's 2020 General Plan. Additionally, policies of the City's General Plan Community Design Element (Chapter 10 of the 2020 General Plan) aim to preserve the desirable physical and design features in Grass Valley and carry them over into new development so that old and new development appear compatible. The City's Community Design element states that new infill development within established areas will be consistent in terms of scale, design, and materials.

The project area has a residential/commercial and light industrial appearance with low density residential surrounding the project site to the north, commercial to the south and industrial to the southwest. As such, the proposed infill residential project is not anticipated to substantially degrade the existing visual character or quality of the site and its surroundings. Further, required landscaping will soften the appearance of the residential development on neighboring properties, passing motorists along Highway 49/20 and pedestrians alike. These impacts are considered less than significant.

- d) Existing sources of day and nighttime light within and around Grass Valley include those common to developed areas. Existing sources include motor vehicle lights along Joyce Drive, Highway 49/20, street lights, parking lot lighting, building lighting and commercial signage in the project vicinity.

Lights to be installed on the Heritage Oaks Phase II project site includes street lights, and home entryway lights and patio lights, which will contain down shields. The residential lights must be directed so as not to spill light onto neighboring properties. Accordingly, light spillover is not anticipated to cause a significant impact to neighboring properties. Additionally, vehicle lights traveling on Joyce Drive and Highway 49 northbound will create additional night time lighting. However, these potential impacts are intermittent, short term and thus are considered less than significant.

II. AGRICULTURE RESOURCES & FOREST RESOURCES-	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)? | ☐ | ☐ | ☐ | ☒ |
| d) Result in the loss of forest land or conversion of forest land to non-forest uses? | ☐ | ☐ | ☐ | ☒ |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |

The proposed project is situated in an area that has been designated and zoned for
SETTING Commercial uses by the *City of Grass Valley 2020 General Plan and Development Code*. Except for the ±3.74-acre project site, the project area has been largely built out in accordance with the City's residential land use designations.

"Agricultural Land" is defined as prime farmland, farmland of statewide importance, or unique farmland, as defined by the *United States Department of Agriculture land inventory* and monitoring criteria, as modified for California.

No current agricultural operations or forestry lands exist on the project site as defined according to the U.S. Department of Agriculture. Although the property contains trees, the project site does not fall under the definition of forest lands as defined by *Public Resources Code Section 12220(g)*.

IMPACTS

- a)&b) The site is an infill site designated as "*Urban and Built-up Land*" as defined according to the *U.S. Department of Agriculture*. As defined, "*Urban and Built-up Land* is used for residential, industrial, commercial, construction, institutional, and public administrative purposes. Highways and other transportation facilities are also mapped as a part of Urban and Built-up Land if they are a part of the surrounding urban areas."

The California Resources Agency farmland mapping program does not identify the project site or vicinity as having Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project site has been zoned for commercial uses surrounded by similar developed commercial and residential uses. Considering no farmland, as defined, exists within the project area, the proposed project will not involve conversion of farmland or

zoning for agricultural use, including any farmlands under Williamson Act Contract. Therefore, no impact will occur.

- c)-e) As noted in the project setting above, the project will not conflict with existing zoning or cause the rezoning of forest land (as defined in Public Resources Code Section 12220(g), timberland (as defined by Public Resources Code Section 4526), or timberland zoned timberland Production (as defined by Government Code Section 51104(g)).

The project will not result in the loss of forest land or conversion of forest land to non-forest uses as defined. Standard conditions of approval require the applicant to obtain an exemption (for less than 3-acre conversion) of a Timber Harvest Permit from the *California Department of Forestry and Fire Protection*, if applicable.

Additionally, the applicant will be required to obtain a Tree Removal Permit from the City in accordance with Chapter 12.36 of the City's Municipal Code should any trees be removed. No impact will occur.

III. AIR QUALITY –

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

SETTING The project is located within the Northern Sierra Air Quality Management District's (NSAQMD) jurisdiction. The overall air quality in Nevada County is good but two known air quality problems exist, Ozone and Suspended Particulate Matter (PM-10). Nevada

County is a “non-attainment” for both pollutants. PM-10 in Grass Valley meets federal ambient ozone standards but exceeds the more stringent State standards in the winter, primarily due to smoke created from wood stoves and fireplaces. Violations in the summer months have been noted during forest fires or periods of open burning. PM-10 is usually associated with dust generated during construction and remediation activities. Western Nevada County is a non-attainment area for the federal 8-hour ozone standard and the entire county is non-attainment for the state one-hour ozone standard.

The NSAQMD has adopted standard regulations and conditions of approval for projects that exceed certain air quality threshold levels to address and mitigate both short-and long-term emissions. The Northern Sierra Air Quality Management District (NSAQMD) has established the below thresholds of significance for PM-10 and the precursors to ozone, which are reactive organic gases (ROG) and nitrogen oxides (NOx). The NSAQMD has developed a tiered approach to significance levels: A project with emissions meeting Level A thresholds will require the most basic mitigations; projects with projected emissions in the Level B range will require more extensive mitigations; and those projects which exceed Level C thresholds, will require an Environmental Impact Report to be prepared, which may result in even more extensive mitigations.

IMPACTS a)&b) In consultation with NSAQMD, the project is required to comply with standard air quality measures for construction as noted below. These measures are consistent with the Northern Sierra Air Quality Management’s Air Quality Plan for the district. From an operational perspective, the residential project is anticipated to generate negligible impacts as outlined in **Table 1 – Project Construction** (including remediation activities) and Operational Emissions Estimates. The project does not conflict with or obstruct implementation of an air quality plan prepared by NSAQMD. These potential impacts are less than significant.

Adherence with standard Nevada Sierra Air Quality Management (NSAQMD) standards will assure that construction and remediation activity impacts will remain less than significant. Therefore, the project will not violate an air quality standard or contribute substantially to an existing or projected air quality violation. These potential impacts are less than significant.

- c) Construction-related air pollutant emissions (including remediation activity) would originate from mobile and stationary sources including but not limited to: remediation and construction equipment exhaust, dust resulting from earth-disturbance, painting, and asphalt and/or concrete paving and striping. Construction-related emissions vary substantially depending on the level of construction activity, length of the construction period, specific construction operations, types of equipment, number of personnel, wind, precipitation conditions, and soil moisture content. Remedial activities identified in the Report of Findings and Response Plan will utilize heavy construction equipment for completion of soil excavation and replacement. Soil transportation to off-haul contaminated soils and sediments will be completed by approximately 625 truck trips and import of clean soil will be completed with approximately 400 truck trips. Truck trips throughout remedial activities and construction will follow standard Dust Control Measures, as outlined in the Dust Mitigation Plan (DMP) and Community Air Monitoring Plan (CAMP). Due to the temporary nature of Response Plan activities, remediation is not expected to produce a cumulatively significant impact.

In its developed condition as a residential use, air pollutant emissions would be generated by, but not limited to: gas appliances, heating/cooling facilities, gas-powered landscaping equipment, and vehicle exhaust.

In review of the project, the *California Emission Estimator Model (CalEEMod) Version 2022.1.1.21*, emissions modeling program was used to estimate air pollutant emissions associated with the project. According to *CalEEMod* modeling results, air quality impacts for both construction (including remediation activity) and operational (occupancy) phases would be less than significant for all regulated air pollutants. All daily emissions are below the Level A thresholds. Despite the addition of the remediation phase, *CalEEMod* modeling results have decreased since the model was originally run in 2019, largely due to the implementation of California Air Resources Board (CARB) regulations for on- and off-road mobile sources that require lower emission, more efficient vehicles and equipment. The estimated construction (including remediation activities) and operational emissions are noted in the following table:

Table 1

Project Construction and Operational Emissions Estimates

	ROG (lbs/day)	NOx (lbs/day)	PM ₁₀ (lbs/day)	CO (lbs/day)
Project Construction Impacts	2	15	3.6	15
Project Operational Impacts	8	10	7.6	38
Level A Thresholds				
NSAQMD- Significance Thresholds	ROG (lbs/day)	NOx (lbs/day)	PM ₁₀ (lbs/day)	N/A
	<24 lbs/day	<24lbs/day	<79lbs/day	
Level B Thresholds				
Maximum Project Emissions	ROG (lbs/day)	NOx (lbs/day)	PM ₁₀ (lbs/day)	N/A
	24-136 lbs/day	24/136 lbs/day	79-136 lbs/day	
Level C Thresholds				
Maximum Project Emissions	ROG (lbs/day)	NOx (lbs/day)	PM ₁₀ (lbs/day)	N/A
	>136 lbs/day	>136 lbs/day	>136 lbs/day	

Based on *CalEEMod* modeling outputs for the proposed project, long-term operational emissions would not exceed NSAQMD significance thresholds.

Although construction (including remediation activity) and operation of the proposed project would not exceed NSAQMD significance thresholds, NSAQMD's standard conditions of approval for projects with Level A thresholds would be imposed thereby minimizing project emissions to an acceptable level. Such conditions are considered appropriate to apply to the proposed project to promote maintenance of air quality in the region. The standard conditions of approval recommended are consistent with goals of State Implementation Plans for the District.

Since operational emissions would be in accordance with accepted thresholds and construction-related emissions would be short-term, with implementation of NSAQMD's recommended conditions of approval, the proposed project's emissions are not anticipated to violate air quality standards or contribute substantially to an existing or projected air quality violation. Therefore, impacts are anticipated to remain less than significant with implementation of standard NSAQMD's conditions of approval for Level A projects as noted below.

Lastly, according to the City's 2020 General Plan EIR, the site is not in an area of naturally occurring asbestos (NOA) as substantiated by *Figure 3.1-1 of the General Plan EIR*. These potential impacts are less than significant.

- d) Emissions associated with the proposed project would be greatest during remediation and construction activities, specifically when diesel-powered construction vehicles are used for earth-moving operations. The nearest sensitive receptor (i.e. residential use) is located approximately ± 100 feet from the proposed residential lots, where grading will occur. Although in close proximity to sensitive receptors, the emissions associated with the project would be short-term and are not anticipated to result in a substantial elevation of pollutant concentrations in the area.

The proposed project's operational emissions would be typical of those produced by residential development. Operational emissions would consist of PM₁₀, CO, and ozone precursors (ROG and NO_x). These pollutants would be generated by gas-fired water heaters, as well as from engine emissions associated with vehicle trips to/from the project and gasoline-powered landscape maintenance devices. Based upon the *CalEEMod* analysis, operational emissions are not anticipated to exceed Level A thresholds. These potential impacts are considered less than significant.

- e) The project is not anticipated to produce any objectionable odors in its finished condition that would affect a substantial number of people. Construction activities associated with the proposed development, such as paving and painting, are likely to temporarily generate objectionable odors. However, odor-generating construction activities would be temporary, and are only likely to be detected by a small number of residents nearest the project site. Therefore, impacts from temporary project-related odors would be less than significant.

The following are standard NSAQMD air quality conditions that will be imposed on the project via conditions of approval:

AQ 1 – Mitigation Measures:

With implementation of the following standard conditions of approval, adverse impacts to air quality resulting from the proposed project would remain less than significant.

1. The project shall be required to use Low VOC paintings and coatings.
2. The applicant shall submit a Dust Mitigation Plan for construction activities for review and approval by the Northern Sierra Air Quality Management District and City Engineer. Dust mitigation measures shall be implemented in accordance with the approved Dust Mitigation Plan. The dust mitigation plan shall include the following:
 - a. The applicant shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manner during all phases of project development and construction, including remediation activity.
 - b. All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Watering should occur at least twice daily, with complete site coverage.
 - c. All land clearing, grading, earth moving, or excavation activities on the project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.

- d. All inactive portions of the development site shall be covered, seeded, or watered until a suitable cover is established. Alternatively, the applicant shall be responsible for applying City approved non-toxic soil stabilizers (according to manufactures specifications) to all inactive construction and remediation areas (previously graded areas which remain inactive for 96 hours) in accordance with the local grading ordinance.
- e. All areas with vehicle traffic shall be watered or have dust palliative applied as necessary for regular stabilization of dust emissions.
- f. All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance.
- g. Paved streets adjacent to the project shall be swept at the end of each day, or as required to remove excessive accumulations of silt and/or mud which may have resulted from activities at the project site.
- h. No burning of waste material or vegetation shall take place on-site. Alternatives to burning include chipping, mulching or converting to biomass.

IV. BIOLOGICAL RESOURCES –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐

IV. BIOLOGICAL RESOURCES –

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

SETTING The project is an infill site with low density residential and commercial land uses within the immediate area.

The project area is mostly disturbed in the central, eastern and northwestern sections where development is proposed. A majority of the project area proposed for development appears to be a mix of native soils and fill material, most likely brought from off-site.

The project area is located approximately 2,400 feet above Mean Sea Level. The project area is relatively flat in the central and eastern sections with gentle to medium slopes towards the western portions of the Project area related to the Little Wolf Creek drainage and associated flood plain located in the area. Little Wolf Creek is a seasonal creek within the project area. In general, the project area slopes gently towards the western area towards Little Wolf Creek. There is a 40-foot-wide drainage and access easement along Little Wolf Creek through the project area. Along the western edge of the project area, where Little Wolf Creek runs from a southeast towards a northwest direction, it crosses under SR 49 through a large culvert. In addition, a small, intermittent drainage enters the project area through a culvert under Joyce Drive adjacent to the paved entrance to the northwestern area of the project area. The small, intermittent drainage contains mostly thick blackberry bushes and some large willow trees before entering Little Wolf Creek. The small intermittent drainage is not identified as a blue line stream feature on the USGS topographic mapping covering the project area and it is not identified within National Wetland Inventory (NWI) mapping covering the project area. Little Wolf Creek is lined with riparian vegetation and several large willow, alder, and cottonwood trees.

IMPACTS a) A Biological Resources Inventory was prepared by *Greg Matuzak, Biological Consultant dated June 2019*. The purpose of the Biological Resources Inventory is to identify the location and extent of sensitive biological resources within the project area, including special-status plant and wildlife species, and the presence of drainage/stream/wetland features that could potentially meet the *U.S. Army Corps of Engineers* criteria as "Waters of the United States," including wetlands, pursuant to Section 404 of the Clean Water Act (CWA). Little Wolf Creek and the small, intermittent drainage entering the northwestern section of the project area would be subject to such regulations. In addition, the Biological Resources Inventory included an assessment of streams within the Project area that could be under the jurisdiction of *California Department of Fish and Wildlife Code 1600 et. seq.*

As inventoried, the project area is covered mostly by the following habitat types: Ponderosa Pine, Annual Grassland, and Foothill riparian habitats. Foothill Riparian habitats are associated with

Little Wolf Creek as well as the intermittent drainage along the southern edge of the project area, and small, intermittent drainage that flows along a fenced, narrow channel within the Habitat for Humanity Heritage Oaks Phase I along the northern side of Joyce Drive before crossing Joyce Drive and entering the project area within the northwestern section of the project area.

Considering the developed and disturbed site conditions of the project area, including the lack of soil and habitat types for special-status plant species previously recorded within 3 miles of the project area, the potential for any listed or other sensitive plant species to occur within the project area is considered very low to nil. Marginal suitable habitat for the special-status plant species dubious pea occur within the forested areas within the eastern section of the project area; however, this species was not identified during May 2019 survey and the entity of the western section of the project area will be avoided given the presence of Little Wolf Creek and its associated floodplain in that area. Known occurrences of special-status wildlife species have been documented within 3 miles of the project area; however, the project area does not contain suitable habitat for such species. No special-status wildlife species were documented within the project area during April 2018 and May 2019 site surveys.

Special status species were considered in the Biological Resources Inventory based on a current review of the *California Natural Diversity Data Base (CNDDB)* and database information provided by the *United State Fish and Wildlife Service (USFWS)* for the project area. The project area does not contain any Designated Critical Habitat (DCH) for any federally listed species projected by the USFWS. The database searches did reveal ten species: *California black rail*, *Scadden Flat checkerbloom*, *Stebbins' morning glory*, *Pine Hill flannel bush*, *dubious pea*, *finger rush*, *chaparral dredge*, *brownish beaked-rush*, *coast horned lizard*, and *the Townsend's big-eared bat* that have been previously identified within 3 miles of the Project area. None of these species were observed during field surveys. In addition, western pond turtle, foothill yellow-legged frog, and California reg-legged frog are also discussed below given the presence of Little Wolf Creek and a small intermittent drainage within the area. These impacts are less than significant.

- b) Little Wolf Creek and the small, intermittent drainage within the Project area contain associated Foothill Riparian habitats. This habitat type within the Project area is dominated by white alters (*Alnus rhombifolia*) and willows (*Salix laevigata* and *S. lasiolepis*) in addition to Himalayan blackberry (*Rubus armeniacus*), Baltic rush (*Juncus balticus*), and iris-leaved rush (*Juncus xiphioides*). This habitat is located along the western edge of the Project area where Little Wolf Creek flows and along the edges of the small, intermittent drainage that enters the northwestern portion of the Project area from the north. The southern Project area border also contains a small, intermittent drainage that connects to Little Wolf Creek and it contains a narrow band of riparian vegetation, including a large willow tree and a dense cluster of Himalayan blackberry bushes along both sites of the drainage.

In addition, seasonal wetlands associated with the Little Work Creek floodplain, located in the western section of the Project area, contains a diverse palette of native herbaceous wetland species, such as clustered field sedge (*Carex praegracilis*), umbrella sedge (*Cyperus eragrostis*), Baltic rush (*Juncus balticus*), and iris-leaved rush (*Juncus xiphioides*). The obligated wetland species, cattail (*Typha* sp.) is also present in the topographic low areas within the floodplain as well as adjacent to Little Wolf Creek. A setback from the Little Wolf Creek floodplain is proposed; therefore, the

riparian and wetland habitats identified within the western section of the Project area would be located within the setback area and would not be impacted by the proposed Project.

The project area is located within a developed and disturbed area of the City of Grass Valley and is adjacent to/nestled within a largely developed area south of downtown Grass Valley. The project area is located adjacent to and on the eastern site of SR 49. The project is bound by Joyce Drive and existing Habitat for Humanity residential along the norther frontage area, SR 49 along the western area, and commercial development to the south and east. Therefore, any development within the ±3.74-acre project area would have an overall very low potential to impact sensitive wildlife and plant resources given the low likelihood of such sensitive species to occur within the project area.

As noted, the project area does not contain suitable habitat for any state or federally listed endangered or threatened species. However, the project area would be subject to the City of Grass Valley Tree Ordinance and a tree permit would be required for removal of any native tree that is 10 inches or greater DBH. Several native willow trees are located within the project area and the large trees associated with Little Wolf Creek would be subject to a tree permit by the City of Grass Valley if they are to be removed given, they are each 10 inches or greater DBH. These impacts are considered less than significant.

- c) Little Wolf Creek is a tributary to Wolf Creek on the western side of SR 49. Wolf Creek connects with the Bear River downstream, which connects with the Feather River, San Francisco Bay, and the Pacific Ocean downstream. Therefore, Little Wolf Creek would be regulated under the Clean Water Act (CWA) (federal regulation protecting streams and wetlands) and by the State of California (protecting waters of the State of California floodplains, and riparian habitat). It is assumed that Little Wolf Creek is a seasonal creek given its small width and low flow level during the field survey conducted during the winter. If direct dredge or fill impacts were proposed within the high-water mark (OHWM) of Little Wolf Creek or the small, intermittent drainage within the project area, state and federal permits would be required for such activities. Given that Little Wolf Creek is a seasonal stream, it would also be subject to Grass Valley Development Code, which requires a Resource Management Plan for encroachment into the 30-foot stream setback and shall include measures which will minimize impact to the watercourse and enhance runoff filtration. Therefore, encroachment into the 30-foot stream setback would require the development of a Resource Management Plan in order to encroach within the stream setback. While the response plan had at one time included soil removal from within the floodplain and the 30-foot setback, the Final Response Plan does not require soil disturbance within the area. Instead, the floodplain will be fenced and access will be restricted under a Land Use Covenant recorded on the property. Therefore, a Resource Management Plan will not be required.

It is assumed that the drainage running along the southern border of the project area boundary (from adjacent runoff from the south and east) is not subject to local, state, and federal regulations given it drains the adjacent commercial development (runoff) and does not have a direct connection to Little Wolf Creek through a defined bed and bank channel with an ordinary high water mark. However, the small drainage entering the project area through a culvert under Joyce Drive would be regulated by state and federal regulations. Given neither of the two drainages are included as a blue line stream on any USGS Topographic Map or Parcel Map, the City of Grass

Valley does not require the development of a Resource Management Plan for any development within the 30-foot stream setback for those drainages.

The project area does not contain suitable aquatic habitat or upland areas immediately associated with aquatic habitat. Therefore, the project area does not provide habitat for sensitive amphibians or other sensitive aquatic species. As a result, no impact would be expected to *California red-legged frog*, *foothill yellow-legged frog*, *western pond turtle*, or *CA black rail* from developing the project area. In addition, Little Wolf Creek and its flood plain will be avoided so the proposed project will have no impact on Little Wolf Creek and its associated riparian habitat and floodplain.

The eastern edge of the project area contains areas of thick blackberry bushes; however, no drainage channel or a predominance of wetland plant species were found along the eastern edge of the project area. A culvert located within the southeastern section of the project area adjacent to a small path that enters the project area appears to drain runoff from the adjacent commercial developments to the south and east. A small, intermittent drainage runs along the southern edge of the project area boundary, which has a predominance of blackberry bushes and a large willow tree. Given the drainage along the southern project area boundary connects with Little Wolf Creek and its associated floodplain to the west, it would most likely be subject to local, state, and federal permitting if any dredge or fill material was placed within it during site development.

- d) Known migratory deer ranges outlined in the Nevada County General Plan were reviewed for deer migration corridors, critical range, and critical fawning areas. The Project area is not located in any known major deer corridors, known deer holding areas, or critical deer fawning areas. Per the migratory *Deer Ranges Nevada County General Plan map*, the Project area is located in an area of potential Resident Deer Herd (includes some areas of migratory deer winter range). This field survey did not record any observations of deer or deer trails while walking the Project area. The Project area does not contain any known major deer migration corridors, known deer holding areas, nor critical deer fawning areas. This impact is less than significant.
- e) The Biological Resources Inventory also evaluated the City of Grass Valley General Plan and Development Code requirements for any parcels subject to land use changes. Grass Valley Development Code requires a Resource Management Plan for encroachment into a 30-foot stream setback to identify potential impacts to a stream due to any development within the setback. The Resource Management Plan identifies minimization and mitigation measures to implement to limit the potential impact to the stream in the case that development is approved within the 30-foot stream setback. This includes Best Management Practices (BMPs), including erosion control and sedimentation measures to avoid water quality impacts. While the project as approved in 2020 had one parcel (Lot 12) that encroached to within 10 feet of the edge of a drainage area, the project has been amended to eliminate that parcel. All lots in the amended project are a minimum of 60 feet from the edge of drainage areas. Therefore, the Resource Management Plan (*Resource Management Plan for Encroachment Into 30-foot Setback for Drainages*) included in the Biological Resources Inventory is no longer needed to protect the small, intermittent drainage due to the development encroachment. As proposed, the project impacts are expected to be less than significant.

- f) The project area is slated for development and will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impact will occur.

V. CULTURAL RESOURCES –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

TRIBAL CULTURAL RESOURCES –

Would the project:

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

e) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☐	☐	☐	☒
f) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set for the in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	☐	☐	☒	☐

SETTING Nevada County is part of the Sierra Nevada Range, a geologic block approximately 400 miles long and 80 miles wide which extends in a north-south bank along the eastern portion of California. Two features of the Sierra Nevada distinctly characterize the terrain of Nevada County. The western third of the county is comprised of rolling foothills which form a transition between the low-lying Sacramento Valley and the mountains to the east. The area

extending from the Yuba County line to just northeast of the Grass Valley/Nevada City area is generally comprised of metavolcanics and granitic formations.

Prehistoric use and occupation focused on major surface water sources and other natural resource areas, with particular emphasis given to stream confluences and to ecotones created at the interface of foothill/valley lands, elements of which are located within and/or near the present study area.

Except for the project site and the immediate area fronting Highway 49/20, the project area is largely developed with low and medium residential uses to the north, commercial and industrial uses to the south and east and Highway 49/20 to the west. Considering the site is an infill site surrounded by development and further considering ± 1.45 acres of the ± 3.74 -acre site is being developed; the remainder being left in open space, a project specific cultural study has not been prepared for the project site.

Preparation of the City's Historical Element of the General Plan included in-depth historical and cultural research and a records survey. One result of the research project is a Cultural Sensitivity map (Figure 3.12-1). Documented historical and cultural features, lore, and historical appearance all contribute to cultural sensitivity.

Comprehensive Records Search through the North Central Information Center was undertaken as the first principal research project. This study yielded a total of 103 prior reports performed within the confines of the City's Planning Area. The project area is not within an area of Moderate or High Cultural Sensitivity Area.

IMPACTS a)&b) As noted, the project site is outside of the City's 1872 Historic Townsite; within a recently developed area. There are no structures on the property that are considered a historic resource nor has recent development in the area encountered any evidence of archaeological resources. Currently vacant and surrounded by development to the north, south and east, infill residential development of the property is not anticipated to have a substantial adverse change to the significance of a historic resource. No impact will occur.

c) The project site does not contain a unique paleontological resource, site, or unique geologic feature. No impact will occur.

d-f) Notice of the project was circulated to interested, Responsible and Trustee agencies on August 8, 2019, and again on October 22, 2024 reflecting the additional remediation work. The United Auburn Community of the Auburn Rancheria requested formal consultation under AB 52 in 2019, which resulted in requested mitigation at the site. After routing in 2024, the UAIC requested some language modification to their prior requested mitigation. Mitigation Measure CUL 3, has been updated to reflect the tribes preferred mitigation language.

On August 27, 2018, City staff walked the property with representatives of the *United Auburn Indian Community (UAIC)*. During the site survey, the UAIC Tribal Historic Preservation Officer did not identify potential remnant tribal cultural resources on the property. However, due to the proximity of the project site to Little Wolf Creek, there is a likelihood that surface finds may

occur should the blackberry bushes be removed. To this end, the project is proposed to designate ±2.29 acres adjoining Little Wolf Creek as open space. This area is also within the FEMA designated flood zone. Despite reserving the area adjoining Little Wolf Creek as open space, development of the remaining ±1.45 acres may contain inadvertent Tribal resources or Native American human remains. However, Mitigation Measures recommended for the protection of tribal cultural resources for the project would reduce potential impacts to acceptable levels.

CUL 1 – Mitigation Measure:

Inadvertent Discoveries – If potential tribal cultural resources (TCRs), archaeological resources, other cultural resources, are discovered work shall cease within 100 feet of the find (based on the apparent distribution of cultural resources) and a qualified cultural resources specialist and UAIC representative will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR's to be appropriate or respectful and request materials not be permanently curated, unless requested by the Tribe.

If adverse impacts to tribal cultural resources, unique archaeology, or other cultural resources occurs, then consultation with UAIC and other traditionally and culturally affiliated Native American Tribes regarding mitigation contained in Public Resources Code sections 21084.3(a) and (b) and CEQA Guidelines section 15370 should occur.

CUL 2 – Mitigation Measure:

Inadvertent Discoveries – In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains.

If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact by telephone within 24 hours, the Native American Heritage Commission in accordance with Section 5097.98 of the Public Resource Code.

CUL 3 – Mitigation Measure

If any suspected TCRs or resources of cultural significance to UAIC, including but not limited to features, anthropogenic/cultural soils, cultural belongings or objects (artifacts), shell, bone, shaped stones or bone, or ash/charcoal deposits are discovered by any person during construction or remediation activities including ground disturbing activities, all work shall pause immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. Work shall cease in and within the immediate vicinity of the find regardless of whether the construction is being actively monitored by a Tribal Monitor, cultural resources specialist, or professional archaeologist.

A Tribal Representative and the City of Grass Valley shall be immediately notified, and the Tribal Representative in coordination with the City of Grass Valley shall determine if the find is a TCR (PRC §21074)

Treatment and Documentation:

The culturally affiliated Tribe shall consult with the City of Grass Valley to (1) identify the boundaries of the new TCR and (2) if feasible, identify appropriate preservation in place and avoidance measures, including redesign or adjustments to the existing construction process, and long-term management, or 3) if avoidance is infeasible, a reburial location in proximity of the find where no future disturbance is anticipated. Permanent curation of TCRs will not take place unless approved in writing by the culturally affiliated Tribe.

The construction contractor(s) shall provide secure, on-site storage for culturally sensitive soils or objects that are components of TCRs that are found or recovered during construction. Only Tribal Representatives shall have access to the storage. Storage size shall be determined by the nature of the TCR and can range from a small lock box to a conex box (shipping container). A secure (locked), fenced area can also provide adequate on-site storage if larger amounts of material must be stored.

The construction contractor(s) and City of Grass Valley shall facilitate the respectful reburial of the culturally sensitive soils or objects. This includes providing a reburial location that is consistent with the Tribe's preferences, excavation of the reburial location, and assisting with the reburial, upon request.

Any discoveries shall be documented on a Department of Parks and Recreation (DPR) 523 form within 2 weeks of the discovery and submitted to the appropriate CHRIS center in a timely manner.

Work at the TCR discovery location shall not resume until authorization is granted by the City of Grass Valley in coordination with the culturally affiliated Tribe.

If articulated or disarticulated human remains, or human remains in any state of decomposition or skeletal completeness are discovered during construction activities, the Nevada County Coroner and the culturally affiliated Tribe shall be contacted immediately. Upon determination by the Nevada Coroner that the find is Native American in origin, the Native American Heritage Commission will assign the Most Likely Descendent who will work with the project proponent to define appropriate treatment and disposition of the burials.

VI. ENERGY –

WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
A) RESULT IN POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACT DUE TO WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY RESOURCES, DURING PROJECT CONSTRUCTION OR OPERATION?	☐	☐	☒	☐
B) CONFLICT WITH OR OBSTRUCT A STATE OR LOCAL PLAN FOR RENEWABLE ENERGY OR ENERGY EFFICIENCY?	☐	☐	☒	☐

SETTINGThe IS/MND prepared in 2017 predated CEQA mandated inclusion of an Energy section pursuant to appendix G of the CEQA guidelines. Therefore, no discussion on Energy was included and no findings were previously made.

During construction and remediation activities, energy use would occur in two general categories: fuel use from vehicles used by workers commuting to and from the construction site, and fuel use by vehicles and other equipment to conduct construction activities/ Energy use associated with the project was calculated as part of the air quality and greenhouse gas (GHG) modeling program, California Emissions Estimator Model (CalEEMod) prepared for the project.

During operation of the project, energy use would be associated with transportation-related fuel use (gasoline, diesel fuel, and EVs) and building-related energy use (electricity). Energy use associated with the project was calculated as part of the air quality and GHG modeling, (CalEEMod) prepared for the project.

IMPACTS:

- a. The project will be subject to the latest CalGreen Building Code, which features regulations for energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. The code requires that developers implement techniques and features that enhance the design and construction of buildings through the use of building concepts that have reduced negative impact or positive environmental impact and encourage sustainable construction practices.

The development will involve the use of energy during construction, including remediation, and operation. Site preparation including removal of the contaminated soil, grading, and building construction would consume energy in the form of gasoline and diesel fuel through operation of heavy off-road equipment, trucks, and worker trips. Consumption of these energy-intensive operations will be temporary and will cease upon the completion of the

construction and remediation phase. Due to the limited scale of the project, construction-related energy impacts would be *less than significant*.

Long-term operational energy use associated with the Project includes electricity and natural gas consumption associated with the new residential buildings (lighting, electronics, heating, air conditioning, refrigeration), energy consumption related to water usage and solid waste disposal, and fuel consumption (gasoline and diesel) by vehicles associated with the Project through the generation of new vehicle trips. While the long-term operation of the Project would result in an increase in energy consumption compared to existing conditions, the Project will incorporate design measures in compliance with CalGreen standards, and Grass Valley development code, which will have the effect of minimizing energy consumption. Therefore, operation of the Project will not result in wasteful, inefficient, or unnecessary consumption of energy and impacts are anticipated to be *less than significant*.

- b. Relevant plans that pertain to the efficient use of energy include the State's Energy Efficiency Action Plan which focuses on energy efficiency and building decarbonization and the City of Grass Valley Energy Action Plan. Although implementation of the proposed project would result in the overall increase in consumption of energy resources during construction and remediation activity, and operation of the new homes, proposed project energy consumption would benefit from, and not conflict with, various State laws and requirements related to increasing use of renewable energy and using energy more efficiently, including the California Building Code, Advanced Clean Car Standards, and SB 100 requirements to increase the amount of electricity generated from renewable and carbon-free energy sources. By extension it would also not conflict with the General Plan policies as the project would also be consistent with CALGreen code. Therefore, the proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. *This impact would be less than significant.*

VII. GEOLOGY AND SOILS –

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐

iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in the Building Code, creating substantial risks to life or property?	☐	☒	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

SETTING The project site is located on the northern half of the Sierra Nevada Geomorphic Providence of California. The Sierra Nevada Geomorphic Province is bordered to the north by the Cascade and Basin and Ranges, to the west by the Great Valley, to the east by the Basin and Range, and to the south by the Transverse Ranges and the Mojave Desert. The Sierra Nevada is nearly 400 miles in length and averages about 50 miles wide. Formation of the Sierra Nevada occurred by tectonic shifting of the Sierran Block; the western side dropping to form the Great Valley and the eastern side being uplifted to form the Sierra Nevada.

A Geotechnical Engineering Report was prepared for a former project entitled "Empire Mini Storage" for the property. The conclusions of the report are:

- The site is suitable for proposed development provided the geotechnical engineering recommendations and design criteria are incorporated into the project plans.
- The primary concern regarding the site is the presence of fill in areas of proposed improvements. In general, the fill was observed to be predominately granular and varied from loose to medium dense, based on subsurface observations. The highly variable nature of the fill material makes a reliable determination of the relative compaction difficult. The presence of loose fill within the areas of proposed improvements increases the likelihood of total and differential settlement-induced distress to the proposed structures and pavements. Recommendations to mitigate settlement-induced distress are presented.
- Options to mitigate the existing, nonhomogeneous fill include incorporating the use of a special, engineered foundation system for the structures (e.g. pier-and grade-beam or mat foundations) and fill over excavation and replacement.
- Design criteria for engineered foundation systems are required due to the apparent variable nature of the existing fill.

a) Based on the *2010 Fault Activity Map of California prepared by the California Geological Survey*, the nearest faults are the Grass Valley Fault, Wolf Creek Fault Zone, Spenceville Deadman Fault, and Swan Ravine Fault located 2 miles east, 6 miles south, 12 miles west, and 14 miles northwest, respectively. The Grass Valley Fault is a Pre-Quaternary fault (i.e. no visible signs of movement within 1.6 million years). This fault is not necessarily inactive. The

Wolf Creek and Spenceville Deadman Faults show geomorphic evidence of movement during the late Pleistocene epoch (700,000 to 11,000 years ago), and the Swan Ravine Fault shows geomorphic evidence of movement undifferentiated during the Quaternary period.

According to the 2008 Seismic Motion Interpolator prepared by the California Division of Mines and Geology, there is a 10 percent probability that the site will experience a horizontal ground acceleration of 0.16g in the next 50 years. This is a relatively low level of ground shaking for California. Earthquake faults, strong seismic ground shaking, seismic related ground failure and landslide impacts are considered less than significant.

- b) The Geotechnical Report prepared for the project site included erosion control recommendations including, which serve for both top-soil and Little Wolf Creek preservation. Such measures include: "At no time should any sediment, rocks, debris, or water be allowed to impact the waters of Little Wolf Creek". Graded portions of the site should be seeded as soon as possible to allow vegetation to become established prior to and during the rainy season. In addition, grading that results in greater than one acre of soil disturbance or in sensitive areas will require the preparation of site-specific storm water pollution prevention plan. As a minimum, the following controls should be installed prior to and during grading to reduce erosion. The following mitigation measure will reduce potential impacts to acceptable levels:

GEO 1 Mitigation Measure:

1. Prior to commencement of site work, fiber rolls shall be installed down slope of the proposed area of disturbance to prevent migration of sediment, rocks, and other objects from the site. Fiber rolls on slopes are intended to reduce sediment discharge from disturbed areas, reduce the velocity of water flow, and aid in the overall stability of slopes. The fiber rolls should remain in place until construction and remediation activity is complete and vegetation becomes established.
2. Soil exposed in permanent slope faces should be hydroseeded or hand seeded/strawed with an appropriate seed mixture compatible with the soil and climate conditions of the site as recommended by the local Resource Conservation District.
3. Following seeding, jute netting or erosion control blankets should be placed and secured over the slopes steeper than 2:1, H:V, to keep seeds and straw from being washed or blown away. Tackifiers or binding agents may be used in lieu of jute netting.
4. Surface water drainage ditches should be established as necessary to intercept and redirect concentrated surface water away from cut and fill slope faces. Under no circumstances should concentrated surface water be allowed to run over slope faces. The intercepted water should be discharged into appropriate collection areas.

Provided the recommendations of the Geotechnical Report are followed as mitigated below, the project will not result in substantial soil erosion or the loss of topsoil. These impacts are less than significant.

- c)&d) A field investigation occurred on April 21, 2004, by the Geotechnical Engineer of Record. The investigation included the excavation of nine exploratory trenches across the project site. Excavated depths ranging between 5 and 8.5 feet below the ground surface using a John Deere 410 backhoe with an 18-inch bucket were conducted.

The primary concern regarding the project site is the presence of exiting fill in areas of proposed improvements. Apparent fill to depths of approximately 7 feet bgs was observed in exploratory trenches. At this time, the method of fill placement and compaction is unknown. Additionally, it is not known how the site was prepared for fill placement or if significant amounts of deleterious material exist in the fill at locations outside of the exploratory trenches. In general, the fill was observed to be predominately granular and varied from loose to medium dense, based on subsurface observations. The highly variable nature of the fill material makes a reliable determination of the relative compaction difficult. The presence of loose fill within the areas of proposed improvements increases the likelihood of total and differential settlement-induced distress to the proposed structures and pavement.

Trenches T-1 through T-6 revealed fill of variable composition to varying depths. T-7 was terminated at or near refusal on a weather boulder. Trenches T-4 and T-6 exhibited seepage at depths of 4 feet and 3 feet respectively. Based upon the trenching, the site-specific geotechnical engineering recommendations have been provided based upon field observations, laboratory testing, and engineering analysis. The grading recommendations address clearing and grubbing, soil preparation, fill placement, fill slope grading, erosion control, subsurface drainage, surface water drainage, plan review, and construction monitoring. However, these impacts are considered less than significant with the following Mitigation Measure:

GEO 2 – Mitigation Measure:

Prior to grading permit issuance, the applicant shall submit to the City Engineer for review and acceptance two copies of a detailed Soils Engineering Report and Engineering Geology Report certified by a Civil Engineer registered in the State of California. In addition to the California Building Code requirements, the report shall specify the pavement structural sections for the proposed roadways in relation to the proposed traffic indexes, and shall be in compliance with the Final Response Plan prepared for the remediation activity. The improvements and grading plans shall incorporate the recommendations of the approved Soils Engineering Report and Engineering Geology Report. The project developer shall retain a civil engineer, soils engineer, and engineering geologist to provide professional inspection of the grading operations. If work is observed as not being in compliance with the California Building Code and the approved improvements and grading plans, the discrepancies shall be reported immediately in writing to the permittee, the Building Official, and the Engineering Division.

- e) The project will be connected to City of Grass Valley utilities for both water and sewer. Therefore, this potential impact is not applicable. No impact will occur.

VIII. GREENHOUSE GASES –

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate Greenhouse emissions, either directly or indirectly, that may have a significant impact on the environment. | ☐ | ☐ | ☒ | ☐ |
| b) Conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases. | ☐ | ☐ | ☒ | ☐ |

SETTING

The City of Grass Valley has not conducted a greenhouse gas emissions inventory or adopted a Climate Action Plan, performance standards, or a GHG efficiency metric. However, the City has recently adopted an *Energy Action Plan* and the *Grass Valley 2020 General Plan* includes numerous goals, policies, and programs which, if implemented, will reduce Grass Valley's impacts on global climate change and reduce the threats associated with global climate change to the City.

CEQA Guidelines Section 15064.4 provides direction to lead agencies in determining the significance of impacts from GHG emissions. Section 15064.4(a) calls on lead agencies to make a good faith effort, based upon available information, to describe, calculate or estimate the amount of GHG emissions resulting from a project. The lead agency has the discretion to determine, in the context of a particular project, how to quantify GHG emissions.

Greenhouse gases (GHG) include gases that can affect the earth's surface temperature. The natural process through which heat is retained in the troposphere is called the greenhouse effect. The greenhouse effect traps heat in the troposphere through a process of absorbing different levels of radiation. GHG are effective in absorbing radiation which would otherwise escape back into space. Therefore, the greater the amount of radiation absorbed, the greater the warming potential of the atmosphere. GHG are created through a natural process and/or industrial processes. These gases include water vapor (H₂O), carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs) and sulfur hexafluoride (SF₆).

Since 2005, the California legislature adopted several bills, and the Governor signed several Executive Orders, in response to the impacts related to global warming. Assembly Bill 32 states global warming poses a serious threat to California and directs the Air Resources Board to develop and adopt regulations that reduce GHG emissions to 1990 levels by the year 2020.

Senate Bill 97 requires an assessment of projects GHG emissions as part of the CEQA process. SB 97 also required the Office of Planning and Research to develop guidelines to analyze GHG emissions.

The NSAQMD has not adopted thresholds of significance for GHG emissions. Due to the nature of global climate change, it is not anticipated that a single project would have a substantial impact on global climate change. Although it is possible to estimate a project's CO₂ emission, it is not possible to determine whether or how an individual project's relatively small incremental contribution might translate into physical effects on the environment.

IMPACTS

- a)&b) Calculating the Greenhouse Impacts on an individual project is difficult to qualify or quantify. The GHG emissions from the proposed project would not individually generate GHG emissions enough to measurably influence global climate change. However, ongoing occupancy and operation would result in a net increase of CO₂ and other greenhouse gas emissions due to vehicle miles traveled, energy use, and solid waste disposal. However, as an infill residential project, vehicle miles traveled may be reduced and considered less than significant. According to the *CalEEMod* program conducted for the project, the following air quality impacts are anticipated with the proposed Heritage Oaks Phase II project:

Project Construction and Operational Emissions Estimates

	ROG (lbs/day)	NO _x (lbs/day)	PM ₁₀ (lbs/day)	CO (lbs/day)
Project Construction Impacts	0.6	5.0	1.0	5.0
Project Operational Impacts	8.0	10.0	7.0	38.0
Level A Thresholds				
NSAQMD- Significance Thresholds	<24 lbs/day	<24lbs/day	<79lbs/day	N/A
Level B Thresholds				
Maximum Project Emissions	24-136 lbs/day	24/136 lbs/day	79-136 lbs/day	N/A
Level C Thresholds				
Maximum Project Emissions	>136 lbs/day	>136 lbs/day	>136 lbs/day	N/A

As noted in the Air Quality Section of this Initial Study, the above impacts are within the acceptable level of impacts as viewed by the NSAQMD. In addition, the following project components and California Green Building requirements apply to the proposed residential project:

- All new residential construction with attached private garages shall have an electric vehicle (EV) charging station.
- Residential projects with an aggregate landscape area equal to or greater than 500 square feet shall comply with either a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent.
- Toilets and showers shall be low flow.
- Construction waste management forms shall be completed including recycling and/or reuse a minimum of 65 percent of nonhazardous construction and demolition waste.
- All exterior lighting shall be high efficacy and be controlled by a manual on/off switch.
- All high efficacy light fixtures shall be certified as "high-efficacy" light fixtures by the California Energy Commission.
- Each of the homes shall be constructed in accordance with Title 24 Energy Standards.
- Solar shall be required for building permit applications deemed complete after January 1, 2020.
- As an infill residential project, in proximity to services, it is anticipated that reduced vehicle trips will result than otherwise would have occurred.

The above CA Green Building Code requirements coupled with the analysis and conditions of approval in the Air Quality Section of this Initial Study, will assure that Greenhouse Gas impacts remain less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX HAZARDS AND HAZARDOUS MATERIALS –				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	☐	☐	☒	☐

SETTING Hazardous materials stored and used onsite and on surrounding properties would be associated with common construction and household chemicals used. However, these common household chemicals are legally purchased and are not considered a health hazard.

The City's Fire Department responds to all calls for emergency services within City limits that include, but are not limited to: fires, emergency medical incidents, hazardous materials incidents, public assists, traffic, vehicle accidents and other situations. Fire Station #1, located on Brighton Street, is staffed 24 hours a day. This station is located less than one mile from the project site.

In the Grass Valley area, industrial and commercial facilities that use, store, or dispose of hazardous materials present the greatest potential hazards. A search of available environmental records conducted indicates that the project site is not listed as a hazardous materials site and no listed sites occur within an ASTM standard distance radius.

a)&b) The site is in the historical Grass Valley Mining District, which is geologically rich in gold deposits and other hydrothermal mineral deposits. The mineralized deposits commonly contain naturally occurring metals/metalloids such as arsenic and lead. Elevated metal concentrations detected at the site appear to be associated with imported fill soil and alluvium transported in Little Wolf Creek. The contaminated fill soil and underlying sediment in the building areas will be excavated and transported off-site to EPA licensed Class I or Class II landfills. The transported alluvium soil located within the existing Little Wolf Creek floodplain is proposed to remain onsite, with restricted access through a Land Use Covenant (LUC) as will be required by the State Department of Toxic Substances Control.

Remedial actions identified in the Report of Findings and Response Plan include off-haul of approximately 625 truck loads of contaminated soil and sediment, and replacement with approximately 400 truck loads of clean soil. Transport of the contaminated soil and sediment will be temporary in nature and will comply with the associated Health and Safety Plans (HSPs). Further, soil moisture content is to be maintained to reduce the potential for dust generation, with dust monitoring performed pursuant to the Dust Mitigation Plan (DMP), and a Community Air Monitoring Plan (CAMP), which were both prepared in coordination with DTSC to establish air monitoring protocols and best management practices to mitigate emissions. Implementation of these plans during remediation will reduce exposure to nearby sensitive receptors and the adjacent community during this phase. No impact will occur due to the temporary nature of remediation activities. Prior to development of the site, all actions provided in the Report of Findings and Response Plan prepared by Geocon Consultants, Inc shall be required and approval of a Removal Action Completion Report (RACR), LUC, and O&M Agreement shall be obtained from DTSC, as outlined in mitigation measure HAZ 1.

Off-haul of the contaminated fill soil in the planned development area, and restricting the use of the contaminated soil to remain through a restrictive land use covenant in compliance with the Report of Findings and Response Plan, is anticipated to effectively protect human health by eliminating the potential exposure pathways. Short-term impacts associated with remediation would be reduced by provisions set forth in a DMP, CAMP, and HSPs prepared by the parties involved. Therefore, impacts related to transport, use, or disposal of hazardous materials, and release of hazardous materials are anticipated to be less than significant with mitigation incorporated.

c)&d) The proposed project does not involve an activity that will emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

The project is not located on a site which is included on a list of hazardous materials sites. No impact will occur.

- e)&f) The project site is located approximately 2 miles (as the crow flies) from the Nevada County Airport. As required by the Public Utilities Code, the Airport Land Use Commission adopted the *Nevada County Airport Land Use Compatibility Plan*. The compatibility plan's function is to promote compatibility between the airport and surrounding land uses with respect to: height (e.g. height of structures), safety (e.g. number of persons per acre), and noise (e.g. noise sensitive land uses). According to the Nevada County Airport Land Use Compatibility Plan, the project site is located outside of the area of influence.

The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

The project will not expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands. No impact will occur.

- g)&h) Though the project site, as with most of the City, is designated as within a high fire hazard severity zone, the proposed access and water system will support adequate fire suppression activities. According to the City Fire Chief, development of this does not expose a greater risk from wildfire than any other area in the City.

The project will not impair implementation of or physically interfere with an emergency response plan or emergency evacuation plan. This impact is less than significant.

HAZ 1- Mitigation Measure:

Prior to development of the site, all actions provided in the Report of Findings and Response Plan prepared by Geocon Consultants, Inc shall be required and approval of a Removal Action Completion Report (RACR), LUC, and O&M Agreement shall be obtained from DTSC..

X. HYDROLOGY AND WATER QUALITY –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | ☐ | ☐ | ☒ | ☐ |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | ☐ | ☐ | ☒ | ☐ |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? | ☐ | ☐ | ☒ | ☐ |
| f) Otherwise substantially degrade water quality? | ☐ | ☒ | ☐ | ☐ |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | ☐ | ☐ | ☐ | ☒ |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | ☐ | ☐ | ☐ | ☒ |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | ☐ | ☐ | ☐ | ☒ |
| j) Inundation by seiche, tsunami, or mudflow? | ☐ | ☐ | ☐ | ☒ |

SETTING The property consists of grass covered pasture type areas with fill slopes of varying gradients of 4-15%. Generally, stormwater offsite and onsite flows in a sheet flow manner to a wetland located within the westerly one-half of the site. Stormwater gradually channelizes in a southerly direction, combining with some stormwater from the partially improved Joyce Drive. Stormwater then passes through an existing 12-inch culver across existing Joyce Drive and continues offsite towards the Golden Center Freeway and ultimately to Wolf Creek located along the west property line.

The overall watershed area is ± 9.9 acres which is sloping southeasterly towards the existing wetland and Joyce Drive culvert crossing.

Approximately ± 2.29 acres of the ± 3.74 -acre site is within the FEMA Flood Zone AE designation. The AE designation is defined as: "The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights. As proposed, no development is planned in the FEMA Flood Zone AE designation.

The project area that is proposed for development is located in Flood Zone X (Areas determined to be outside the 500-year flood plain) according to the *Flood Insurance Rate Map for the County of Nevada*,

Map No. 06057C0627E dated February 3, 2013. Due to the site's topography and location away from any major waterways, flooding is not a concern on the project site according to Federal Emergency Management Agency (FEMA).

IMPACTS a) According to the *Habitat for Humanity Drainage Report prepared by SCO Planning and Engineering dated November 2019*, on-site drainage will be collected in a new drainage system containing drainage inlets, storm drain, manholes, etc. Runoff from the proposed residences will exit roof downspouts into small infiltration trenches prior to discharge to the existing natural drainage course. Runoff from pavement areas is conveyed along curb and gutter to one of two storm drain inlets with deepened sumps for retention and infiltration. Storm water is further conveyed through new storm drain and ultimately will enter a "Stormceptor" manhole for removal of potential pollutants prior to discharge into new Bio-Swales south of residential development. Drainage is then conveyed to a new retention pond allowing infiltration and removal of potential pollutants prior to discharge to the adjacent natural drainage course.

The existing 12-inch culvert crossing Joyce Drive presently will be removed and replaced with a new 24-inch culvert to improve the hydraulic capacity of the culver crossing. Stormwater runoff from the portion of Joyce Drive on the south side of centerline, or "crown" of Joyce Drive will sheet flow through a vegetative buffer strip, reducing velocities, allowing infiltration and removal of potential pollutants prior to discharge to the adjacent natural drainage course. All drainage facilities are designed to accommodate the required storm events in accordance with the City of Grass Valley requirements.

Based upon the cut and fill quantities proposed, the proposed project will require a grading permit to be issued by the City of Grass Valley, Public Works Division pursuant to the City's Grading Ordinance. The City's Grading Ordinance requires specific measures to address erosion and the introduction of construction materials into surface waters. In addition, Section 402(p) of the Clean Water Act requires National Pollutant Discharge Elimination System (NPDES) storm water permitting to be approved by the Regional Water Quality Control Board for projects disturbing over 1 acre. Standard Mitigation Measures requiring a NPDES permit from the RWQCB will reduce potential impacts to a less than significant impact.

HY/WQ 1 - Mitigation Measures:

1. Prior to the issuance of a grading permit, the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City for acceptance, file a Notice of Intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act. The applicant shall submit the Waste Discharge Identification (WDID) number, issued by the state, to the City of Grass Valley Engineering Division.
2. Prior to the issuance of a grading permit, a detailed grading, permanent erosion control and landscaping plan shall be submitted for review and approval by the Engineering Division prior to commencing grading. Erosion control measures shall be implemented in accordance with the approved plans. Any expenses made by the City to enforce the required erosion control measures will be paid by deposit.

- b) The proposed project will be connected to the City of Grass Valley municipal water supply. The water connection of 12 single family homes is not anticipated to deplete groundwater supplies or interfere substantially with groundwater recharge. This impact is less than significant.
- c)-d) Hydrology calculations for the project site have been provided in the drainage study prepared for the project. Pre- and post-development hydrology analysis include calculations of impervious surfaces for the purpose of determining impacts of the proposed development. Peak flows were determined for 10- 25- and 100-year storm events.

The post-development rate and volume will be reduced below the pre-development rate and volume with the retention facilities and BMPs identified herein. Onsite retention facilities will reduce the post-development flow by attenuating the peak flow. Post Mitigated (after retention) flow calculation is based on Federal Highway Administration Hydraulic Design of Highway Culverts, Hydraulic Design Series No. 5 (HDS-5).

- e) The project includes Water Quality Treatment facilities in accordance with State Regional Water Quality Control Board and City requirements. The retention facilities provide water quality treatment, recharge natural groundwater and attenuate peak flows thus reducing runoff volume and rate of discharge.

As part of the Stormwater Quality Pollution Control Plan prepared for the project, several erosion control measures will be implemented as outlined in the Geology Section of this Initial Study. These measures include: At no time should any sediment, rocks, debris, or water be allowed to impact the waters of Little Wolf Creek. Graded portions of the site should be seeded as soon as possible to allow vegetation to become established prior to and during the rainy season. In addition, grading that results in greater than one acre of soil disturbance or in sensitive areas will require the preparation of site-specific storm water pollution prevention plan. As a minimum, the following controls should be installed prior to and during grading to reduce erosion.

HY/WQ 2 - Mitigation Measures:

To protect soil and water resources during the implementation of the stream restoration project, the following Best Management Practices (BMPs) shall be implemented for the duration of the implementation phase and the efficacy of the BMPs monitored for the duration of the maintenance, monitoring, and reporting phase:

1. Prior to commencement of site work, fiber rolls should be installed down slope of the proposed area of disturbance to prevent migration of sediment, rocks, and other objects from the site. Fiber rolls on slopes are intended to reduce sediment discharge from disturbed areas, reduce the velocity of water flow, and aid in the overall stability of slopes. The fiber rolls should remain in place until construction and remediation activity is complete and vegetation becomes established.
2. Soil exposed in permanent slope faces should be hydroseeded or hand seeded/strawed with an appropriate seed mixture compatible with the soil and climate conditions of the site as recommended by the local Resource Conservation District.
3. Following seeding, jute netting or erosion control blankets should be placed and secured over the slopes steeper than 2:1, H:V, to keep seeds and straw from being washed or blown away. Tackifiers or binding agents may be used in lieu of jute netting.

4. Surface water drainage ditches should be established as necessary to intercept and redirect concentrated surface water away from cut and fill slope faces. Under no circumstances should concentrated surface water be allowed to run over slope faces. The intercepted water should be discharged into appropriate collection areas.
- f) Storm drainage from impervious areas (roads, walks, roofs) is collected and routed through water quality treatment facilities for removal of potential pollutants. These consist of a Multiple Treatment System which includes the following Best Management Practices (BMP's) in series prior to discharge of flow to existing drainage facilities as identified in the Drainage Plan dated November 2019 prepared by SCO Planning and Engineering, Inc.

HY/WQ 3- Mitigation Measures: BMPs shall be shown on grading and site improvement plans including the following:

BMP#

TC-10 Infiltration trenches will be installed at roof downspouts for both retention of storm water runoff and for capturing pollutants prior to entering the natural drainage course. Runoff is stored in the void space between the stones and infiltrates into surrounding soil.

TC-11 Infiltration basins will be installed at the end of the biofiltration swales for stormwater runoff storage and exfiltration into the underlying soil. Pollutant removal occurs through the infiltration of runoff and the absorption of pollutants into the soil and vegetation.

TC-30 Vegetated biofiltration swales will be provided at the discharge of the underground storm water piping. The swale will trap particulate pollutants, promote infiltration, reduce flow velocity, and increase time of concentration of stormwater runoff.

TC-31 A vegetated buffer strip will be provided southerly of the Joyce Drive roadway. The fill slope and area up to the right of way will have amended soils and be seeded to create a vegetated buffer strip that will filter sheet flow from the roadway crown southerly. The strip will reduce runoff velocities allowing stormwater infiltration and filtration of potential pollutants.

TC-50 Water Quality Inlets consist of a 1-foot deep sump at bottom of all storm drain inlets that collects silt and sediment and allows infiltration. At the downstream manhole, there will be an in-line Stormceptor manhole to remove trash and debris and larger suspended solids using radial flow prior to discharge.

During construction and remediation activity, additional BMPs including temporary erosion control facilities shall be implemented to control pollutants that have a potential to affect the quality of storm water discharges from the construction site. Implementation of BMPs for Construction Activities will be in accordance with California State Water Resources Control Board (SWRCB) requirements.

- g)-j) The subject property contains ± 2.29 acres of Flood Zone along the east side of Highway 49/20 according to FEMA Map Panel Number 0605700629E effective date February 3, 2010. The area within the designated Flood Zone will be preserved as open space to be maintained by the Heritage Oaks Phase II HOA. The developed area of ± 1.45 acres will not expose people or

structures to a significant risk of loss and is not subject to inundation by seiche, tsunami, or mudflow. No impact will occur.

XI. LAND USE AND PLANNING —

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

SETTING The ±3.74-acre project site is an infill residential parcel surrounded by low density residential uses on the north with commercial and industrial uses to the south and east.

The City of Grass Valley 2020 General Plan Land Use Map (updated February 2007) identifies the property and area as slated for Commercial uses. The zoning designation is likewise commercial. Amending the land uses to Neighborhood Center Flex (NC-Flex) is consistent with the adjoining land uses along Joyce Drive.

IMPACTS a)&b) The project site is surrounded by urban development on all sides and is considered in-fill development with residential designs consistent with the neighborhood. Multiple 2020 General Plan policies, goals and objectives support both in-fill development and preservation of existing neighborhoods which include, but are not limited to:

- 2-LUG – Promote infill as an alternative to peripheral expansion where feasible.
- 3-LUO – Reduction in the amount of land necessary to accommodate future growth.
- 4-LUO – Reduction in the environmental impacts associated with peripheral growth.

- 4-LUG – Protect and enhance the character of established single-family neighborhoods.
- 10-LUO – Preservation of existing neighborhoods.
- 3-CG – Provide for the safe and efficient movements of people and goods in a manner that respects existing neighborhoods and the natural environment.
- 10-CO – Protection of stream courses, riparian areas and other natural features.

Development of the property will not divide an established community or conflict with any applicable land use plan, policy or regulation. Development of the site is in accordance with the City's NC-Flex Zone designation. No impact will occur.

- c) The property is slated for urban development according to the City's General Plan. The proposed project will not conflict with any applicable habitat conservation plan or natural community conservation plan. No impact will occur.

XII. MINERAL RESOURCES –

Would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | ☐ | ☐ | ☐ | ☒ |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | ☐ | ☐ | ☐ | ☒ |

SETTING The City of Grass Valley adopted a *General Plan Mineral Management Element (MME)* on August 24, 1993. The MME contains four resource areas defined as: MRZ – 1 through MRZ – 4. The designations are described as follows:

- MRZ – 1: Areas where adequate information indicates that no significant mineral deposits are present.
- MRZ – 2: Areas where adequate information indicates that significant mineral deposits are present or where it is judged that there is a high likelihood for their presence.
- MRZ – 3: Areas containing mineral deposits the significance of which cannot be evaluated from available data.
- MRZ – 4: Areas where available information is inadequate for assignment to any other MRZ zone.

IMPACTS a)&b) The *General Plan Mineral Management Element* does not show the site as being near an area classified as having significant mineral deposits. The Heritage Oaks Phase II property is not located near one of the two areas identified in the Mineral Management Element (MME) as being targeted for mining conservation. Should mining activities be proposed in the area, the MME includes a policy statement that requires a proposed mine project to address potential impacts on the urban uses based upon the nature of the mining activities. According to the MME, the proposed project is not anticipated to result in the loss of availability of a known mineral resource or locally known minimal resource. No impact will occur.

XIII. NOISE—

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

SETTING Noise is generally defined as loud, unpleasant, unexpected, or undesired sound that disrupts or interferes with normal human activities. Although exposure to high noise levels over an extended period has been demonstrated to cause hearing loss, the principal response to noise is annoyance.

Sound intensity is measured in decibels (dB) using a logarithmic scale. For example, a sound level of 0 dB is approximately the threshold of human hearing, while normal speech has a sound level of approximately 60 dB. Sound levels of approximately 120 dB become uncomfortable sounds.

Two composite noise descriptors are in common use today: L_{dn} and CNEL. The L_{dn} (Day-Night Average Level) is based upon the average hourly noise level over a 24-hour day, with a +10-decibel weighting applied to nighttime (10:00 p.m. to 7:00 a.m.) noise values. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were subjectively twice as loud as daytime exposures. The CNEL (Community Noise Equivalent Level), like L_{dn} , is based upon the weighted average hourly noise over a 24-hour day, except that an additional +4.77 decibel penalty is applied to evening (7:00 p.m. to 10:00 p.m.) hours. The CNEL was developed for the California Airport Noise Regulations and is normally applied to airport/aircraft noise

assessment. The L_{dn} descriptor is a simplification of the CNEL concept, but the two will usually agree, for a given situation, within 1dB. Like the noise levels, these descriptors are also averaged and tend to disguise short-term variations in the noise environment. Because they presume increased evening or nighttime sensitivity, these descriptors are best applied as criterial for land uses where nighttime noise exposures are critical to the acceptability of the noise environment, such as residential developments.

a) *Remediation and Construction Noise* – The project includes remediation, earthwork construction, and house construction that will generate additional noise in the residential neighborhood. Remediation and earthwork construction are anticipated to be completed in one phase. Dependent upon home sales, house construction may occur over several years. During the construction phases, noise from construction activities (dozers, graders, generators, saws, pneumatic tools, etc.), will occur in the project area. Activities involved in construction will generate noise levels, generally ranging from 70 to 90 dB at a distance of ± 50 feet. These can generally be reduced approximately 5 dB at distances of 100 feet.

Equipment used for the project and the dBA for each type of equipment includes the following:

In accordance with the City's Municipal Code, construction activities will be temporary in nature and will occur between normal working hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and not at all on Sunday and legal holidays.

The nearest sensitive receptors are the homes on the north side of Joyce Drive approximately ± 50 feet from the project site.

Equipment Type	dBA at 50 feet
Backhoe	84 dBA
Excavator	81 dBA
Generator	81 dBA
Jackhammer	89 dBA
Paver	77 dBA
Pickup Truck	75 dBA
Pneumatic Tools	85 dBA

According to the State's General Plan Guidelines and City General Plan Noise Element, noises which are generally less than ± 60 dB CNEL are normally acceptable for outdoor low-density residential uses taking into account that any building impacted would be of normal conventional construction without any special noise insulation requirements. As noted, acceptable noise levels are determined using the Community Noise Equivalent Level (CNEL). The type of equipment used may intermittently exceed ± 60 dB, during the working hours from 7:00 a.m. to 6:00 p.m. However, based upon the temporary and fluctuating nature of construction noise and the following Mitigation Measure, construction noise would be reduced to a less than significant level.

NOISE 1 - Mitigation Measure:

Prior to the issuance of grading and/or building permits, the project grading and building plans shall identify locations for all stationary noise-generating construction equipment, such as air compressors, that are located as far as practical from nearby homes. When such equipment must be located near adjacent residences, project grading and improvement plans shall include provisions to provide acoustical shielding of such equipment.

Existing Noise – The existing ambient noise level environment at the project site is defined primarily by traffic on SR-49/20. To quantify the existing ambient noise environment at the project site, Bollard Acoustical Consultants, Inc., conducted long-term (72) hour noise level

measurements on the project site during May 11-13, 2019. The purpose of the continuous noise level survey was to determine existing traffic noise exposure on the project site in terms of the day/night average level (Ldn), and to determine the types of changes in noise environment which occur at the project site over a 24-hour period. The noise level measurement results are summarized below in **Table 2 – Summary of Long-Term Ambient Noise Monitoring Results**.

Table 2 Summary of Long-Term Ambient Noise Monitoring Results – May 11-13, 2019 Heritage Oaks Phase 2 Residential Development – Grass Valley, California								
Location ¹	Date	L _{dn} , dB	Average Measured Hourly Noise Levels (dB) ²					
			Daytime (7 a.m. to 10 p.m.)			Nighttime (10 p.m. to 7 a.m.)		
			L _{eq}	L ₅₀	L _{max}	L _{eq}	L ₅₀	L _{max}
Site 1: Western end of project site, approximately 120 feet from the centerline of SR-49	5/11/19	58	56	55	72	50	45	67
	5/12/19	57	56	54	73	48	44	66
	5/13/19	59	57	55	72	51	45	69
Notes: ¹ Long-term ambient noise measurement location is shown on Figure 1. ² Detailed results of the ambient noise survey are contained in Appendices C and D. Source: Bollard Acoustical Consultants, Inc. (2019)								

The **Table 2** data indicate that measured existing ambient noise levels at the project site were comparable throughout the entire monitoring period. The **Table 2** data also indicated that measured existing day-night average noise levels at the project site comply with the City of Grass Valley 60 dB Ldn exterior noise level standard applicable to residential uses. Nonetheless, a detailed analysis of future traffic noise levels was conducted as discussed below.

Evaluation of Future Traffic Noise Levels at the Project Site – According to traffic volume data obtained from Caltrans traffic counts (2017), the segment of SR 49 adjacent to the project site currently experiences an average daily traffic (ADT) volume of approximately 31,900 vehicles. The Caltrans counts for that segment of highway also indicate 3 percent and 2 percent of the overall volume were attributable to medium trucks and heavy trucks respectively.

As indicated in **Table 2**, existing traffic noise level measurements conducted at a distance of 120 feet from the centerline of SR-49 were 59 dB Ldn (highest measured), indicating an over-prediction by the FHWA Model of 11 dB. The discrepancy in predicted versus measured traffic noise levels is believed to be primarily due to the shielding provided by intervening topography relative to a depressed project site. In order to provide future traffic noise level predictions representative of local conditions, a conservative offset of -5 dB was applied to FHWA Model in the assessment of SR-49 traffic levels at the project site.

Predicated Future Exterior Traffic Noise Levels at the Project Site – The calibrated FHWA Model was used with future traffic data to predict future traffic noise levels at the nearest proposed building facades and outdoor activity areas (backyards) of the development. Future traffic volumes for SR-49 were conservatively estimated by assuming an increase of 50% relative to existing conditions. The FHWA Model inputs and predicted future traffic noise levels at the project site are summarized below in **Table 3 – Predicted Future Exterior Traffic Noise Levels**.

Table 3 Predicted Future Exterior Traffic Noise Levels ¹ Heritage Oaks Phase 2 Residential Development – Grass Valley, California				
Roadway	Lot	Location	Distance from Centerline (feet) ²	Future Exterior L _{dn} (dB) ³
SR-49	14	Outdoor activity area	120	66
		First-floor facade	110	67
		Upper-floor facade	110	75
	12	Outdoor activity area	300	60
		First-floor facade	310	60
		Upper-floor facade	310	68

Notes:

1 A complete listing of FHWA Model inputs and results are provided in Appendix F.

2 Distances measured from indicated location to the centerline of SR-49.

3 A conservative offset of -5 dB was applied at ground-floor locations (outdoor activity areas and first-floor facades) to account for the calibration results of the FHWA Model. A +3 dB was applied to the upper-level facades due to reduced ground absorption at elevated floor levels.

Source: Bollard Acoustical Consultants, Inc. (2019)

Table 3 represents the lot numbers as proposed in the original plan. In the revised plan, Lot 12 is in approximately the same location as the original Lot 14. The original Lot 12 is no longer proposed, however its neighboring lot, the original Lot 11, is now Lot 10. As indicated in **Table 3**, the predicted future SR-49 traffic noise level of 60 dB Ldn at the outdoor activity area of the original Lot 12 would satisfy the City of Grass Valley 60 dB Ldn normally acceptable and 65 dB Ldn conditionally acceptable exterior noise level standards. However, at the outdoor activity area of Lot 12, future SR-49 traffic noise level exposure is predicted to exceed the City's normally acceptable and conditionally acceptable exterior noise level criteria. New Lot 10 is further from SR-49 traffic; therefore, the noise levels at the edge of this lot can be expected to be lower than the original Lot 12. However, further consideration of exterior traffic noise mitigation measures would be warranted for the proposed backyard nearest to SR-49 (Lot 10).

Traffic Noise Mitigation for Outdoor Activity Areas – Noise mitigation measure for outdoor activity areas of residential development can take several forms, including setbacks, lot orientation and noise barriers. An analysis of noise barrier effectiveness for the residential lot proposed nearest to SR-49 (original Lot 12) was conducted for this project and the results are summarized in **Table 4 – Traffic Noise Barrier Analysis Results – SR-49**.

Table 4 Traffic Noise Barrier Analysis Results – SR-49¹ Heritage Oaks Phase 2 Residential Development – Grass Valley, California					
Lot #	Predicted L _{dn} ^{2,3,4}				
	No Barrier	6' Barrier	7' Barrier	8' Barrier	9' Barrier
14	66	62	61	61	60
Notes: ¹ A complete listing of noise barrier effectiveness inputs and results are provided in Appendix G. ² Lot locations are shown on Figure 2. ³ Predicted L _{dn} (dB) at proposed outdoor activity area. ⁴ Barrier heights relative to backyard lot elevation. Source: Bollard Acoustical Consultants, Inc. (2019)					

Note: Lot 14 in the original plan corresponds to Lot 12 in the revised plan.

As shown in **Table 4**, the results of the noise barrier analysis indicated that a noise barrier measuring 6-feet in height relative to backyard lot elevation would reduce future SR-49 traffic noise levels to 62 dB Ldn, which would satisfy the City of Grass Valley 65 dB Ldn conditionally acceptable exterior noise level standards. A noise barrier is recommended to be constructed along the western side and rear property lines of Lot 12.

Traffic Noise Mitigation for Residential Interiors – According to the FHWA Model, the future exterior traffic noise level is predicted to be approximately 67 dB Ldn or less at the first-floor façade of the residence constructed nearest SR-49 (original Lot 12). After construction of the required noise barrier, the future traffic noise level is predicted to be approximately 62 dB Ldn or less at the first-floor façade of the residence on the original Lot 12. To achieve compliance with the City of Grass Valley 45 dB Ldn interior noise level standard within the first-floor rooms, a building façade noise reduction of at least 17 dB would be required of the first-floor exterior wall construction at the residence constructed on Lot 12. However, the original Lot 12 is no longer proposed. The new Lot 10 is east of the original Lot 12 and is expected to experience lower noise levels from SR-49.

Due to the reduced ground absorption at elevated positions, upper-floor traffic noise levels are predicted to be approximately 3 dB higher than first-floor levels. Standard residential construction typically results in an exterior to interior noise reduction of about 25 dB with windows closed, and approximately 15 dB with windows open.

NOISE 2 – Mitigation Measure:

- 1) A traffic noise barrier shall be constructed at the location indicated on **Figure 2**. A noise barrier measuring 6-feet in height relative to backyard elevation would result in the satisfaction of City of Grass Valley's 65 dB Ldn conditionally acceptable exterior noise level standard.

Suitable materials for the traffic noise barrier include masonry and precast concrete panels. Glass can be an effective barrier material in areas where preservation of view is desired. Other materials may be acceptable but should be reviewed by an acoustical consultant prior to use.

- 2) Mechanical ventilation (air conditioning) should be provided for all residences in this development to allow occupants to close doors and windows as desired to achieve compliance with the applicable interior noise level criteria.

b)-d) Considering the level of earthwork required and distance from existing sensitive receptors, the project is not anticipated to expose people to ground borne vibration or ground borne noise levels. Grading will cause or contribute to a temporary increase in ambient noise levels; however, this impact is short-term and is subject to the City's Noise Ordinance which limits hours of construction. These impacts are considered less than significant.

e)&f) As the crow flies, the project is located approximately 3 miles from the City of Grass Valley Municipal Airport. Due to the distance from the Nevada County Airport, noise impacts associated with the airport will not occur. No impact will occur.

XIV. POPULATION AND HOUSING –

Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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☐	☐	☒	☐
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of roads or other infrastructure)?

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

SETTING The proposed project is in an area of medium density residential use. The land use designation for the project site is Commercial according to the *City of Grass Valley General Plan*. The zoning designation proposed is Neighborhood Center Flex (NC-Flex).

The project is served by existing utilities including sewer, water, electric, gas and storm drainage.

Except for the project site, the project area has been built out low and medium density residential uses.

IMPACTS a) Based upon 12 homes and a City of Grass Valley average household size of 2.04 persons per household, the project is anticipated to generate twenty-five (25) persons which may or may not be new residents. The addition of twenty-five (25) persons to the City of Grass Valley's population is negligible in comparison with its 13,041-total population. Therefore, this project will not result in a substantial population growth in an area, either directly or indirectly. This impact is less than significant.

b)&c) The project will not displace substantial numbers of existing housing, necessitating the construction of replacement housing or people elsewhere. No impact will occur.

XV. PUBLIC SERVICES —

Would the project:

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

SETTING The proposed project area is within the City of Grass Valley and is served by the following public services:

Fire Protection: The City of Grass Valley Fire Department provides fire protection and emergency medical services within the City. The Ophir Hill Fire Protection District serves lands east of the City limits, and the Nevada County Consolidated Fire District (NCCFD) serves the area generally north, west, and south of the City limits. The Fire Department is part of the tri-agency Joint Operating Agreement that includes the Nevada City Fire Department and NCCFD. The Fire Department has three locations: Fire Station #1 (474 Brighton Street), Fire Station #2 (213 Sierra College Drive), and administrative offices at City Hall (125 East Main Street). Equipment includes three front line engines, one reserve engine, one Office of Emergency Services (OES) engine, a ladder truck, one air support unit, and five staff vehicles.

Police Protection: The Department currently employs 27 FTE sworn members and 3 FTE civilian staff. Based upon Grass Valley's population of 13,041 the department's ratio of police officers per 1,000 residents is 2.1.

Schools: Throughout Grass Valley, the Grass Valley School District serves K-5 students and the Nevada Joint Union School District serves students in grades 9 – 12. In addition, through inter-district contracts (which can be retracted), 467 students from Grass Valley currently attend schools in other school districts.

Parks: The Grass Valley public parks and recreation system is comprised of approximately 108 acres of City park lands, including seven developed parks (Dow Alexander, Elizabeth Daniels, Glenn Jones, Minnie, Memorial, DeVere Mautino, and Condon and one underdeveloped park Morgan Ranch) within the City limits.

IMPACTS a) The project is not anticipated to have substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities; a need for new or physically altered governmental facilities; the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios; response times or other performance objectives for any of the public services. These impacts are considered less than significant.

The applicant will be required to pay the City's impact fees for residential development, including fees for police, fire and Quimby Act (park) fees. The fees collected by the City are used to augment fire, police, parks and other public facilities. Accordingly, impacts to fire protection, police protection, schools, parks, or other public facilities are considered less than significant impacts.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. RECREATION –				
Would the project:				

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

SETTING The City owns and maintains eight park/recreation facilities. These include three parks currently classified as "community parks": Condon Park, Mautino Park, and Memorial Park. One of the eight parks, Morgan Ranch, is still undeveloped. In addition, the City contracts with Nevada County Historical Society to operate the Pelton Wheel Mining Museum/Glen Jones Park. An inventory of City owned/operated parks and recreation facilities include: Memorial Park, 8.4 acres; Condon Park, 80 acres; Pelton Wheel Mining Museum/Glen Jones Park, 1.7 acres; Brighton Street Park (Minnie Street), 1.6 acres; Elizabeth Daniels Park, 0.3 acres; Dow Alexander Park, 0.5 acres; Morgan Ranch Park, 4.08 acres; and Mautino Park, 12.5 acres. Additional park/recreational facilities within the City of Grass Valley but owned and maintained by entities other than the City are: Nevada County Country Club, 58 acres; Sierra College fields, 7.95 acres; Hennessy School, 3 acres.

IMPACTS a)&b) The Heritage Oaks Phase II residential project is anticipated to generate twenty-five (25) persons considering 12 single family dwellings and an average City of Grass Valley household of 2.04 persons. Per the Subdivision Map Act Section 66477 (B)(7), projects less than 50 lots are required to pay park impact fees. As noted, the project will be subject to City of Grass Valley development fees including Quimby Act (park) fees; however, the project is not anticipated to increase the use of existing neighborhood and regional parks, recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. The proposed project will not generate the need for additional park facilities.

These potential impacts are less than significant.

XVII. TRANSPORTATION/TRAFFIC –

Would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|---|--------------------------------------|---|-------------------------------------|--------------------------|
| a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | ☐ | ☐ | ☒ | ☐ |
| b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | ☐ | ☐ | ☒ | ☐ |

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☐ | ☒ |
| d) Result in inadequate emergency access? | ☐ | ☐ | ☒ | ☐ |

SETTING The project site is an infill commercial designated property adjoining residential and commercial development. The project site is access via Joyce Drive via South Auburn Street to the south and Whiting Street to the north.

Joyce Drive – Joyce Drive is a two-lane roadway with parking on one-side of the street and connects to Whiting Street to the east. The roadway serves Heritage Oaks Phase I and was improved to City standards on the north side of the street.

Whiting Street– Whiting Street is a north-south Collector Street with a two-lane roadway without parking on either side of the street. Whiting Street runs parallel to State Route 20/49 and connects to West Empire Street to the north and South Auburn Street to the south.

South Auburn Street – South Auburn Street is a north-south Arterial Street with parking on both sides of the street at various segments. South Auburn Street is the main arterial street connecting to Downtown Grass Valley to the north. South Auburn connects with East and West McKnight to the south.

IMPACTS a) The project would generate temporary construction and remediation traffic initially. However, this would be temporary and would not materially alter the traffic volumes along Joyce Drive, Whiting or S Auburn Streets or surrounding roadways.

The Heritage Oaks Phase II project would result in an increase in traffic near the project site resulting from the 12 single family dwellings. Based upon the trip generation rates identified in the 10th Edition of the Institute of Transportation Engineers (ITE) transportation generation rates manual, trip generation rates for single family dwellings have an average of 9.44 trips per day, 0.74 trips in the a.m. peak hour and 0.99 trips in the p.m. peak hour. Based upon these estimates, the project would generate: 113 daily trips, nine 10 a.m. peak hour trips, and twelve 14 p.m. peak hour trips.

Per the City's Guidelines for Traffic Impact Studies, the City requires a Traffic Impact Study when a specific project exceeds 63 p.m. peak hour trips. The above trip generation rates for the project above p.m. peak trips are below the threshold of 63 p.m. peak hour trips that would require a traffic study by the City of Grass Valley. Considering that the project site was included in the traffic analysis provided by the General Plan and General Plan EIR with a commercial designation (which is generally higher), these vehicle trips have been anticipated in the cumulative impact totals of the General Plan buildout and accounted for in the Levels of Service analysis on Whiting and S Auburn Streets, nearby roadways and intersections.

The applicant will be subject to the payment of AB 1600 traffic mitigation fees, (i.e. City of Grass Valley and regional traffic impact fees) which is the acceptable form of traffic mitigation for this type of infill project. These fees are used exclusively for projects identified in the City's Capital

Improvement Program to finance needed infrastructure improvements to achieve the LOS anticipated with the City's 2020 General Plan.

The project will not conflict with a program, plan, ordinance or policy addressing the circulation system. This impact is considered less than significant.

- b) Levels of Service are estimated for future travel conditions to ensure that a roadway will provide acceptable operations for its "design life", which is commonly 20 years.

For the General Plan, the year 2020 is used for estimating traffic demand and determining Levels of Service on the roadway system. The City has established Level of Service "D" at the p.m. peak hour as the goal for both the General Plan and for the development of Citywide and regional traffic impact fees. LOS D is defined as "significant congestions of critical approaches but intersection is functional."

According to the City's General Plan Circulation Element, an analysis of roadway improvements needed to maintain a Level of Service "D" standard in the year 2020 has been determined using the growth assumptions of the General Plan and the Nevada County Transportation Planning Agency (NCTPA) sub-region travel demand model.

The intersections in the project vicinity have adequate levels of service including South Auburn Street and Whiting. Implementation of the General Plan Circulation Element, Capital Improvement Program and construction of the improvement projects included in the General Plan will ensure satisfactory Levels of Service at all of the project intersections.

For smaller projects such as Heritage Oaks Phase II, the City intends to mitigate any roadway deficiencies through the collection of local and regional impact fees to finance its Capital Improvement Program. The City of Grass Valley collects development impact fees prior to building permit issuance to fund their Capital Improvement Program. The mitigation fee programs ensure that future development will pay their fair share of traffic impact fees to partially fund the construction of planned transportation improvements identified in the City's Capital Improvement Program.

Since the adoption of this ISMND in 2019, Senate Bill (SB) 743 has come into effect, changing the way transportation impacts are measured under CEQA. Beginning July 1, 2020, vehicle miles traveled (VMT) replaced LOS as the performance measure of land development. VMT measures the total distance traveled on the trips generated by a project, rather than measuring roadway capacity and delays. The *Technical Advisory on Evaluating Transportation Impacts in CEQA* includes guidelines developed by the California Governor's Office of Planning and Research (OPR), published in December 2018, provides direction for analysis and significance thresholds for VMT. These guidelines establish screening thresholds for project types that can be expected to cause a less than significant impact. These include:

- Small projects that generate or attract fewer than 110 trips per day
- Residential and office projects located in areas of low VMT
- Development within ½-mile of an existing major transit stop or an existing stop along a high quality transit corridor

- Projects with a high percentage affordable housing in infill locations

This project is a 100 percent affordable residential project located on an infill site located less than ½-mile from two existing transit stops. Based on the thresholds established by OPR in the *Technical Advisory*, the VMT impact of this project will be less than significant.

- c)-d) The project is located approximately 2 miles from the Nevada County Airport and outside of the airport influence. Due to the distance between the Nevada County Airport and project, the project will not result in a change in location that results in substantial safety risks. No impact will occur.

The project will not substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses such as farm equipment. No impact will occur.

- e) The project has been reviewed by the City of Grass Valley Fire Department for emergency response. The project has been determined by the Fire Department to be in compliance with the City of Grass Valley fire standards and City Development Code. Therefore, potential impacts relating to emergency access are considered less than significant.
- f) The Heritage Oaks Phase II project is required to comply with the City's Development Code, which requires two off-street parking spaces for each residence, with at least 1 covered. Tandem parking is not permitted.

The residential home designs include one and two car garages for off street parking. To comply with the City's Development Code, the proposed one car garages will be required to have a paved area of nine feet by eighteen (9x18) feet, outside of the front yard setback, to satisfy the required parking. Due to the size of the lots, adequate off-street parking should not be at issue.

Additionally, a 5-space parking lot is proposed east of Lots 11 and 12. The parking lot will serve both Heritage Oaks Phase I and II. The parking lot will be maintained by the Heritage Oaks HOA.

- g) The project is an infill residential site that is in accordance with adopted policies, plans, or programs supporting alternative transportation (i.e. bus turn-outs, bicycle racks) thereby resulting in a positive impact. No impact will occur.

XVIII. UTILITIES AND SERVICE SYSTEMS –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant	☐	☐	☒	☐

environmental effects?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☒ | ☐ |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | ☐ | ☐ | ☒ | ☐ |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | ☐ | ☐ | ☒ | ☐ |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | ☐ | ☐ | ☒ | ☐ |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | ☐ | ☐ | ☒ | ☐ |

SETTING The Heritage Oaks Phase II property consists of grass covered pasture type areas with natural slopes of varying gradients of 4-15%. Generally, offsite and onsite storm runoff consist of sheet flow

Drainage inlets, storm drain, manholes, etc. Runoff from the proposed residences will exit roof downspouts into small infiltration trenches prior to discharge to the existing natural drainage course. Runoff from pavement area is conveyed along curb and gutter to one of two storm drain inlets with deepened sumps for retention and infiltration. Storm water is further conveyed through new storm drain and ultimately will enter a "Stormceptor" manhole for removal of potential pollutants prior to discharge into a new Bio-Swale, then conveyed to a new retention pond allowing infiltration and removal of potential pollutants prior to discharge to the adjacent natural drainage course. The existing 12-inch culvert crossing Joyce Drive presently will be removed and replaced with a new 24-inch culvert to improve the hydraulic capacity of the culver crossing. Stormwater runoff from the portion of Joyce Drive on the south side of centerline, or "crown" of Joyce Drive will sheet flow through a vegetative buffer strip, reducing velocities, allowing infiltration and removal of potential pollutants prior to discharge to the adjacent natural drainage course. All drainage facilities are designed to accommodate the required storm events in accordance with the City of Grass Valley requirements.

Solid waste within the project area is collected by Waste Management, a licensed private disposal company. Solid waste is transported to the company's transfer station located on McCourtney Road.

Domestic water service to the proposed development is provided by the City of Grass Valley via existing water lines that were installed following development in the project area. According to the General Plan EIR, water supplies are sufficient to supply growth anticipated in the General Plan, which included the Heritage Oaks Phase II project site.

Sewage collection is provided by the City of Grass Valley via existing sewer lines along Joyce Drive. According to the General Plan EIR, sewage collection facilities are sufficient to supply growth anticipated in the General Plan, which included the project site.

a)&b) The project will not exceed wastewater treatment requirements by the Regional IMPACTS Water Quality Control Board or result in the need to construct new water or wastewater treatment facilities.

Internal infrastructure improvements, including wastewater sewer are proposed with the project, in accordance with City standards. However, the wastewater generated by the project is not anticipated to cause significant environmental effects. These impacts are considered less than significant.

- c) A preliminary drainage study has been prepared for the project by *SCO Planning & Engineering dated November 2019*. According to the drainage study, on-site drainage will be collected in a new drainage system containing drainage inlets, storm drain, natural drainage and detention features. All drainage facilities will be designed to accommodate the required storm events in accordance with City of Grass Valley Design Standards. These impacts are considered less than significant.
- d) The City's water system serves approximately, sixty (60%) of the incorporated City of Grass Valley and is located at 808 Alta Vista Avenue. The City's service area is 1,357 acres, approximately 2.1 square miles, with a service area population of 5,855. As an infill site, water supplies are sufficient to serve the proposed development. This impact is considered less than significant.
- e)-g) New sewer connections are proposed with the project and will be served via the extension of existing utilities along Joyce Drive.

Sewer Connection Fees are collected with the issuance of a building permit or at a request to connect to the City's sewer system. Sewer service connection fees for new development are currently due at the time of building permit issuance.

The proposed project will be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. This impact is considered less than significant.

The proposed project will comply with federal, state, and local statutes and regulations related to solid waste. This impact is considered less than significant.

XVIII. WILDFIRE –

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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IF LOCATED IN OR NEAR STATE RESPONSIBILITY AREAS
OR LANDS CLASSIFIED AS VERY HIGH FIRE
SEVERITY ZONES, WOULD THE PROJECT:

A) SUBSTANTIALLY IMPAIR AN ADOPTED EMERGENCY
RESPONSE PLAN OR EMERGENCY EVACUATION
PLAN?

☐	☐	☒	☐
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B) DUE TO SLOPE , PREVAILING WINDS, AND OTHER
FACTORS, EXACERBATE WILDFIRE RISKS, AND
THEREBY EXPOSE PROJECT OCCUPANTS TO
POLLUTANT CONCENTRATIONS FROM A WILDFIRE
OR THE UNCONTROLLED SPREAD OF A WILDFIRE?

☐	☐	☒	☐
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C) REQUIRE THE INSTALLATION OR MAINTENANCE OF
ASSOCIATED INFRASTRUCTURE (SUCH AS ROADS,
FUEL BREAKS, EMERGENCY WATER SOURCES,
POWER LINES, OR OTHER UTILITIES) THAT MAY ?

☐	☐	☒	☐
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D) EXPOSE PEOPLE OR STRUCTURES TO
SIGNIFICANT RISKS, INCLUDING DOWNSLOPE
FLOODING OR LANDSLIDES, AS A RESULT OF
RUNOFF, POST-FIRE SLOPE INSTABILITY, OR
DRAINAGE CHANGES?

☐	☐	☒	☐
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SETTING

The Project site has ensured fire protection by the City of Grass Valley Fire Department, Station 1 located at 472 Brighton Street, approximately $\frac{3}{4}$ of a mile northwest of the site. Given the location of the nearest fire station, response time is expected to be quick in the rare event of a fire event. The proposed Project site's elevation is approximately 2400 feet above sea level in an area of existing urban development. Lands surrounding the proposed Project are existing housing, orchards, a ponding basin, an unnamed and unpaved road and rural residences to the north; Fargo Avenue, rural residences, and Neves Residential Project | Initial Study an in-progress housing development to the south; 12th Avenue and agricultural row crops to the east; and an unnamed and unpaved road, rural residence, orchards and a drainage ditch to the west.

IMPACTS

- a. The Safety Element of the General Plan does not identify Joyce Drive or Whiting Street as either a primary or secondary evacuation route. Construction and remediation activity of the project would be confined to the boundaries of the project site. However, there is potential for construction and remediation activities to result in temporary and/or partial road closures, but this would be temporary in nature and short-term in duration and would not be expected to impair or interfere with emergency response plans or evacuation plans since approval would be required from the City Engineering Department in order to close a road. Approval of a road closure would ensure that if construction were to occur within the public right-of-way, construction and remediation activities would not prevent adequate emergency response or evacuation. In terms of operation, the project would be subject to the California Fire Code, as codified, Chapter 8.16, Fire Control Regulations, of the City Municipal Code. Therefore, implementation of the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. *This impact would be less than significant.*
- b. The project site is located within a Local Responsibility Area (LRA) where the City is responsible for the prevention and suppression of wildfire. According to the California Department of Forestry and Fire Protection (CAL FIRE) the project site is located within a very high fire hazard severity zone within the LRA. The project site is currently vacant, undeveloped land. Development of the project site as an affordable, residential development could increase wildfire risk. However, the project is subject to the California Fire Code, as adopted by the City of Grass Valley and codified in Chapter 8.16, Fire Control Regulations, of the City Municipal Code. This code addresses fuel mitigation and also adopts the latest California Fire Code by reference, which sets minimum fire safety standards for public health, safety, and welfare, including building construction, hazardous materials, fire protection system, emergency access, and aims to aid firefighters in new and existing buildings, structures, and premises. Adherence to regulatory compliance would ensure that the project would not significantly exacerbate wildfire risks due to slope, prevailing winds, and other factors thereby exposing occupants to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire. *This impact would be less than significant.*
- c. The project consists of 12 residential lots for the future development of affordable housing, and will involve construction, site remediation, and grading for associated public improvements, stormwater, and utility improvements. The project would not require the installation or maintenance of infrastructure that could have the effect of exacerbating fire risk or that would result in temporary or ongoing impacts to the environment. The project would include utility hookups to existing sewer and water lines that will run underneath Joyce Drive to main lines along Whiting Street. Therefore, the project would have a less-than-significant impact.
- d. As previously discussed, the project site is located within a Very High Fire Severity Zone. The natural environment of the site is prone to wildfire risk. The site may be susceptible to downstream flooding as a result of run-off as a result of upstream fire events due to the project's proximity to Wolf Creek, but the site is predominantly flat which limits the risk of downslope flooding. The proposed map has been reviewed by the Fire Marshal, and the construction of future residential units will undergo similar review to ensure that the project complies with local, State and Federal standards for land use, zoning, and construction.

Adherence to City and State regulations will reduce the potential impacts to people or structures from significant risk, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts are anticipated to *be less than significant*.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | ☐ | ☐ | ☒ | ☐ |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | ☐ | ☐ | ☒ | ☐ |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☐ | ☒ | ☐ |
| a) As discussed in Section IV, Biological Resources, of this IS/MND, implementation of the proposed project is not expected to have the potential to result in adverse effects to special-status plant and wildlife species. Additionally, while unlikely, the project could result in impacts related to eliminating important examples of California History or Pre-history associated with undiscovered archeological and/or paleontological resources during project construction and remediation activities. However, this IS/MND includes mitigation measures that would reduce any potential impacts to less than significant levels. With implementation of the mitigation measures outlined in this IS/MND, as well as compliance with General Plan policies these potential impacts are less than significant. | | | | |
| b) The proposed project, in conjunction with other development within the City of Grass Valley, could incrementally contribute to cumulative impacts in the area. In particular, related emissions of NOX, potentially resulting in a cumulatively considerable contribution to the region's existing air quality conditions. However, a mitigation measure for the aforementioned potential impact identified for the proposed project in this IS/MND has been included that would reduce the project's cumulative impact would be less than significant. | | | | |

- c) As described in this IS/MND, implementation of the proposed project could result in temporary impacts related to air quality and excess noise levels. In addition, the project could expose humans to hazards relating to seismic ground shaking and unstable geologic units. However, the proposed project would be required to implement the project-specific mitigation measures within this IS/MND. Therefore, the proposed project's impact would be less than significant.

REFERENCES

The following references used in preparing this report have not been attached to this report. The reference material listed below is available for review upon request of the Grass Valley Community Development Department, 125 East Main Street, Grass Valley, CA 95945.

- City of Grass Valley 2014-2019 Housing Element
- Preliminary Drainage Study Prepared by SCO Planning & Engineering dated November 2019
- City of Grass Valley 2020 General Plan and General Plan EIR
- City of Grass Valley Historic 1872 Townsite
- City of Grass Valley Development Code
- U.S. Department of Agriculture
- CA Department of Forestry and Fire Prevention
- City of Grass Valley Municipal Code
- Preliminary Geotechnical Report Prepared by Holdrege & Kull dated June 2, 2005
- Biological Inventory Prepared by Greg Matuzak, Biological Consultant dated June 2019
- Nevada County General Plan
- North Central Information Center
- Native American Heritage Commission
- United Auburn Indian Community
- City of Grass Valley Energy Action Plan
- Office of Planning and Research
- State Geotracker, Environstar and Department of Conservation websites
- Nevada County Airport Land Use Compatibility Plan
- City of Grass Valley Grading Ordinance
- Mineral Management Element of the City's General Plan, dated August 24, 1993
- Background Report, City of Grass Valley General Plan Update, November 1998
- Soil Survey of Nevada County, United States Department of Agriculture, Soil Conservation Service
- Flood Insurance Rate Map 06057C0632E dated February 3, 2010
- On line soil survey maps and data from USDA - <http://websoilsurvey.nrcs.usda.gov>
- Air Quality and Greenhouse Gas Impacts Analysis Prepared by City of Grass Valley
- City of Grass Valley Capital Improvement Program
- Resource Management Plan Prepared by Greg Matuzak, Biological Consultant dated June 2019
- Report of Findings and Response Plan prepared by Geocon Consultants, Inc. dated December 8, 2025

EXHIBITS

- Exhibit A – Vicinity Map
- Exhibit B – Aerial Photograph
- Exhibit C – Site Photographs
- Exhibit D – Heritage Oaks Phase II Tentative Subdivision Map

TABLES

Table 1 – Project Construction and Operational Emissions Estimates

Table 2 – Summary of Long-Term Ambient Noise Monitoring Results

Table 3 – Predicted Future Exterior Traffic Noise Levels

Table 4 – Traffic Noise Barrier Analysis Results – SR 49

FIGURES

Figure 2 – Recommended Noise Barrier

