County of Yuba Broadband Infrastructure Project

Public Review Draft
Environmental Impact Report
State Clearinghouse No. 2025010569

Prepared by:

Yuba County Community Development and Services Agency
915 8th Street
Marysville, CA 95901

With technical support from:

HELIX Environmental Planning, Inc.
1180 Iron Point Road, Suite 130
Folsom, CA 95630

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ACRONYMS AND ABBREVIATIONS

AAQS	Ambient Air Quality Standards
AB	Assembly Bill
AFB	Air Force Base
ALUC	airport land use commission
ALUCP	Airport Land Use Compatibility Plan
Amsl	above mean sea level
AR4	Fourth Assessment Report
AR5	Fifth Assessment Report
BEAD	Broadband Equity, Access, and Deployment
BMP	Best Management Practices
BRA	Biological Resources Assessment
BVID	Browns Valley Irrigation District
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
Cal ARP	California Accidental Release Prevention
Cal/OSHA	California Division of Occupational Safety and Health
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Policy Act
CAL FIRE	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards Code
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CALVEG	Classification and Assessment with LANDSAT of Visible Ecology Groupings
CAP	Climate Action Plan
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBC	California Building Code
CBSC	California Building Standards Code
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CDIF	Countywide Development Impact Fees
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CETF	California Emerging Technology Fund
CFC	California Fire Code
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH4	methane
CHP	California Highway Patrol

ACRONYMS AND ABBREVIATIONS (cont.)

CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	Carbon Monoxide
CO_2e	carbon dioxide equivalents
CPFF	County Public Facilities Fee
CPUC	California Public Utilities Commission
County	County of Yuba
CRHR	California Register for Historic Resources
CRPR	California Rare Plant Rank
CSD	Community Services District
CTC	California Transportation Commission
CTP	California Transportation Plan
CUPA	Certified Unified Program Agency
CVRWQCB	Central Valley Regional Water Quality Control Board
CWA	Clean Water Act
CWHP	California Wildfire Mitigation Program
CWHR	California Wildlife Habitat Relationships System
CWPP	Community Wildfire Protection Plan
dB	decibels
dBA	A-weighting decibels
DMV	Department of Motor Vehicles
DOC	Department of Conservation
DOT	U.S. Department of Transportation
DPM	diesel particulate matter
DSL	digital subscriber line
DTSC	Department of Toxic Substances Control
DWR	Department of Water Resources
EA	Environmental Assessment
ECA	Essential Connectivity Areas
EFH	Essential Fish Habitat
EIR	Environmental Impact Report
EO	Executive Order
EOP	Emergency Operations Plan
ESA	Endangered Species Act
ESA	Environmental Site Assessment
Eveg	Existing Vegetation
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Act
FESA	Federal Endangered Species Act

ACRONYMS AND ABBREVIATIONS (cont.)

FFA	Federal Funding Account
FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FMMP	Farmland Mapping and Monitoring Program
FPD	Fire Protection District
FRA	Federal Responsibility Areas
FRAQMD	Feather River Air Quality Management District
GHG	Greenhouse Gas
GSP	Groundwater Sustainability Plans
GWP	Global Warming Period
H_2S	hydrogen sulfide
HCP/NCCP	Habitat Conservation Plan / Natural Community Conservation Plan
HFC	hydrofluorocarbons
HMBP	Hazardous Materials Business Plan
IBC	International Building Code
ICS	Incident Command System
IPaC	Information for Planning and Consultation
IPCC	Intergovernmental Panel on Climate Change
IRWMP	Integrated Regional Water Management Plan
ISP	Internet Service Provider
lbs/day	pounds per day
LCI	Governor's Office of Land Use and Climate Innovation
LCFS	Low Carbon Fuel Standard
LHMP	Local Hazard Mitigation Plan
LOS	level of service
LRA	Local Responsibility Areas
LUST	Leaking Underground Storage Tanks
Mbps	megabits per second
MBTA	Migratory Bird Treaty Act
MJHMP	Multi-Jurisdictional Hazard Mitigation Plan
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MMT	million metric tons
mPa	micro-Pascals
MPH	miles per hour
MSA	Magnuson-Stevens Fishery Conservation and Management Act
MTB/SCS	Metropolitan Transportation Plan/Sustainable Communities Strategy
MTIP	Metropolitan Transportation Improvement Program
MPO	metropolitan planning organizations

EXECUTIVE SUMMARY

ES.1 INTRODUCTION

This summary presents an overview of the proposed County of Yuba Broadband Infrastructure Project (herein referred to as the "proposed Program" or "Program") Environmental Impact Report (EIR). This section also summarizes the alternatives to the proposed Program, identifies issues to be resolved, potential areas of controversy, and conclusions of the analysis contained in Sections 4.1 through 4.14 of this program EIR. For a complete description of the proposed Program, please see Chapter 3.0, Project Description, of this EIR. For a discussion of the Project Alternatives, see Chapter 5.0, Project Alternatives.

This program EIR addresses the environmental effects associated with the proposed Program. The California Environmental Quality Act (CEQA) requires that local government agencies, before taking action on projects over which they have discretionary approval authority, consider the environmental impacts of such projects. An EIR is a public document designed to provide the public, local, and State governmental agency decision-makers with an analysis of a project's potential environmental impacts to support informed decision-making.

This program EIR has been prepared pursuant to the requirements of CEQA and the CEQA Guidelines to determine if approval of the proposed Program could have a potentially significant impact on the environment. The County of Yuba (County), as the CEQA Lead Agency, has reviewed and revised as necessary the submitted drafts, technical studies, and reports to reflect its independent judgment, including reliance on applicable County technical personnel and review of all technical reports. Information for this program EIR was obtained from on-site field observations; discussions with affected agencies; analysis of adopted plans and policies; review of available studies, reports, data, and similar literature in the public domain; and specialized environmental assessments (e.g., air quality, biological resources, greenhouse gas emissions).

ES.2 ENVIRONMENTAL PROCEDURES

This program EIR has been prepared to assess the environmental effects associated with the implementation of the proposed Program, as well as anticipated future discretionary actions and approvals. The main objectives of this document, as established by CEQA Section 15002(a), are to:

- Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

An EIR is the most comprehensive form of environmental documentation identified in the CEQA statute and in the CEQA Guidelines. It provides the information needed to assess the environmental consequences of a proposed project, to the extent feasible. EIRs are intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a proposed project that has the potential to result in significant, adverse environmental impacts. An EIR is also one of various decision-making tools used by a lead agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Before approving a proposed project, a lead agency must consider the information contained in the EIR, determine whether the EIR was properly prepared in accordance with the CEQA Guidelines, determine that it reflects the independent judgment of the lead agency, adopt findings concerning the project's significant environmental impacts, if any, and alternatives, and adopt a Statement of Overriding Considerations if the proposed project would result in significant impacts that cannot be avoided.

ES.3 EIR FORMAT

This program EIR is organized into the following chapters:

- **Executive Summary:** Consistent with Section 15123 of the CEQA Guidelines, this chapter provides a brief summary of the proposed Program and identifies environmental impacts and mitigation measures in a summary matrix.

- **Chapter 1.0 – Introduction:** This chapter presents an overview of the Program background and describes the intended use of the program EIR (CEQA Guidelines Section 15124(d)), as well as the environmental review process.

- **Chapter 2.0 – Project Setting and Location:** This chapter includes a description of the physical environmental conditions within the proposed Program area as they existed at the time the Notice of Preparation (NOP) was published, and which have been updated based on current conditions during preparation of this program EIR, consistent with Section 15125 of the CEQA Guidelines.

- **Chapter 3.0 – Project Description:** This chapter provides a detailed description of the proposed Program's characteristics and objectives, as well as the required discretionary approvals, consistent with Section 15124 of the CEQA Guidelines.

- **Chapter 4.0 – Environmental Impact Analysis:** This chapter contains a comprehensive analysis of the potential impacts to each environmental factor evaluated in this program EIR, feasible measures that could minimize or mitigate those impacts, consistent with Section 15126.4 of the CEQA Guidelines, and cumulative impacts resulting from the combination of the proposed Program's effects with other projects or plans/projections in the County that could cause related impacts consistent with Section 15130 of the CEQA Guidelines.

- **Chapter 5.0 – Project Alternatives:** Consistent with Section 15126.6 of the CEQA Guidelines, this chapter evaluates a range of reasonable alternatives to the proposed Program, which would feasibly attain most of the basic objectives of the proposed Program and would avoid or substantially lessen potentially significant impacts from Program implementation. The project alternatives evaluated in this document include: (1) No Project Alternative; (2) Aerial Installation

Only Alternative; (3) Underground Installation Only Alternative; and, (4) Use of Existing Infrastructure Alternative.

- **Chapter 6.0 – Environmental Impacts Found Not to be Significant:** This chapter lists the environmental factors that were determined by the County to have no potential to be significantly impacted by the proposed Program.

- **Chapter 7.0 – Significant Irreversible Environmental Changes:** Consistent with Section 15126.2(d) of the CEQA Guidelines, this chapter outlines the significant irreversible changes anticipated to occur as a result of Program implementation.

- **Chapter 8.0 – Growth Inducement:** Consistent with Section 15126.2(e) of the CEQA Guidelines, this chapter describes potential growth-inducing impacts associated with the proposed Program.

- **Chapter 9.0 – Significant and Unavoidable Impacts:** Consistent with Section 15126.2(c) of the CEQA Guidelines, this chapter describes significant impacts identified in the program EIR, including those which can be mitigated but not reduced to a level of insignificance.

- **Chapter 10.0 – List of Preparers:** This chapter lists all authors and agencies that assisted in the preparation of the program EIR by name, title, and company or agency affiliation.

ES.4 TYPE AND PURPOSE OF THIS EIR

This EIR has been prepared in accordance with the CEQA Guidelines with the County of Yuba as the CEQA Lead Agency. This program EIR assesses potential environmental consequences that would result from Program implementation and identifies mitigation measures and alternatives to the proposed Program that would avoid or reduce significant impacts, where necessary. This program EIR is intended to inform County decision makers, other responsible agencies, and the general public as to the nature of the proposed Program's potential environmental impacts.

ES.5 PROJECT LOCATION

The proposed Program would be located within Yuba County limits. The area in which future broadband infrastructure could be implemented includes all unincorporated areas of the County; it excludes the incorporated cities of Marysville and Wheatland, federal lands, private roads, and State highway rights-of-way (ROW). The County has jurisdiction over a total of approximately 650 miles of County-maintained roads. It is envisioned that the vast majority of future broadband infrastructure would be installed within existing County-maintained roads and ROW, public utility easements, and/or existing overhead public utility easements of record throughout the County. The exact alignments of future broadband infrastructure are unknown at this time and would be planned based on such considerations as construction feasibility, topographic constraints, local preference, and locations of sensitive environmental resources.

This program EIR conservatively assumes that new ground disturbance would be required for the entire Program area; however, there would be potential for utilizing existing conduit where only installation of fiber optic line would be required. The new infrastructure constructed under individual broadband

projects would connect to existing broadband infrastructure (e.g., aboveground and/or belowground) in the Program area supported by existing internet service providers (ISP).

ES.6 PROJECT SUMMARY

The County is proposing to expand access to broadband technology throughout the County, including the unincorporated areas of the County. The proposed Program would result in the installation of fiber optic conduit (either underground in buried conduits, overhead on pole lines, or in a combination of both) by private ISPs. Broadband infrastructure would be installed to provide aboveground or underground lateral connections to private residences and businesses. Individual connections typically would be located in previously disturbed and/or developed areas (e.g., in County road ROW or public utility easements). The broadband infrastructure may be co-located with other utility installations; therefore, it is likely that the ground along these alignments has been previously disturbed by prior utility infrastructure. Additionally, many of these connections would generally follow the route of the County roadways, particularly if the applicable areas have other issues that could affect access, such as vegetation, geologic conditions, landscape, and/or water features that should be avoided.

The rural nature and low population densities of communities in Yuba County pose challenges to deploying broadband infrastructure. Geographical barriers such as rugged terrain, subsurface rock, and forested areas, combined with limited market incentives, discourage market-rate ISPs from investing in these rural areas, further leading to reduced competitions and deployment of broadband technology. These factors have hindered efforts to establish comprehensive, reliable broadband connectivity throughout the County.

The Federal Communications Commission (FCC) and the California Public Utilities Commission (CPUC) define advanced telecommunications capability (broadband) primarily in terms of downstream and upstream speeds. In 2015, the FCC updated the definition of broadband to 25 megabits per second (Mbps) downstream and 3 Mbps upstream. In 2017, the California legislature changed the definition of "unserved" areas to areas where broadband is offered at slower speeds than 6 Mbps downstream and 1 Mbps upstream. In 2021, the California broadband standard increased to 25 Mbps downstream and 3 Mbps upstream, matching the FCC standard.

Per Section 15124 of the CEQA Guidelines, the County identified the following objectives for the proposed Program:

- provide upgradable and expandable high-speed broadband capacity in the service areas with minimum speeds of 25 Mbps for downloads and 3 Mbps for uploads, which is labeled as "served" areas within California;
- provide a wireless broadband network in unserved and underserved areas of Yuba County;
- enable an increase in telecommuting, with a commensurate decrease in vehicle miles traveled (VMT);
- streamline the environmental review process for individual broadband projects that are implemented in the County;
- provide a reliable foundation of data and acceptable methodology to assess impacts for any specific broadband deployment project;

- identify known environmental and cultural assets to be protected and/or restored with an approved set of preservation measures and/or mitigations; and,
- save time and money for both the County of Yuba and broadband project applicants, resulting in greater government and economic efficiencies, reducing the amount of County staff time required to review broadband projects and avoiding duplication of applicant costs.

ES.7 SUMMARY OF ALTERNATIVES TO THE PROJECT

ES.7.1 No Project Alternative

The "no project" alternative is required under Section 15126.6(e) of the CEQA Guidelines and represents a possible scenario that could occur if a proposed project is not approved. According to Section 15126.6 (e)(3)(B) of the CEQA Guidelines, if the proposed project is other than a land use or regulatory plan, for example a development project on identifiable property, the "no project" alternative is the circumstance under which the project does not proceed.

Under the No Project Alternative, the proposed Program would not be implemented, and no actions would be taken to expand broadband availability in the County, and the service area would remain unchanged from current conditions. Further, the No Project Alternative would not meet the identified objectives. However, as required by CEQA, the No Project Alternative is evaluated in this Draft EIR. Although it is acknowledged that no discretionary action would be taken by the County, and thus no potential adverse environmental effects would occur, for purposes of comparison with the other project alternatives, conclusions for each environmental topic area are characterized as potential impacts that are "greater", "similar", or "reduced", to describe conditions that are worse than, similar to, or better than those of the proposed Program.

ES.7.2 Aerial Installation Only Alternative

The Aerial Installation Only Alternative would include only individual broadband projects that install aboveground fiber optic line that would utilize new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative. This alternative was considered because it would avoid or reduce potential impacts that would be associated with underground installation methods for new fiber optic line or new conduit, such as construction impacts associated with horizontal directional drilling, plowing, trenching, micro trenching, line installation, and pavement repair.

ES.7.3 Underground Installation Only Alternative

The Underground Installation Only Alternative would include individual broadband projects that would only install underground fiber optic lines and would utilize new or existing underground conduits. No aboveground fiber optic line or new utility poles would be installed under this alternative. This alternative was considered because it would avoid or reduce potential impacts that would be associated with aboveground installation methods for fiber optic line, including impacts to aesthetics and visual resources associated with the construction of new utility poles within the viewsheds of scenic vistas or State Route 49, which is an eligible State Scenic Highway within the County. Additionally, this alternative would be more feasible in certain areas of the County, such as densely forested or mountainous areas that would prevent the aerial stringing of fiber optic line or the installation of new utility poles.

ES.7.4 Use of Existing Infrastructure Alternative

The Use of Existing Infrastructure Alternative would include individual broadband projects that install fiber optic line in existing fiber-specific conduit or along existing utility poles. Under this alternative, no new utility poles or underground conduit would be installed. This alternative was considered because it would avoid or reduce most impacts associated with the proposed Program, as outlined in this program EIR, as fewer individual broadband projects would be implemented, and therefore less construction and ground disturbance would occur. This alternative was also considered because it would avoid impacts to aesthetic resources, as the stringing of aerial fiber optic line would occur along existing utility poles and would not introduce new visible features within the viewshed of scenic resources in the County.

ES.8 ISSUES TO BE RESOLVED

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR identify issues to be resolved, including the choice among alternatives and whether or how to mitigate potentially significant impacts. Regarding the proposed Program, the major issues to be resolved include decisions by Yuba County, as Lead Agency, related to:

- Whether this Draft EIR adequately describes the environmental impacts of the proposed Program.
- Whether the Program is compatible with the character of the existing area.
- Whether the identified mitigation measures should be adopted or modified.
- Whether there are other mitigation measures that should be applied to the proposed Program besides those identified in the Draft EIR.
- Whether there are any alternatives to the proposed Program that would substantially lessen any of the significant impacts of the proposed program and achieve most of the basic objectives.

ES.9 AREAS OF CONTROVERSY

Yuba County issued an NOP for the Draft EIR on January 21, 2025, for review by government agencies, special service districts, and individuals with an interest in or jurisdiction over the proposed Program. The NOP public comment period closed on February 19, 2025. The County conducted one virtual public scoping meeting for the proposed Program, held on Monday, February 3, 2025, via Zoom. The meeting was attended by eight participants, two of which were Yuba County staff. County staff provided an overview of the proposed Program and environmental topic areas that would be evaluated in the program EIR, as identified in the Initial Study and NOP. Participants were then provided an opportunity to ask questions and clarify their understanding of the project description, and to provide comments regarding potential environmental impacts, content of the proposed Program, and the CEQA processes associated with the proposed Program.

Public comments received during the scoping meeting were positive in nature, with participants eager to be involved in the future development of broadband infrastructure within the County. In addition to the comments received during the public scoping meeting, the County also received two written

comment letters during the public comment period from the Native American Heritage Commission (NAHC) and the California Department of Transportation (Caltrans).

To the extent that these issues have environmental impacts and to the extent that analysis is required under CEQA, they are addressed in Chapters 4.0 through 9.0 of this program EIR.

ES.10 SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Under CEQA, a significant impact on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance.

As evaluated in Sections 4.1 through 4.14, the proposed Program does not have the potential to generate significant environmental impacts. Table ES-1, *Impact Summary Matrix,* summarizes the conclusions of the environmental analysis contained in this program EIR and presents a summary of impacts and mitigation measures identified. Table ES-1 is organized to correspond with the environmental issue areas discussed in Sections 4.1 through 4.14 of the program EIR. The table is arranged in four columns: 1) environmental impacts, 2) significance of the impact before mitigation, 3) mitigation measures, and 4) significance of the impact after mitigation. For a complete description of potential impacts as a result of Program implementation, please refer to the specific discussions contained in Sections 4.1 through 4.14 of this program EIR.

Table ES-1
IMPACT SUMMARY MATRIX

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
Aesthetics			
AES-1: The proposed Program would not have a substantial adverse effect on a scenic vista.	Less than Significant	N/A	N/A
AES-2: The proposed Program may substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway.	Potentially Significant	**AES-1: Visual Impact Assessment** For each aboveground individual broadband project proposed within the viewshed of a designated or eligible State Scenic Highway, the project applicant shall prepare a Visual Impact Assessment (VIA) for Lead Agency review and approval. The VIA shall be prepared by a qualified professional with experience in visual resource analysis. The VIA shall evaluate the potential impacts of the project on scenic resources in accordance with the California Environmental Quality Act (CEQA) Guidelines, including but not limited to consideration of aesthetic values, visual quality, and the character of the surrounding landscape. The VIA shall include the following components: • Baseline Conditions: Documentation of existing visual conditions, including photographs, renderings, and/or other visual tools to establish the project site's current view and its relationship to surrounding scenic resources. • Visual Simulations: Preparation of photo-realistic visual simulations depicting the project as proposed from key public viewpoints, including those within the scenic vista or from the State Scenic Highway. • Impact Analysis: Identification of potential impacts on scenic vistas and resources, using thresholds of	Less than Significant

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		significance established under CEQA Guidelines or applicable local policies. • <u>Design Recommendations or Mitigation Measures</u>: Identification of feasible design measures or project-specific mitigation measures to avoid, minimize, and/or reduce potentially significant visual impacts. These measures may include, but are not limited to: o Modifications to project design, height, massing, and/or orientation. o Use of landscaping, vegetative screening, and/or earthworks to soften visual impacts. o Use of non-reflective and/or neutral-colored materials to reduce visual contrast. o Adjustment of lighting design to prevent glare and/or light trespass into sensitive areas. All recommendations and mitigation measures identified in the VIA and approved by the Lead Agency shall be incorporated into project plans and specifications before project approval.	
AES-3: The proposed Program would not degrade the existing visual character or quality of public views (public views are those that are experienced from a publicly accessible vantage point) of the site and its surroundings in a non-urbanized area.	Less than Significant	N/A	N/A
AES-4: The proposed Program would not expose people on- or off-site to substantial light or glare, which would adversely affect day or nighttime views in the area.	Less than Significant	N/A	N/A
AES-5: The proposed Program may result in a significant cumulative impact with respect to aesthetics.	Potentially Significant	See Mitigation Measure AES-1	Less than Significant
Air Quality			

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
AQ-1: The proposed Program would not conflict with or obstruct the implementation of the applicable air quality plan.	Less than Significant	N/A	N/A
AQ-2: The proposed Program may 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.	Potentially Significant	**AQ-1: Construction Fugitive Dust Control** The applicant of an individual broadband project, or their designated contractor, shall implement the following fugitive dust control measures. 1. Submit the Feather River Air Quality Management District (FRAQMD) Fugitive Dust Control Plan form to the FRAQMD. 2. Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions limitation (40 percent opacity or Ringelmann 2.0) 3. The contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained before and for the duration of onsite operation 4. Limit idling time to 5 minutes – saves fuel and reduces emission. (State idling rule: commercial diesel vehicles- 13 CCR Chapter 10 Section 2485; off-road diesel vehicles- 13 CCR Chapter 9 Article 4.8 Section 2449) 5. Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators. 6. Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak	Less than Significant

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites. 7. Portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, may require California Air Resources Board (CARB) Portable Equipment Registration with the State or a local district permit. The owner/operator shall be responsible for arranging appropriate consultations with CARB or the FRAQMD to determine registration and permitting requirements before equipment operation at the site.	
AQ-3: The proposed Program would not expose sensitive receptors to substantial pollutant concentrations.	Less than Significant	N/A	N/A
AQ-4: The proposed Program would not result in substantial emissions of odors adversely affecting a substantial number of people.	Less than Significant	N/A	N/A
AQ-5: The proposed Program may contribute to a cumulatively considerable impact on regional air quality.	Potentially Significant	See Mitigation Measure AQ-1	N/A
Biological Resources			
BIO-1: The proposed Program may result in a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.	Potentially Significant	**BIO-1: Prepare a Site-Specific Biological Resources Assessment** Before approval of an individual broadband project, the project applicant shall retain a qualified biologist to prepare a project-specific Biological Resources Assessment (BRA). The project-specific BRA shall consist of a data review and reconnaissance-level surveys before project implementation. The data reviewed will include the applicable biological resources setting, species, and sensitive natural communities tables, and habitat information from Section 4.3, Biological Resources, of the program EIR for where the project will occur. It will also include review of the best	Less than Significant

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		available, current data for the area, including vegetation mapping data, species' distribution/range information, California Natural Diversity Database (CNDDB), California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California, relevant Biogeographic Information and Observation System (BIOS) queries, U.S. Fish and Wildlife Service (USFWS), and National Marine Fisheries Service (NMFS) database queries, and relevant general and regional plans. Reconnaissance-level biological surveys will include general surveys and habitat assessments of project areas and appropriate survey buffers for sensitive and special-status biological resources. The qualified surveyor will 1) identify and document sensitive resources, such as riparian communities, wetlands, oak woodlands, or other sensitive habitats or designated sensitive natural communities or wildlife nursery sites or habitat, and 2) assess the suitability of habitat within the project area to support special-status plant and animal species. The surveyor will also record any incidental wildlife observations. The project-specific BRA shall also include an analysis of potential impacts on biological resource, and if it is determined during the BRA that special-status species have the potential to occur within a project area or have the potential to occur within a project area, then the appropriate mitigation measures described below in Mitigation Measures BIO-2 through BIO-10 shall be included in the document to avoid and/or reduce potential impacts as applicable. Potential measures for special-status species may include, but are not limited to, protocol-level surveys, nesting bird surveys, worker awareness training, and other focused preconstruction surveys as well as onsite biological monitoring during construction in sensitive habitats or habitats that could support special-status plants or wildlife. If it is determined that the project has the potential to impact USFWS-designated critical habitat and/or NMFS essential fish habitat, then the project applicant shall coordinate with USFWS, as	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		necessary, to determine mitigation and/or avoidance measures to reduce potential impacts to a level that would be less than significant. Depending on site-specific conditions, agency involvement may be triggered through the regulatory permitting process or direct agency consultation. **BIO-2: Conduct Worker Awareness Training for Applicable Special-Status Species** If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that any special-status species have the potential to occur within a project area or be affected by project construction, then a qualified biologist shall provide environmental awareness training to all project-related personnel before the initiation of work. The training shall include the identification methods for the relevant potentially occurring special-status species, required Best Management Practices (BMPs) to implement before the start of and during construction, general measures that are being implemented to protect the species as they relate to the project, penalties for non-compliance, and boundaries of the permitted disturbance zones. Upon completion of the training, all construction personnel will sign a form stating that they have attended the training and understand all the measures. Proof of this instruction shall be kept on file with the biologist on-site and the project applicant. **BIO-3: Implement Mitigation Measures for Special-Status Plant Species** If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that special-status plant species have the potential to occur within a project area or be affected by project construction, then the following measures shall be included in the project-specific BRA, relevant CEQA	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		documents, and the associated MMRP to avoid and/or reduce potential impacts to special-status plants. • Focused special-status plant surveys shall be conducted by a qualified biologist during the appropriate identification (blooming) periods before any ground-disturbing activities in suitable habitat. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If no special-status plants are observed, then a letter report documenting the survey results shall be prepared and submitted to the project applicant and the County, and no further measures are recommended. • If special-status plants are observed within the project area, the location of the special-status plants shall be marked with pin flags or other highly visible markers and recorded with GPS equipment. The project applicant shall determine if the special-status plant(s) on-site can be avoided by project design or utilize construction techniques to avoid impacts to the special-status plant species. All special-status plants to be avoided shall have exclusion fencing or other highly visible material marking the avoidance area, and the avoidance area shall remain in place throughout the entire construction period. Avoidance areas shall also be marked on project plans. If special-status plants are found within the project area and cannot be avoided, the project applicant shall consult with CDFW and/or USFWS, as appropriate, to determine appropriate measures to mitigate for the loss of special-status plant populations. These measures may include gathering seed from impacted populations for planting within nearby appropriate habitat or within the project footprint after construction, topsoil salvage and replacement, preserving or enhancing existing off-site	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		populations of the plant species affected by the project, or restoring suitable habitat for special-status plant species habitat as directed by the regulatory agencies. **BIO-4: Implement Mitigation Measures for Special-Status Vernal Pool Invertebrates** If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that suitable habitat for special-status vernal pool invertebrates (fairy shrimp) is present within a project area, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts to special-status vernal pool invertebrates: • To the extent feasible, projects should be designed to avoid all direct and indirect impacts to potentially suitable wetland habitat. Any wetland habitat designated for avoidance shall be marked with pin flags or other highly visible markers and recorded by GPS equipment. Wetland areas to be avoided shall have exclusion fencing or other highly visible material marking the avoidance area, and the avoidance area shall remain in place throughout the entire construction period. Avoidance areas shall also be marked on project plans. • If it is determined that suitable habitat for special-status vernal pool invertebrates cannot be avoided, the project applicant may enlist a qualified biologist to perform protocol surveys for vernal pool invertebrates according to the 2017 *USFWS Survey Guidelines for the Listed Large Branchiopods* (https://www.fws.gov/sites/default/files/documents/survey-guidelines-for-large-branchiopods.pdf). If the surveys are negative for special-status vernal pool invertebrates	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		and the USFWS accepts the survey results, it is assumed that the features can be impacted after appropriate environmental permits are acquired for dredge and fill of the features (see Mitigation Measure BIO-11). • If special-status vernal pool invertebrates are found to be present or assumed to be present and will be impacted by the proposed project, the project applicant shall be required to mitigate for impacts to the species. If mitigation for vernal pool invertebrates is required and the project has a federal nexus (e.g., is pursuant to a USACE permit, is federally funded, or occurs on federal land), impacts can be addressed through Section 7 consultation with the USFWS. If the project does not have a federal nexus, the project applicant, through coordination with the USFWS, can prepare a Habitat Conservation Plan under Section 10 of FESA. Possible mitigation opportunities include off-site preservation of occupied off-site habitat or the purchase of habitat credits at a qualified mitigation bank as agreed to by the USFWS. **BIO-5: Implement Mitigation Measures for Valley Elderberry Longhorn Beetle** If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that suitable habitat for valley elderberry longhorn beetle (elderberry shrubs) is present within a project area, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts to valley elderberry longhorn beetle: • To the extent feasible, projects should be designed to avoid all direct and indirect impacts to elderberry shrubs	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		within or adjacent to the project footprint. If elderberry shrubs are found on or adjacent to the site, a 100-foot wide avoidance buffer (measured from the dripline of the plant) will be established around all elderberry shrubs with stems greater than one-inch diameter at ground level and will be clearly identified in the field by staking, flagging, or fencing, consistent with the *USFWS 2017 Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle* (*Desmocerus californicus dimorphus*) (https://www.fws.gov/sites/default/files/documents/survey-guidelines-for-valley-elderberry-longhorn-beetle.pdf). No construction activities involving mechanized equipment will occur within the buffer areas. Human access may be permitted in the buffer, provided that it does not cause disturbance to the shrubs. Avoidance areas shall also be marked on project plans. • If it is determined that suitable habitat for valley elderberry longhorn beetle cannot be avoided, the project applicant will be required to mitigate for impacts to elderberry shrubs consistent with USFWS guidelines. If mitigation for valley elderberry longhorn beetle is required and the project has a federal nexus (e.g., is pursuant to a USACE permit, is federally funded, or occurs on federal land), impacts can be addressed through Section 7 consultation with the USFWS. If the project does not have a federal nexus, the project applicant, through coordination with the USFWS, can prepare a Habitat Conservation Plan under Section 10 of FESA. Possible mitigation may include transplanting of the affected shrubs to a USFWS-approved offsite location according to USFWS transplant guidance and/or purchase of USFWS-approved mitigation bank credits at a level specified by the USFWS.	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		BIO-6: Implement Mitigation Measures for Western Bumble Bee If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that suitable habitat for western bumble bee is present within a project area, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts to western bumble bee: • To the extent feasible, projects should be designed to avoid all direct and indirect impacts to suitable habitat for western bumble bee within or adjacent to the project footprint. Areas designated for avoidance shall be marked with pin flags or other highly visible markers and recorded by GPS equipment. Areas to be avoided shall have exclusion fencing or other highly visible material marking the avoidance area, and the avoidance area shall remain in place throughout the entire construction period. Avoidance areas shall also be marked on project plans. • If suitable habitat for western bumble bee cannot be avoided by project construction, a qualified biologist familiar with California bumble bee species shall conduct pre-construction surveys to confirm the presence or absence of western bumble bee before the implementation of project-related activities. Surveys shall be conducted during the Colony Active Period (April to August) and when floral resources are present, ideally during peak bloom. Before project implementation, at least three onsite surveys should take place, and each survey should ideally be spaced two to four weeks apart during the Colony Active Period (April to August). Surveys should occur during the day (at least one hour after sunrise and at least two hours before sunset, though	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		ideally between 9 AM and 1 PM) on warm but not hot, sunny days (65 to 90 degrees Fahrenheit), with low wind (less than 8 miles per hour). Survey methodology should remain consistent with CDFW's Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Species (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline). If surveys from a particular project site failed to detect bumble bees one year, the project applicant shall perform a full round of surveys in each year that project construction will occur within suitable habitat or assume presence. If western bumble bee is not found during the multiple rounds of focused surveys within suitable nesting, foraging, and/or overwintering habitat, it is assumed that western bumble bee is not present and no further action is required. • If a western bumble bee individual or colony is identified within the project site or within 25 feet of the project site during pre-construction surveys, the project applicant may propose site-specific measures to avoid take (such as work-exclusion buffers) or consult with CDFW to obtain an Incidental Take Permit (ITP) if take of CESA-protected bumble bees may occur and be impacted by project activities. The project applicant shall follow all measures in the ITP during project construction and operation. **BIO-7: Implement Mitigation Measures for Special-Status Aquatic Species** If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that special-status aquatic species (green sturgeon [southern DPS], steelhead [Central Valley DPS], Chinook salmon [Central Valley spring-run ESU], southern long-toed salamander, Foothill yellow-legged frog [north	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		Sierra DPS], California red-legged frog, Sierra Nevada yellow-legged frog, northwestern pond turtle, or Giant garter snake) have the potential to occur within a project area or be impacted by construction, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts. • Project applicants shall consult with the qualified biologist during the project design phase to ensure that project designs make every attempt to avoid impacts to aquatic resources through project alignment shifts, work area restrictions, construction methods, or other means. • A qualified biologist shall map aquatic resources with a sub-meter GPS and delineate suitable aquatic habitats as described in Mitigation Measure BIO-11. These aquatic features shall have wildlife exclusion fencing installed around them before the start of construction. Wetland avoidance areas shall be depicted in project work plans. Fencing shall be solid fencing and not include a mesh design that could trap wildlife. Fencing shall be trenched into the soil at least six inches, and the soil must be carefully compacted against both sides of the fence for its entire length to prevent animals from entering the construction area. Exclusion fencing will be inspected daily for the duration of construction to ensure it remains intact, and any holes, tears, or gaps will be repaired immediately. Fencing will be removed upon construction completion. • Focused surveys for special-status aquatic species (green sturgeon [southern DPS], steelhead [Central Valley DPS], Chinook salmon [Central Valley spring-run ESU], southern long-toed salamander, Foothill yellow-legged frog [north Sierra DPS], California red-legged frog, Sierra Nevada	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		yellow-legged frog, northwestern pond turtle, or giant garter snake) shall be conducted by a qualified biologist according to the most current agency protocols (https://wildlife.ca.gov/Conservation/Survey-Protocols) before any ground disturbing activities in suitable habitat. If no special-status aquatic species are detected, then a letter report documenting the survey results should be prepared and submitted to the project applicant, and no further measures are recommended. • A qualified biologist shall conduct a pre-construction survey for special-status aquatic species within 24 hours before the start of grading or land-disturbing activities. If the survey shows that there is no evidence of these species, then a letter report shall be prepared to document the survey and provided to the project applicant and the County, and no additional measures are recommended. If development does not commence within 24 hours of the survey, or halts for more than seven days, then an additional survey is required before starting or resuming work. o If any of these species are observed during the survey, no work shall occur within a 250-foot buffer of the species' occurrence until consulting with the appropriate wildlife agencies to determine if additional mitigation and avoidance measures are required. A qualified biologist shall monitor construction and be present during all ground disturbance activities within suitable habitat for special-status species. If any of these special-status species are observed within the project area, all work shall immediately halt in the vicinity of the special-status aquatic species to allow the species to leave the area of its own will. If the special-status	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		aquatic species is in immediate danger, the qualified biologist shall relocate the species outside of the construction zone, at a safe distance from all construction-related activities, and within suitable habitat as approved by the wildlife agencies. No one other than the qualified biologist shall handle, take, or otherwise harass the aquatic species. No work within a 250-foot buffer of the species occurrence shall resume until the aquatic species has left the project area or been relocated from areas of potential disturbance. **BIO-8: Implement Mitigation Measures for Special-Status Bird Species and Other Nesting Birds** Active nests are protected by the California Fish and Game Code Section 3503.5 and the Migratory Bird Treaty Act (MBTA). Construction activities could result in disturbance of nest sites through temporary increases in ambient noise levels and increased human activity. In addition, vegetation clearing operations, including pruning or the removal of trees and shrubs, could impact nesting birds if these activities occur during the nesting season (February 1 to August 31). All vegetation clearing, including removal of trees and shrubs, shall be completed between September 1 and January 31, if feasible. If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1, that special-status bird species and other nesting birds have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts. • If construction activities are proposed to begin during the non-breeding season (September 1 through January 31),	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		a survey is not required, and no further studies are necessary. • If vegetation removal and grading activities begin during the nesting season (February 1 to August 31), the project applicant shall require that a qualified biologist conduct a pre-construction survey of the project area for active nests. Additionally, the surrounding 500 feet should be surveyed for active raptor nests, where accessible. The pre-construction survey should be conducted within 7 days before the commencement of ground-disturbing activities. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If the pre-construction survey shows that there is no evidence of active nests, a letter report shall be prepared to document the survey, and no additional measures are recommended. If construction does not commence within 7 days of the pre-construction survey, or halts for more than 7 days, an additional survey is required before starting work. If nests are found during construction activities and considered to be active, the qualified biologist shall establish buffer zones to prohibit construction activities and minimize nest disturbance until the young have successfully fledged. Buffer width will be determined by the qualified biologist and will depend on the species in question, surrounding existing disturbances, and specific site characteristics, but may range from 20 feet for some songbirds to 250 feet for most raptors. If active nests are found within any trees slated for removal, then an appropriate buffer shall be established around the trees and the trees will not be removed until the qualified biologist determines that the nestlings have successfully fledged.	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		BIO-9: Implement Mitigation Measures for Western Red Bat If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that Western red bats have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts. • The project applicant shall require that a qualified biologist conduct a pre-construction survey within 7 days before clearing or grading operations. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If no bats are observed, a letter report should be prepared and submitted to the project applicant and the County to document the survey, and no additional measures are recommended. If construction does not commence within 7 days of the pre-construction survey, or halts for more than 7 days, an additional survey shall be completed before starting work. • If bats are present and roosting on or within 100 feet of the project area, then the qualified biologist shall establish an appropriate buffer around the roost site. At minimum, no trees or structures shall be removed until the biologist has determined that the bat is no longer roosting in the tree or structure. Additional mitigation measures for bat species, such as the installation of bat boxes or alternate roost structures, would be recommended if special-status bat species are found to be roosting within the project area.	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		BIO-10: Implement Mitigation Measures for Fishers If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1, that fishers (*Pekania pennanti)* have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP, to avoid and/or reduce potential impacts. • Focused surveys for fishers shall be conducted by a qualified biologist as appropriate and following the most recent agency protocol (https://wildlife.ca.gov/Conservation/Survey-Protocols#377281285-mammals) before any ground disturbing activities in suitable habitat. Focused survey methods may include camera trapping or the use of track plates over extended periods of time. If no special-status mammals are detected, then a letter report documenting the survey results shall be prepared and submitted to the project applicant, and no further measures are recommended. A qualified biologist shall conduct a preconstruction survey for fishers no more than 7 days before the beginning of ground disturbance related to construction activities, or any other project activity likely to impact them (such as staging, mowing, vegetation clearing), to determine if there are any fisher dens on the project site. If there are no fisher dens on the project site, no further mitigation is necessary. If dens are located within the work area and cannot be avoided, a qualified biologist shall determine if the dens are occupied. If unoccupied, the dens shall be collapsed under the supervision of the biologist. If occupied, the biologist shall determine if it is a natal/pupping den or a solitary fisher den. Dens of solitary individuals may be collapsed under the	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		supervision of the biologist once the animal has vacated the den. Natal/pupping dens shall be avoided by establishment of an exclusion zone around the den, the size of the exclusion zone shall be determined by the qualified biologist on site, until the young are old enough to leave the den and survive on their own.	
BIO-2: The proposed Program may result in a substantial adverse effect on a sensitive natural community.	Potentially Significant	**BIO-11: Jurisdictional Delineation and Regulatory Permitting** If it is determined that impacts to jurisdictional waters or other sensitive natural communities cannot be avoided, then the applicant of an individual broadband project shall apply for any necessary permits from the USACE, CDFW, and RWQCB (e.g., Section 401/404 permits, CDFW Lake and Streambed Alteration Agreement, etc.) prior to approval. If necessary, a formal delineation of wetlands and "other waters" of the U.S. shall be prepared in accordance with the USACE *Corps of Engineers Wetlands Delineation Manual* and appropriate regional supplements to determine the extent of aquatic resources and quantify impacts. Impacts to jurisdictional waters and/or sensitive natural habitat shall be mitigated in accordance with agency requirements. **BIO-12: Oak Resources Inventory** If it is determined during the project-specific BRA that an individual broadband project will result in impacts to oak resources, then the County may require mitigation for impacts to oak resources or regulated individual oak trees. Prior to project approval, the Community Development and Services Agency may require an inventory of prematurely removed trees or canopy cover to determine the extent of the loss. The inventory shall be prepared by a resource	Less than Significant

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		professional with expertise in oak woodlands ecology who is on the list of qualified consultants maintained by the Community Development and Services Agency. Resource professionals may include botanists, ecologists, wildlife biologists, and foresters.	
BIO-3: The proposed Program may result in a substantial adverse effect on State or federally protected wetlands (including, but not limited to marsh, vernal pool, coastal, etc.) or other waters of the U.S. and State through direct removal, filling, hydrological interruption, or other means.	Potentially Significant	See Mitigation Measure BIO-11	Less than Significant
BIO-4: The proposed Program may interfere substantially with the movement of native resident wildlife species or with established native resident or migratory wildlife corridors.	Potentially Significant	See Mitigation Measures BIO-1 through BIO-10	Less than Significant
BIO-5: The proposed Program may conflict with local policies or ordinances protecting biological resources.	Potentially Significant	See Mitigation Measures BIO-1 and BIO-12	Less than Significant
BIO-6: The proposed Program would 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	N/A	N/A
BIO-7: The proposed Program may result in a significant cumulative impact with respect to biological resources.	Potentially Significant	See Mitigation Measures BIO-1 through BIO-12	Less than Significant
Cultural Resources			
CUL-1: The proposed Program would not cause a substantial change in the	Less than Significant	N/A	N/A

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
significance of a historical resource pursuant to Section 15064.5.			
CUL-2: The proposed Program may cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5	Potentially Significant	**CUL-1: Archaeological Cultural Resources Investigations** *Preconstruction Screening Identification* Before each phase of individual broadband projects, including installation and/or use of appurtenant structures, unpaved staging areas, and fiber optic line, Yuba County shall request a records search for all project footprints for construction activities that require ground disturbance in areas that have not been previously subject to such disturbance. For those areas of native, unpaved soil that have not been adequately surveyed for archaeological cultural resources in the past, the County shall require a pedestrian field survey by a qualified professional archaeologist. If archaeological cultural resources are identified as a result of that survey, the County shall implement the recommendations of the consulting archaeologist to avoid or substantially reduce the severity of impacts on such resources. For those areas that have been surveyed previously, the County shall abide by the recommendations of the professional archaeologist who conducted the original survey. *Known Resource Conflicts* In the event that the records search described above identifies archaeological resources that would be subject to project-related impacts, the County shall evaluate the status of the resource under CEQA. The archaeological resource shall be assessed for significance through the implementation of a Phase II investigation by a qualified archaeologist. This may require some or all of the following measures to be implemented:	Less than Significant

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		• Development of a research design that guides assessments of site significance and scientific potential. • Mapping and systematic collection of a representative sample of surface artifacts. • Subsurface investigation through shovel test pits, surface scrapes, or 1- by 1-meter excavation units; a combination of such methods; or equivalent methods. • Analysis of recovered material to determine significance pursuant to the CEQA Guidelines. • Preparation of a report, including an evaluation of site significance and recommendations for mitigation, if appropriate. • Appropriate curation of collected artifacts. If the resource is precontact in nature, the Phase II investigation shall be coordinated with descendant tribal communities. If the Phase II evaluation concludes that the archaeological resource does not qualify as a historical resource (PRC §21084.1) or unique archaeological resource (PRC §21083.2), then no further study or protection of the resource is necessary. If the resource does qualify as a historical or unique archaeological resource, then the County shall require the implementation of the Phase III approach described below. A Phase III data recovery effort, in accordance with CEQA Guidelines, shall be implemented by the consulting archaeologist for those sites that are shown by the Phase II efforts to qualify as significant under CEQA. The City shall ensure that data recovery conducted to the level that reduces impacts to below the level of	

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		significance has been completed before project implementation. The Phase III data recovery program shall include all or a combination of the following methods: • Development of a research design to identify important research questions that may be answered through a systematic study of the resource. • Mapping and systematic collection of surface artifacts, possibly complete data recovered depending on site size. • Subsurface investigation through methods such as controlled hand-excavation units, machine excavations, deep testing, or a combination of methods. When applicable, other techniques, such as geophysical testing, may be warranted. • Analysis of recovered material through visual inspection and chemical analysis when applicable. • Preparation of a report. • Appropriate curation of collected artifacts. If the resource is precontact in nature, the Phase III investigation shall be coordinated with descendant tribal communities.	
CUL-3: The proposed Program may cause a substantial adverse change in the significance of archaeological cultural resources that are accidentally discovered during project construction	Potentially Significant	**CUL-2: Inadvertent Discovery of Archaeological Cultural Resources** In the event that cultural resources are exposed during ground-disturbing activities during construction of individual broadband projects, construction activities shall be halted within 100 feet of the discovery. Cultural resources could consist of but are not limited to stone, bone, wood, or shell artifacts, or features,	Less than Significant

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		including hearths, structural remains, or historic dumpsites. If the resources cannot be avoided during the remainder of construction, a consulting archaeologist who meets the Secretary of the Interior's *Professional Qualifications Standards* for archaeology shall assess the resource and provide appropriate management recommendations. The County shall implement those recommendations to avoid or substantially reduce the severity of impacts on significant resources.	
CUL-4: The proposed Program would not disturb human remains, including those interred outside of formal cemeteries	Less than Significant	N/A	N/A
CUL-5: The proposed Program may result in cumulative impacts to cultural resources.	Potentially Significant	See Mitigation Measures CUL-1 and CUL-2	Less than Significant
Geology and Soils			
GEO-1: The proposed Program would not directly or indirectly cause potential substantial adverse effects involving rupture of known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction or landslides.	Less than Significant	N/A	N/A
GEO-2: The proposed Program would not result in substantial soil erosion or loss of topsoil.	Less than Significant	N/A	N/A
GEO-3: The proposed Program would not 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 the on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.	Less than Significant	N/A	N/A
GEO-4: The proposed Program would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code	Less than Significant	N/A	N/A

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
(1194) and would not create substantial direct or indirect risks to life or property.			
GEO-5: The proposed Program would not require the use of septic tanks or an alternative wastewater disposal system.	No Impact	N/A	N/A
GEO-6: The proposed Program would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Less than Significant	N/A	N/A
GEO-7: The proposed Program would not result in a significant cumulative impact with respect to geology and soils.	Less than Significant	N/A	N/A
Greenhouse Gas Emissions			
GHG-1: Implementation of the proposed Program would not generate GHG emissions that may have a significant impact on the environment.	Less than Significant	N/A	N/A
GHG-2: Implementation of the proposed Program would not conflict with or obstruct implementation of applicable GHG reduction plans, policies, or regulations.	Less than Significant	N/A	N/A
GHG-3: The proposed Program would not contribute to a significant cumulative impact to regional and State GHG emissions.	Less than Significant	N/A	N/A
Hazards and Hazardous Materials			
HAZ-1: The proposed Program would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials.	Less than Significant	N/A	N/A
HAZ-2: The proposed Program would not create a significant hazard to the public or the environment through reasonably	Less than Significant	N/A	N/A

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
foreseeable upset and accident conditions involving the release of hazardous materials into the environment.			
HAZ-3: The proposed Program would not emit hazardous emissions or require handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	Less than Significant	N/A	N/A
HAZ-4: The proposed Program may be located on a site that is included on a list of hazardous materials sites compiled pursuant to Section 65962.5 of the California Government Code, but would not create a significant hazard to the public or the environment.	Less than Significant	N/A	N/A
HAZ-5: The proposed Program may be located within an airport land use plan or within two miles of a public airport or public use airport, but would not result in a safety hazard or excessive noise for people residing or working in the project area.	Less than Significant	N/A	N/A
HAZ-6: The proposed Program may impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	Potentially Significant	See Mitigation Measure TRA-1	Less than Significant
HAZ-7: The proposed Program would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.	Less than Significant	N/A	N/A
HAZ-8: The proposed Program may contribute to a significant cumulative impact with respect to hazards and hazardous substances.	Potentially Significant	See Mitigation Measure TRA-1	Less than Significant

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
Hydrology and Water Quality			
HYD-1: The proposed Program would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.	Less than significant	N/A	N/A
HYD-2: The proposed Program would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.	Less than Significant	N/A	N/A
HYD-3: The proposed Program would not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on- or off-site; (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or (iv) impede or redirect flood flows.	Less than Significant	N/A	N/A
HYD-4: The proposed Program would not risk the release of pollutants due to project inundation due to flood hazards, tsunamis, or seiches.	Less than Significant	N/A	N/A
HYD-5: The proposed Program would not conflict with or obstruct implementation of	Less than Significant	N/A	N/A

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
a water quality control plan or sustainable groundwater management plan.			
HYD-6: The proposed Program would not contribute to a significant cumulative impact with respect to hydrology and water quality resources.	Less than Significant	N/A	N/A
Noise			
NOI-1: The proposed Program may result in a temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the County Noise Ordinance.	Potentially Significant	**NOI-1: Construction Hours** Construction noise-generating activities shall not occur outside the hours of 7:00 a.m. and 7:00 p.m. seven days a week within 500 feet of a noise-sensitive land uses including schools, hospitals, rest homes, long-term care facilities, mental care facilities, and residences. Before starting construction activities, the individual broadband project applicant or construction contractor shall post a publicly visible sign at the entrance to the individual fiber project site listing the allowable construction hours and the contact information, including telephone numbers, to report noise violations to the County and the contractor. **NOI-2: Backup Generator Noise Control** Before approving individual broadband projects that require an emergency back generator, the County shall verify that project plans include the following: • Where feasible, emergency backup generators shall be installed no closer than 25 feet from any noise sensitive land use (NSLU) (e.g., residences, schools, hospitals, convalescent homes, churches, libraries). If it is not feasible to locate emergency generators 25 feet or more from all NSLUs, the project proponent shall incorporate noise attenuating features (e.g., generator sound enclosures, noise barriers) into the equipment installation sufficient to reduce generator noise levels to 60 dBA L_{EQ}	Less than Significant

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		or less measured at outdoor use areas or building edges of the closest NSLU. Noise levels at NSLUs shall be verified by a qualified acoustical professional.	
NOI-2: The proposed Program may result in the generation of excessive groundborne vibration levels.	Potentially Significant	**NOI-3: Vibratory Roller Use** Before issuing individual broadband project construction approvals or permits, the County shall ensure that construction documentation includes the following restrictions. Vibratory rollers shall be used in static mode only (no vibrations) within the following distances: • Within 15 feet of any occupied building; and • Within 18 feet of any older residential building; and • Within 60 feet of a fragile historical building, ruin, or ancient monument.	Less than Significant
NOI-3: The proposed Program would not expose people residing or working in the project area to excessive noise levels from public use airports or private airstrips.	Less than Significant	N/A	N/A
NOI-4: The proposed Program may contribute to a cumulatively considerable impact on ambient noise levels in the County.	Potentially Significant	See Mitigation Measures NOI-1 through NOI-3	Less than Significant
Public Services			
PS-1: The proposed Program would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to	Less than Significant	N/A	N/A

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection, police protection, schools, parks, or other public facilities.			
PS-2: The proposed Program would not result in a significant cumulative impact with respect to public services.	Less than Significant	N/A	N/A
Transportation			
TRA-1: The proposed Program may conflict with a program, plan, ordinance, or policy addressing the circulation system including transit, roadway, bicycle, and pedestrian facilities.	Potentially Significant	**TRA-1: Traffic Control Plan** Before the issuance of an encroachment permit, a Traffic Control Plan shall be developed for individual broadband projects that require an encroachment permit for construction activities along County road rights-of-way (ROW) to manage traffic during construction. The applicant shall consult with the Yuba County Public Works Department regarding construction activities that may affect area traffic (such as construction staging necessitating lane closure, trenching, etc.) to ensure that the Traffic Control Plan is prepared in conformance with applicable code and ordinance requirements for emergency access. The construction contractor shall implement appropriate traffic controls identified in the Traffic Control Plan in accordance with the California Vehicle Code and other State and local requirements to avoid or minimize impacts on traffic during construction. The Traffic Control Plan shall be submitted along with the encroachment permit to the Yuba County Public Works Department before the commencement of construction activities.	Less than Significant
TRA-2: The proposed Program would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).	Less than Significant	N/A	N/A
TRA-3: The proposed Program may increase hazards due to design features (e.g., sharp curves or dangerous	Potentially Significant	See Mitigation Measure TRA-1	Less than Significant

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
intersections) or incompatible uses (e.g., farm equipment).			
TRA-4: The proposed Program may result in inadequate emergency access.	Potentially Significant	See Mitigation Measure TRA-1	Less than Significant
TRA-5: The proposed Program may contribute to a cumulative impact with respect to transportation.	Potentially Significant	See Mitigation Measure TRA-1	Less than Significant
Tribal Cultural Resources			
TCR-1: The proposed Program may 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 geologically 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: 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).	Potentially Significant	**TCR-1: Tribal Consultation** When an application for an individual broadband project is deemed complete by Yuba County, the County, as the CEQA Lead Agency, shall conduct tribal consultation outreach to relevant California Native American tribes, pursuant to Public Resources Code (PRC) Section 21080.3.1, for all individual broadband projects included within the scope of the County of Yuba Broadband Infrastructure Project Program EIR before project approval. The County shall utilize the outreach procedures of AB 52 regardless of the level of environmental review required for the individual broadband project. In the event that a general plan or specific plan adoption or amendment is required for the implementation of an individual broadband project, the County shall comply with the requirements of Senate Bill 18 (SB) 18, in coordination with AB 52, as described in California Government Code Section 65352.3.	Less than Significant
TCR-2: The proposed Program may 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 geologically 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: A resource	Potentially Significant	See Mitigation Measure TCR-1	Less than Significant

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			
TCR-3: The proposed Program may cause a substantial adverse change in the significance of a tribal cultural resource inadvertently discovered during construction.	Potentially Significant	**TCR-2: Tribal Treatment and Tribal Consultation** In the event that potential tribal cultural resources (TCRs) are exposed during ground-disturbing activities, construction activities (e.g., grading, grubbing, or vegetation clearing) shall be halted in the immediate vicinity of the discovery. The consulting tribe that is culturally and geographically affiliated with the area shall then be retained to evaluate if the resource is a TCR, and thus significant under CEQA. If the discovery is a TCR, additional work and mitigation measures, such as those listed in PRC §21084.3, as deemed appropriate by the tribal organization consulting on the find. Such mitigation may include avoidance and preservation in place as the preferred alternative.	Less than Significant
TCR-4: The proposed Program may result in a cumulative impact with respect to tribal cultural resources.	Potentially Significant	See Mitigation Measures TCR-1 and TCR-2	Less than Significant
Utilities and Service Systems			
UTL-1: The proposed Program would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.	Less than Significant	N/A	N/A

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
UTL-2: The proposed Program would not have a significant impact on water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.	Less than Significant	N/A	N/A
UTL-3: The proposed Program would not 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.	Less than Significant	N/A	N/A
UTL-4: The proposed Program would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.	Less than Significant	N/A	N/A
UTL-5: The proposed Program would comply with federal, State, and local management and reduction statutes and regulations related to solid waste.	Less than Significant	N/A	N/A
UTL-6: The proposed Program would not result in a significant cumulative impact with respect to utilities.	Less than Significant	N/A	N/A
Wildfire			
FIRE-1: The proposed Program may substantially impair an adopted emergency response plan or emergency evacuation plan.	Potentially Significant	See Mitigation Measure TRA-1	Less than Significant
FIRE-2: Due to slope, prevailing winds, and other factors, the proposed Program would not exacerbate wildfire risks, and thereby	Less than Significant	N/A	N/A

Environmental Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.			
FIRE-3: The proposed Program would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.	Less than Significant	N/A	N/A
FIRE-4: The proposed Program would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.	Less than Significant	N/A	N/A
FIRE-5: The proposed Program would be located in a State Responsibility Area and contribute to a significant cumulative impact with respect to wildfire.	Potentially Significant	See Mitigation Measure TRA-1	Less than Significant

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ACRONYMS AND ABBREVIATIONS (cont.)

N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Graves Protection and Repatriation Act
NAHC	Native American Heritage Commission
NEPA	National Environmental Policy Act
NFPA	National Fire Protection Association
NHTSA	National Highway Traffic Safety Administration
NIMS	National Incident Management System
NMFS	National Marine Fisheries Service
NO_2	Nitrogen Dioxide
NTIA	National Telecommunications and Information Administration
NOA	Notice of Availability
NOAA	National Oceanic and Atmospheric Administration
NOC	Notice of Completion
NOD	Notice of Determination
NOP	Notice of Preparation
NO_x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NRCS	National Resource Conservation Service
NSLU	Noise sensitive land uses
NSVAB	Northern Sacramento Valley Air Basin
NTIA	National Telecommunications and Information Administration
O_3	Ozone
OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
OHP	Office of Historic Preservation
OPR	Office of Planning and Research
OPUD	Olivehurst Public Utility District
OSHA	Occupational Safety and Health
Pb	Lead
PFC	perfluorocarbons
PM	Particulate Matter
PM_{10}	Coarse PM, 10 micrometers or less in diameter
$PM_{2.5}$	Fine PM, 2.5 micrometers or less in diameter
PPD	pounds per day
Ppm	parts per million
PPV	peak particle velocity
PRC	Public Resources Code
RCNM	Roadway Construction Noise Model

ACRONYMS AND ABBREVIATIONS (cont.)

RCRA	Resource Conservation and Recovery Act
RMP	Risk Management Plans
ROG	reactive organic compounds
ROW	Right-of-way
RTP	regional transportation plan
RTPA	regional transportation planning agency
RWQCB	Regional Water Quality Control Board
SAR	Second Assessment Report
SARA	Superfund Amendments and Reauthorization Act
SACOG	Sacramento Area Council of Governments
SB	Senate Bill
SCC	Species of Special Concern
SCS	Sustainable Communities Strategy
SEMS	Standardized Emergency Management System
SR	State Route
SF_6	sulfur hexafluoride
SGMA	Sustainable Groundwater Management Act
SHMP	State Hazard Mitigation Plan
SHPO	State Historic Preservation Officer
SIP	State Implementation Plans
SLP	short-lived climate pollutants
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMARA	Surface Mining and Reclamation Act of 1975
SO_2	Sulfur Dioxide
SOP	standard operating procedures
SPL	sound pressure level
SR	State Route
SRA	State Responsibility Areas
SWMP	Storm Water Management Plan
SWPPP	Stormwater Pollution Prevention Program
SWRCB	State Water Resources Control Board
TAC	toxic air contaminants
TCR	Tribal Cultural Resource
TIMF	Traffic Impact Mitigation Fee
TMDL	Total Maximum Daily Load
UNFCCC	United Nations Framework Convention on Climate Change
USACE	U.S. Army Corps of Engineers
USC	United States Code
USDA	U.S. Department of Agriculture
USEPA	United States Environmental Protection Agency
USFS	U.S. Forest Service

ACRONYMS AND ABBREVIATIONS (cont.)

USFWS	U.S. Fish and Wildlife Service
UST	Underground Storage Tank
VHFHSZ	Very High Fire Hazard Severity Zone
VIA	Visual Impact Assessment
VMT	vehicle miles traveled
VOC	volatile organic compounds
WEAP	Worker Environmental Awareness Program
WQC	Water Quality Certification
WQP	Water Quality Plan
WUI	Wildland-Urban Interface
YCOE	Yuba County Office of Education
YCSD	Yuba County Sheriff's Department
YCWA	Yuba County Water Agency

1.0 INTRODUCTION

The County of Yuba Broadband Infrastructure Project (herein referred to as the "proposed Program" or "Program") would expand access to broadband technology throughout the unincorporated areas of the County of Yuba (County). The County is the California Environmental Quality Act (CEQA) Lead Agency for the proposed Program. This Environmental Impact Report (EIR) is a programmatic document that evaluates the location and installation of fiber optic cable by a variety of potential methods (e.g., underground via directional bore and trenching and/or aerial installation) under future individual broadband projects. This EIR provides a guiding document and process relative to development of broadband in the County by simplifying and streamlining the environmental process required for the deployment of broadband infrastructure by Internet Service Providers (ISPs). The objective of this program EIR is to achieve compliance with CEQA for the proposed Program in advance such that subsequent individual broadband projects can streamline the environmental review process by falling within the scope of the proposed Program covered in this program EIR.

It is envisioned that the vast majority of future broadband infrastructure would be installed within existing County-maintained road rights-of-way (ROW), public utility easements, and/or existing overhead public utility easements of record throughout the County. The exact alignments of future broadband infrastructure are unknown at this time and would be planned based on such considerations as construction feasibility, topographic constraints, local preference, and locations of sensitive environmental resources. See Figure 1-1, *Site and Vicinity Map,* for a map of the proposed Program area, and Figure 1-2, *Yuba County Roads and Rights-of-Way*, for a map of County-maintained roads and ROW within the Program area (Note: All figures are included in Appendix A).

1.1 ENVIRONMENTAL IMPACT REPORT

1.1.1 Overview of an EIR

Pursuant to CEQA, preparation of an EIR is required whenever it can be fairly argued, based on substantial evidence, that a proposed project may result in a significant environmental impact. An EIR is an informational document used to inform public-agency decision makers and the general public of the significant environmental impacts of a project, identify possible ways to minimize the significant impacts, and describe reasonable alternatives to the project that could feasibly attain most of the basic objectives of the project while substantially lessening or avoiding any of the significant environmental impacts. Public agencies are required to consider the information presented in the EIR when determining whether to approve a project.

1.1.2 Program EIR

This EIR has been prepared to meet the requirements of a program EIR as defined in CEQA Guidelines Section 15168(c) for streamlining later activities. In accordance with Section 15168 of the CEQA Guidelines, a program EIR may be prepared on a series of actions that can be characterized as one large project and are related to, among other things, the issuance of general criteria to govern the conduct of a continuing program or individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects that can be mitigated in similar ways. The proposed Program meets these criteria for the use of a program EIR.

In accordance with CEQA Guidelines Section 15168(c), subsequent activities consistent with the proposed Program would be examined in light of the information in this program EIR to determine whether additional environmental documentation must be prepared. It is expected that the applicable Lead Agency (determined by location of the individual broadband project) will review the impact analysis for individual broadband projects and determine whether and what level of additional CEQA documentation and review is appropriate to adequately address impacts from the individual broadband projects when more detailed plans are available.

If individual broadband project activities are determined to be within the scope of the program EIR, the County, as the Lead Agency, may approve the activities using this program EIR and project-specific consistency checklist without an additional environmental document, pursuant to CEQA Guidelines Section 15162. In this situation, the County must incorporate all feasible mitigation measures from the program EIR into the subsequent individual broadband project, as needed, to address significant or potentially significant effects on the environment covered by the program EIR. A template for the project-specific consistency checklist is included as Appendix B to this program EIR.

If a subsequent individual broadband project or later activity would have effects that were not examined in this program EIR, an initial study may be prepared to determine the appropriate level of environmental review. If another environmental document is needed, whether it is a notice of exemption, negative declaration, mitigated negative declaration, or EIR, the program EIR can be used to simplify the task of preparing the subsequent environmental document, as indicated in CEQA Guidelines Section 15168(d). As appropriate, when the Lead Agency receives an application for an individual broadband project, they will process additional CEQA documentation, if required, that builds on the analysis presented in this program EIR.

1.2 ENVIRONMENTAL ASSESSMENT

The National Telecommunications and Information Administration (NTIA) under the Department of Commerce is the National Environmental Policy Act (NEPA) Lead Agency. An Environmental Assessment (EA) was prepared in compliance with Federal NEPA requirements and is included as Appendix C.

1.3 PROJECT FUNDING

This program EIR will achieve compliance with CEQA such that entities can take advantage of current and future funding for broadband infrastructure provision, expected to be available through the Broadband Equity, Access, and Deployment (BEAD) Program, which provides funding to expand high-speed internet access by funding planning infrastructure deployment throughout the U.S.; the California Emerging Technology Fund (CETF), which provides leadership Statewide to close the “digital divide” by accelerating the deployment and adoption of broadband to unserved communities and populations; and the Federal Funding Account (FFA), which is administered by the California Public Utilities Commission (CPUC) for last-mile broadband infrastructure projects.

1.4 SCOPE AND ORGANIZATION OF THE EIR

Sections 15120 through 15132 of the CEQA Guidelines present the required content for Draft and Final EIRs. An EIR must include a brief summary of the proposed action and its consequences, a description of the proposed project, a description of the environmental setting, an environmental impact analysis, mitigation measures proposed to minimize potentially significant effects, alternatives to the proposed

project, significant irreversible environmental changes, growth inducement, effects found not to be significant, effects found to be significant and unavoidable, organizations and persons consulted, and cumulative impacts.

This program EIR evaluates the proposed Program for potential impacts on the environment and determines the potential environmental consequences of future individual broadband projects. In accordance with CEQA, this EIR: (1) identifies the potential significant effects of the proposed Program on the environment and indicates the manner in which those significant effects can be avoided or mitigated; (2) identifies unavoidable adverse impacts that cannot be mitigated; and (3) analyzes reasonable alternatives to the proposed Program. Although the EIR does not control the final decision on the proposed Program, the County shall consider the information in the EIR and respond to each significant effect identified in the EIR. As the CEQA Lead Agency, the County identified the following issues areas to be analyzed in detail in this EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

This program EIR is organized in the following chapters:

- **Executive Summary:** Consistent with Section 15123 of the CEQA Guidelines, this chapter provides a brief summary of the proposed Program and identifies environmental impacts and mitigation measures in a summary matrix.

- **Chapter 1.0 – Introduction:** This chapter presents an overview of the Program background and describes the intended use of the program EIR (CEQA Guidelines Section 15124(d)), as well as the environmental review process.

- **Chapter 2.0 – Project Setting and Location:** This chapter includes a description of the physical environmental conditions within the Program area as they existed at the time the Notice of Preparation (NOP) was published, and which have been updated based on current conditions during preparation of this program EIR, consistent with Section 15125 of the CEQA Guidelines.

- **Chapter 3.0 – Project Description:** This chapter provides a detailed description of the proposed Program's characteristics and objectives, as well as the required discretionary approvals, consistent with Section 15124 of the CEQA Guidelines.

- **Chapter 4.0 – Environmental Impact Analysis:** This chapter contains a comprehensive analysis of the potential impacts to each environmental factor evaluated in this program EIR, feasible measures that could minimize or mitigate those impacts, consistent with Section 15126.4 of the CEQA Guidelines, and cumulative impacts resulting from the combination of the proposed Program's

effects with other projects or plans/projections in the County that could cause related impacts consistent with Section 15130 of the CEQA Guidelines.

- **Chapter 5.0 – Project Alternatives:** Consistent with Section 15126.6 of the CEQA Guidelines, this chapter evaluates a range of reasonable alternatives to the Program which would feasibly attain most of the basic project objectives identified for the Program, but would avoid or substantially lessen any of the significant effects of the Program, Alternatives other than the proposed Program evaluated in this document include: (1) No Project Alternative; (2) Aerial Installation Only Alternative; (3) Underground Installation Only Alternative; and (4) Use of Existing Infrastructure Alternative.

- **Chapter 6.0 – Environmental Impacts Found Not to be Significant:** This chapter lists the environmental factors that were determined by the County to have no potential to be significantly impacted by the proposed Program.

- **Chapter 7.0 – Significant Irreversible Environmental Changes:** Consistent with Section 15126.2(d) of the CEQA Guidelines, this chapter outlines the significant irreversible changes anticipated to occur as a result of Program implementation.

- **Chapter 8.0 – Growth Inducement:** Consistent with Section 15126.2(e) of the CEQA Guidelines, this chapter describes potential growth-inducing impacts associated with the proposed Program.

- **Chapter 9.0 – Significant and Unavoidable Impacts:** Consistent with Section 15126.2(c) of the CEQA Guidelines, this chapter describes significant impacts identified in the program EIR, including those which can be mitigated but not reduced to a level of insignificance.

- **Chapter 10.0 – List of Preparers:** This chapter lists all authors and agencies that assisted in the preparation of the report by name, title, and company or agency affiliation.

- **List of Appendices:**

  Appendix A – Figures
  Appendix B – Project-Specific Consistency Checklist
  Appendix C – NEPA Environmental Assessment
  Appendix D – Scoping Memorandum
  Appendix E – Mitigation Monitoring and Reporting Program
  Appendix F – CalEEMod Output
  Appendix G – Potential to Occur Table

1.5 ENVIRONMENTAL REVIEW PROCESS

The preparation, review, and certification process for the EIR involves the following steps:

1.5.1 Notice of Preparation

After deciding that an EIR is required, the Lead Agency must file an NOP soliciting input on the scope of the EIR with the State Clearinghouse, other concerned agencies, and parties previously requesting

notice in writing (CEQA Guidelines Section 15082; Public Resources Code [PRC] Section 21092.2). The NOP must be posted in the County Clerk's office for a period of 30 days.

The NOP for this EIR was circulated for a 30-day agency and public review period that started on January 21, 2025, and ended on February 19, 2025. A virtual public hearing to receive comments on the scope of the EIR was held on Monday, February 3, at 2:00 p.m. via Zoom. The NOP and scoping process solicited comments from identified responsible and trustee agencies, as well as interested parties regarding the scope of the EIR. Appendix D of this EIR includes the Scoping Memorandum, including NOP comments received in response to the circulation of the NOP, and the Initial Study prepared for the proposed Program.

1.5.2 Draft EIR

The Draft EIR must contain information required by CEQA Guidelines Sections 15122 through 15131, including: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing, and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and h) discussion of irreversible changes.

1.5.3 Public Notice/Public Review of Draft EIR

The principal objectives of CEQA require that: (1) the environmental review process provides for public participation, and (2) the EIR serves as an informational document to inform members of the general public, responsible and trustee agencies, and the decision-makers of the physical impacts associated with a proposed project.

Upon completion of the Draft EIR, the Lead Agency must file a Notice of Completion (NOC) with the State Clearinghouse and prepare a public Notice of Availability (NOA) of a Draft EIR. The NOA must be posted in the County Clerk's office for 30 days (PRC Section 21092), and the Lead Agency must send a copy of the NOA to anyone who has requested it (CEQA Guidelines Section 15087). Additionally, a public NOA of a Draft EIR must be provided through at least one of the following procedures: a) publication in a newspaper of local circulation; b) posting on and off the project site; or c) direct mailing to owners and occupants of contiguous properties. The Lead Agency must solicit input from other agencies and the public and respond in writing to all comments received (PRC Sections 21104 and 21253).

This Draft EIR is available for review by the public and interested parties, agencies, and organizations for a 45-day comment period beginning on August 1, 2025 and ending September 15, 2025. During the comment period, the public is invited to submit written or email comments on the Draft EIR to the Yuba County Planning Department.

Written comments on this Draft EIR should be submitted to:

Ian Scott, Special Projects Manager
County of Yuba, Community Development and Services Agency
915 8th Street, Suite 123, Marysville, CA 95901
iscott@co.yuba.ca.us

1.5.4 Final EIR

Following the conclusion of the 45-day public review period for the Draft EIR, the County will review all comments received and prepare written responses to comments on environmental-related issues. A Final EIR will then be prepared, which contains all of the comments received, responses to comments raising environmental issues, and any changes to the Draft EIR (if necessary). The Final EIR will then be presented to the Yuba County Board of Supervisors for certification. All agencies, organizations, and individuals who commented on the Draft EIR will be notified of the availability of the Final EIR and the date of the public hearings before the Board of Supervisors.

Responses to comments submitted on the Draft EIR by public agencies will be provided to those agencies at least 10 days prior to certification of the EIR. Public input is encouraged at all public hearings before the County. The County Board of Supervisors will also make findings regarding each significant environmental impact of the proposed project as identified in the Final EIR. For each significant impact of the project identified in the EIR, the Lead Agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (CEQA Guidelines Section 15091). If an agency approves a project with unavoidable significant environmental impacts, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.

The Final EIR will need to be certified by the County as having been prepared in compliance with CEQA prior to deciding to approve or deny the proposed Program. After the Board of Supervisors certifies the Final EIR, it may then consider whether to approve the proposed Program. The Board of Supervisors will certify and make conditions of project approval all feasible mitigation measures identified in the Final EIR.

1.5.5 Notice of Determination

The Lead Agency must file a Notice of Determination (NOD) after deciding to approve a project for which an EIR is prepared (CEQA Guidelines Section 15094). A local agency must file the NOD with the County Clerk within five working days after approval of the project by the Lead Agency. If the project requires discretionary approval from any State agency, then the local Lead Agency shall also file a copy of the NOD with the State Clearinghouse within 5 working days after project approval. The NOD must be posted for 30 days and sent to any party previously requesting notice. Posting of the NOD starts a 30-day statute of limitations on CEQA legal challenges (PRC Section 21167[c]).

1.5.6 Mitigation Monitoring and Reporting Program

PRC Section 21081.6 requires that the Lead Agency adopt a mitigation monitoring and reporting program (MMRP) for any project for which it has adopted mitigation measures. The MMRP, included in Appendix E, is intended to ensure compliance with the adopted mitigation measures during Program implementation.

2.0 PROJECT SETTING AND LOCATION

2.1 PROJECT SETTING

The proposed County of Yuba Broadband Infrastructure Project (herein referred to as the "proposed Program" or "Program") area includes the unincorporated areas of the County of Yuba (County), California. The County is located in the northeast portion of the California Central Valley, along the western slope of the Sierra Nevada mountains. The County's boundaries are defined by the Feather River on the west, the Bear River on the south, and Honcut Creek on the north. The easterly boundary, which is not defined by natural features, is generally located along the alignment of State Route (SR) 49. The County is bordered by Plumas and Butte counties to the north, Sutter and Placer counties to the south, Sutter County to the west, and Sierra and Nevada counties to the east. The County, in its entirety, encompasses approximately 644 square miles (412,160 acres). Several major roadways including SR 20, SR 49, SR 65, and SR 70 traverse the County. Elevations range from approximately 20 feet above mean sea level (amsl) along the Feather River in the western edge of the County, to approximately 4,825 amsl in the northeastern corner of the County. Located within the County are the incorporated cities of Marysville and Wheatland; however, there are several other unincorporated communities located throughout the County, including Linda, Olivehurst, Plumas Lake, Hallwood, Challenge, Brownsville, Oregon House, Dobbins, Camptonville, and Smartsville.

2.2 PROJECT LOCATION

The area in which future broadband infrastructure could be implemented includes all unincorporated areas of the County; it excludes the incorporated cities of Marysville and Wheatland, federal lands, private roads, and State highway rights-of-way (ROW). The County has jurisdiction over a total of approximately 650 miles of County-maintained roads. It is envisioned that the vast majority of future broadband infrastructure would be installed within existing County-maintained road ROW, public utility easements, and/or existing overhead public utility easements of record throughout the County. The exact alignments of future broadband infrastructure are unknown at this time and would be planned based on such considerations as construction feasibility, topographic constraints, local preference, and locations of sensitive environmental resources. Refer to Figure 1-1, *Site and Vicinity Map,* for a map of the proposed Program area, and Figure 1-2, *Yuba County Roads and Rights-of-Way*, for a map of County-maintained roads and ROW within the Program area (Note: All figures are included in Appendix A).

This program EIR conservatively assumes that new ground disturbance would be required for the entire Program; however, there would be potential for utilizing existing conduit where only installation of fiber optic line would be required. If deemed feasible, the new broadband infrastructure constructed under an individual broadband project would connect to existing infrastructure (e.g., aboveground and/or underground) in the Program area supported by existing internet service providers (ISPs).

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3.0 PROJECT DESCRIPTION

As the California Environmental Quality Act (CEQA) Lead Agency, the County of Yuba (County) is proposing the County of Yuba Broadband Infrastructure Project (herein referred to as the "proposed Program" or "Program") to expand access to broadband technology throughout the unincorporated areas of the County. The location and installation of fiber optic cable by a variety of potential methods (e.g., underground via directional bore and trenching and/or aerial installation) is evaluated at a programmatic level in the Environmental Impact Report (EIR) for the County as a whole. The objective of this program EIR is to achieve compliance with CEQA for the proposed Program in advance such that individual broadband projects can streamline the environmental review process by falling within the scope of the proposed Program covered in this program EIR.

The National Telecommunications and Information Administration (NTIA) under the Department of Commerce is the National Environmental Protection Agency (NEPA) Lead Agency. An Environmental Assessment was prepared in compliance with federal NEPA requirements and is included as Appendix C to this program EIR.

3.1 PROJECT NEED

Broadband infrastructure provides high-speed internet access via several types of technologies, including fiber optics, wireless, cable, digital subscriber line (DSL), and satellite. The availability of affordable, reliable broadband technologies is critical to the County's economic development, and the expansion of broadband in the County would facilitate advancements in telehealth, education, and improved emergency response, among other benefits. While some areas of Yuba County have sufficient internet speeds for daily work and home life, there are service gaps or "digital divides" in portions of the County. Insufficient internet speeds and lack of service coverage have become prohibitive for residents of Yuba County to perform essential, daily tasks. In addition, many rural communities in the County have limited access to affordable, reliable internet service provider (ISP) options; this digital divide typically increases as distance from major city centers increases.

The rural nature and low population densities of communities in Yuba County pose challenges to deploying broadband infrastructure. Geographical barriers such as rugged terrain, subsurface rock, and forested areas, combined with limited market incentives, discourage market-rate ISPs from investing in these rural areas, further leading to reduced competitions and deployment of broadband technology. These factors have hindered efforts to establish comprehensive, reliable broadband connectivity throughout the County.

The Federal Communications Commission (FCC) and the California Public Utilities Commission (CPUC) define advanced telecommunications capability (broadband) primarily in terms of downstream and upstream speeds. In 2015, the FCC updated the definition of broadband to 25 megabits per second (Mbps) downstream and 3 Mbps upstream. In 2017, the California legislature changed the definition of "unserved" areas to areas where broadband is offered at slower speeds than 6 Mbps downstream and 1 Mbps upstream. In 2021, the California broadband standard increased to 25 Mbps downstream and 3 Mbps upstream, matching the FCC standard.

The Yuba County Strategic Master Broadband Plan concluded that 32.1 percent of households in the County are unserved at 6/1 Mbps; 34.5 percent of households are unserved at 10/1 Mbps; and 47.9

percent are unserved at 25/3 Mbps (County 2021). These unserved communities in Yuba County lack access to a utility that is now seen as critical to quality of life, among other reasons. The proposed Program would help attract individual broadband infrastructure investors to bring broadband service to communities in need of affordable, reliable connectivity. Expansion of broadband technology is vital to the various communities in the County for many reasons, which include but are not limited to:

- supporting economic growth and sustainability;
- improving civic involvement and participation;
- advancing education and continuous learning;
- strengthening social and community connections;
- fostering health care and telehealth services; and,
- enhancing recreation and tourism.

3.2 PROJECT OBJECTIVES

Per Section 15124 of the CEQA Guidelines, the County identified the following objectives for the proposed Program:

- provide upgradable and expandable high-speed broadband capacity in the service areas with minimum speeds of 25 Mbps for downloads and 3 Mbps for uploads, which is labeled as "served" areas within California;
- provide a wireless broadband network in unserved and underserved areas of Yuba County;
- enable an increase in telecommuting, with a commensurate decrease in vehicle miles traveled (VMT);
- streamline the environmental review process for individual broadband projects that are implemented in the County;
- provide a reliable foundation of data and acceptable methodology to assess impacts for any specific broadband deployment project;
- identify known environmental and cultural assets to be protected and/or restored with an approved set of preservation measures and/or mitigations; and,
- save time and money for both the County of Yuba and broadband project applicants, resulting in greater government and economic efficiencies, reducing the amount of County staff time required to review broadband projects and avoiding duplication of applicant costs.

3.3 EXISTING FACILITIES

Existing broadband infrastructure in Yuba County primarily stretches from the unincorporated community of Plumas Lake in the southern portion of the County, along the eastern boundary, to the

unincorporated community of Camptonville in the northern portion of the County. Future broadband infrastructure improvements would likely stem from this existing network.

3.4 PROPOSED FACILITIES

The proposed Program would install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. It is anticipated that the depth of excavation for buried conduits would be up to 12 feet. Additionally, the height of the utility pole/tower would not exceed 150 feet. Broadband infrastructure would be installed to provide aboveground or underground lateral connections to private residences and businesses. Individual connections typically would be located in previously disturbed and/or developed areas (e.g., in County roadway rights-of-way [ROW] or public utility easements). The broadband infrastructure could follow other utility installations; therefore, it is likely that the ground along these alignments has been previously disturbed by prior utility work. Additionally, many of these connections would generally follow the route of the roadway, particularly if the applicable areas have other issues that could affect access, such as vegetation, geological, landscape, and/or water features that should not be disturbed. This program EIR conservatively assumes that new ground disturbance would be required for the entire Program; however, there would be potential for utilizing existing conduit where only installation of fiber optic line would be required. If deemed feasible, the new broadband infrastructure constructed under an individual broadband project would connect to existing infrastructure in the Program area supported by existing ISPs.

Yuba County includes a total of approximately 650 miles of County-maintained roads. The installation of underground or overhead cables would be located within existing County maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County. The future location of broadband infrastructure would focus on areas of the County that are currently unserved or underserved. The exact alignment of future broadband infrastructure is unknown at this time and would be based on such considerations as construction feasibility, topographic constraints, local preference, and locations of sensitive environmental resources.

3.5 PROJECT CONSTRUCTION

3.5.1 Construction Schedule

Construction of individual broadband projects under the proposed Program would begin as early as fall 2025. Implementation of future individual broadband projects under the Program would likely occur over the course of many years. It is possible that multiple, individual broadband projects could have overlapping construction timeframes (or phases). Additionally, any individual segment could involve multiple construction crews working simultaneously, with plowing, trenching, and directional drilling occurring at the same time in different locations of the segment. In accordance with the Yuba County Code of Ordinances, Section 8.20.30, construction equipment would not be used between the hours of 10:00 p.m. and 7:00 a.m., seven days per week.

3.5.2 Construction Methods

The construction method used for future individual broadband projects would be determined based on the location, micro-site conditions, and constraints that may be present at an individual project site (e.g., size of road shoulder, water crossing, sensitive habitat, cultural resources, locations of existing buried utilities, etc.). Trees and other vegetation may be growing in road shoulders or otherwise along

individual broadband project alignments that could interfere with construction and would require removal. Standard approved hazardous materials (e.g., gasoline, oils, solvents, etc.) may be used during construction activities. If any existing wood utility poles are removed to accommodate installation, the poles would be properly disposed of as treated wood waste. For construction activities involving excavation, the excavated material would typically be re-used as fill material. In some cases, new fill material could be needed, and the specific amount would depend on the type and location of the construction activities. The following sections describe the specific construction methods that would be used to install fiber optic lines.

3.5.2.1 Horizontal Directional Drilling

Horizontal directional drilling (boring) allows new conduit to be installed to the desired depth with minimal surface disturbance along the alignment. Typical boring depths are up to 12 feet, depending on subsurface conditions, and the need to avoid conflicts with existing utilities beneath roadway intersections. The exact boring depths would vary based on the individual broadband project.

Typically, a bore rig would drill towards the preceding buried access vaults, then be turned in the opposite direction and drilled to the succeeding access point (i.e., drilled from opposite directions to meet in the middle). Once the pilot bore string reaches its receiving pit, the conduit would be attached to the end. The pilot pipe would then be pulled back to the bore machine, thereby installing the conduit. The conduits would be spliced together, or an access vault would be installed. Typical bore lengths are approximately 700 feet.

A temporary work area would be needed at the bore entry and exit pit locations to accommodate the bore rig, to allow for connection of the conduits, and to provide for the installation of access vaults. These temporary work areas would be determined prior to or during construction of the individual broadband project. Water trucks are generally not required for dust suppression associated with horizontal directional drilling, the only activity that would involve appreciable soil excavation and stockpiles. Horizontal directional drilling would use directional bore rigs that have water on board that would be used for dust control, if necessary.

The bore rig would use a mixture of water and fine clay (usually bentonite) to help lubricate the pilot pipe and keep the hole drilled open. The water and clay would be mixed on-site in a mixer attached to or as part of the bore rig. Earth cuttings from the bore hole and the water/clay mixture returns to the bore entry pit where it would be pumped into a receiving tank. The mixture would be filtered for reuse if possible or stored in a tank until it could be discarded in a local landfill approved to receive the material. Drilling fluid is classified as non-toxic and can be disposed of accordingly. In areas of hard rock, the boring machine may use air and/or foam instead of drilling fluid.

Excavated or disturbed soil would be kept within a controlled area surrounded by a perimeter barrier that may entail silt fencing, hay bales, straw wattles, or a similarly effective erosion control technique that prevents the transport of sediment from a given stockpile. All stockpiled material would be covered or contained in such a way that eliminates off-site sediment runoff from occurring. Upon completion of construction activities, excavated soil would be replaced.

3.5.2.2 Plowing

In unpaved areas, conduits could be installed using a plowing technique, in which a vibratory cable plow incises the soil to a depth typically 48 inches below the ground surface and the conduits are placed in

the incised slit simultaneously. The exact soil depth would vary based on the individual broadband project. To accomplish this, as the vibratory cable plow parts the soil to lay the conduit, the conduits are laid down through a shaft attached to the plow, and then the soil reconsolidates immediately behind the plow. Plowing is generally performed using a tracked vehicle (i.e., bulldozer). The disturbance caused by the plow is typically restored within two days as part of the cleanup process.

In stable soils, the machines leave a track in the vegetation similar to, but wider than, a road vehicle. In wet or soft conditions, this disturbance may be great enough to require more extensive grading and reseeding to restore the area. When wet, soft, or restricted areas are anticipated, a "spider plow" may be used. This equipment has been specially developed for these conditions and causes much less disturbance because it runs on oversized rubber tires and is lower in weight.

3.5.2.3 Trenching

In areas where conditions are unsuitable for plowing (for example, if the soil matrix is characterized by a high density of rocks greater than 6 inches in diameter, or where existing underground infrastructure prohibits plowing) trenching would be needed to install the conduits. To create the conduit trench, a backhoe or other equipment is typically used to open a trench, generally ranging from 9 to 18 inches wide and typically 48 inches deep. The exact width and depth would vary based on the individual broadband project. The conduit would be placed at the bottom of the trench, and the trench would be backfilled and compacted using trenching spoils, imported fill material, or sand slurry as required. The trench is typically refilled the same day that it is created, and if a trench is left open at the end of the workday it is covered in accordance with standard best management practices. In areas where the ROW or shoulder is very narrow or where sensitive biological or cultural resources must be avoided, or to accommodate a local jurisdiction's preference, the conduit may be installed by cutting pavement, excavating a narrow trench, and backfilling and repaving the cut pavement. In such circumstances, the trench would be backfilled with slurry to ensure proper compaction and pavement integrity.

3.5.2.4 Microtrenching

Future broadband infrastructure could be installed using microtrenching for installation of subsurface pipe or conduit. Microtrenching could be used in paved areas or sidewalks. A microtrench is a narrow open excavation trench that would generally be 1 to 4 inches wide and 12 to 26 inches deep. The exact width and depth would vary based on the individual broadband project. A tractor with a microtrenching cutting blade or trencher would cut into pavement or a sidewalk. As trenching occurs, excavated material is collected by a vacuum excavator connected to the tractor or trencher. The microtrench would be backfilled with either slurry or cement, and a grout, epoxy, or other sealer.

3.5.2.5 Installation of Fiber Optic Line into Conduit

Once the conduit system is installed, the fiber optic lines or microducts would be pulled or blown into the conduits in new or existing conduit. The installation would be accomplished using compressed air or a series of hydraulic pullers consisting of a main-line puller and sufficient intermediate assist pullers to ensure smooth pulling within specified tension restrictions. First, the pull line would be attached to a plug that is pushed through the conduit by air pressure. Next, when the plug emerges at the end of the conduit section or access point, the pull line would be attached to the line through a swivel to prevent the line from twisting during the pulling operation. Then the pull line would be pulled back though the conduit section, threading the line through the conduit. The main-line puller would be equipped with a

tension limiter and a tension monitor to provide an accurate record of actual pulling tensions encountered.

These methods would be used to pull the line from one handhole to the next. If there is damage to the conduit, it may be necessary to excavate temporary assist points to facilitate fiber installation. These could be required for a small number of vaults. Installation of fiber into existing conduits using these methods would not require any new ground disturbance—only access to existing buried vaults—and would require two vehicles and an air compressor.

3.5.2.6 Installation of Access Vaults

To allow for fiber optic line-placing assist locations, fiber optic line splice locations, and future access to the buried conduits and line, access vaults (also known as handholes, pull boxes, and splice boxes) could be placed along the alignment. Once installation is complete, the vaults would be accessed on a very limited basis for maintenance or line replacement. Each vault would typically house 80 to 100 feet of line slack. The exact length of the link slack would vary based on the individual broadband project.

Each access vault would be equipped with a traffic-bearing cover, even if it would be out of the path of traffic. The cover may be visible at the surface or may be buried just below the surface. Generally, road shoulders or other easily accessible areas are the preferred locations for vaults. These vaults would be installed as the final step in the horizontal directional drill process and usually installed in the same excavations that had been used as drill entry and exit points. No additional ground disturbance would be required for the vaults. Access vaults would typically be installed at mid-block locations under the shoulder or beneath existing sidewalks.

3.5.2.7 Splicing of Fiber Optic Line Ends at Access Vaults

The reels of fiber optic line would be spliced where necessary at access vaults. Appropriate lengths of excess (slack loop) fiber optic line would be left at all splice locations to allow for line expansion and contraction due to temperature and for splicing required in the future. The line would be spliced in splice cases (i.e., protective encasements) in a line, with sufficient slack allowed. The splices would be made with a profile alignment fusion splicing machine and protected by heat-shrink tubing.

3.5.2.8 Aerial Stringing

In areas where trenching would be difficult for placing fiber optic line underground (e.g., rocky areas) and areas characterized by extreme topography (e.g., steep slopes, water crossings), fiber optic installation would occur using existing utility poles and/or new poles could be installed for aerial stringing of fiber optic line. Guy wires may be connected to the poles in areas that need additional stability. Self-supporting poles may be used where use of guy wires is infeasible (e.g., where there are existing structures next to the site) or where conditions prohibit adequate burial of the pole base or guy wire ground siting or anchorage.

3.5.3 Preconstruction Activities

Prior to construction of individual broadband projects, the Program would develop and implement a Worker Environmental Awareness Program (WEAP) to educate workers about sensitive biological and cultural resources occurring in and near the Program area as well as the potential for contamination in key areas. All field staff, including employees, contractors, and subcontractors who would work on the

project site during construction activities would be required to participate in the WEAP. The WEAP would inform workers about the locations and types of sensitive biological, cultural, and hazardous material resources potentially occurring in or near the proposed broadband infrastructure and would inform workers about policies, mitigation measures, and other protective features adopted as conditions of project approval (e.g., no ground-disturbing activities within 100 feet of sensitive biological resources) to avoid impacts to those resources. For hazardous materials, personnel would be informed that the Yuba County Environmental Health Department would be alerted to any suspected contamination. Staff would also be informed of procedures for proper handling and disposal of hazardous wastes excavated in the construction process established by federal, State, and local regulations.

3.5.4 Surface Restoration

Site cleanup and surface restoration under the Program would be performed promptly following conduit and line installation. Cleanup would include removing debris and restoring original surfacing and contours. Any disturbed areas would be returned to their original or better condition by replacing all asphalt, landscaping, or any earthen areas.

3.5.5 Construction Staging Areas and Equipment

3.5.5.1 Staging Areas

Staging areas would be established along public roadways or other existing disturbed areas along construction routes in the Program area. If it is not possible to locate staging areas along roadways due to narrow roads or other constraints, the contractor would locate staging areas and equipment lay-down areas and storage areas in paved or graveled yards or other existing disturbed areas as close to the construction areas as possible. The exact locations of construction staging areas and equipment lay-down areas have not been determined and will be identified as part of the final construction plans for the proposed individual broadband projects. Locations would be selected by construction companies that would be awarded contracts for construction of individual segments. Crews would be mobilized from staging areas with no refueling occurring in the field. Any construction work, including use of staging areas, within County ROWs would be required to obtain an encroachment permit from Yuba County Public Works Department. Each individual broadband project that would require an encroachment permit would be required to employ standard traffic control measures, as documented in a Traffic Control Plan submitted for review and approval by the Yuba County Public Works Department.

3.5.5.2 Vehicles and Equipment

The types of construction vehicles and equipment that would be used during construction would vary depending on the type of installation occurring at any given location. In general, there would be five different construction activity types that could be conducted: trenching, directional drilling, fiber blowing, aerial fiber installation, and fiber splicing. The types of equipment that would be used include pickup/utility trucks, plows, trenchers, jackhammers, cutting blades, excavators with a rock saw or rock breaker, dump trucks, backhoes, boring rigs, and bucket trucks (for aerial installation). It is assumed that all locations of fiber installation are accessible by trucks and other construction equipment and that helicopter use would not be required. The types of equipment needed for a given project would vary depending on construction methods and site conditions.

3.6 PROJECT OPERATIONS

Operational activities for any individual broadband projects implemented under the Program would be limited to routine maintenance and emergency repairs. Infrastructure such as circuit cabinets with cooling fans and/or stand-by generators associated with individual broadband projects may be routinely checked, as needed.

3.7 POTENTIAL PERMITS AND APPROVALS REQUIRED

The following actions would be required by Yuba County as the CEQA Lead Agency:

- Certification of the appropriate CEQA document,
- Adoption of a Mitigation Monitoring and Reporting Program, and
- Adoption of CEQA findings.

Depending on the project-specific character, location, and construction techniques of future broadband projects, potential permits and approvals that could be required are identified in Table 3-1.

Table 3-1
POTENTIAL PERMITS AND APPROVALS

Agency	Permits or Approvals
U.S. Army Corps of Engineers	• Nationwide Permit or Individual Permit under Section 404 of the Clean Water Act
Central Valley Regional Water Quality Control Board	• National Pollutant Discharge Elimination Construction General Permit • Section 401 water quality certification or a waiver of discharge requirements
California Department of Fish and Wildlife	• Lake and streambed alteration agreement Section 1602 of the Fish and Game Code
County of Yuba	• Use Permits, Encroachment Permits

3.8 INDIVIDUAL BROADBAND PROJECT REVIEW PROCESS

Individual broadband projects developed and implemented under the proposed Program would be evaluated using a checklist provided by the County to determine whether or not the individual broadband project site and activities qualify as a later activity within the scope of the analysis in this EIR (State CEQA Guidelines Section 15168[c]). This project-specific consistency checklist is included as Appendix B to this program EIR. If the activities are determined to be within the scope of this EIR, the County may approve activities tiering from this program EIR and relying on the project-specific consistency checklist prepared in accordance with Section 15168 of the State CEQA Guidelines for program EIRs. If a later activity would have effects that were not examined in this EIR, a new initial study, negative declaration, or a mitigated negative declaration would be prepared to determine whether the new impact would require preparation of an EIR. That later analysis may tier from the program EIR as stipulated in CEQA Guidelines Section 15152. Individual broadband projects could also require permits or approvals from other State, regional, or local agencies as listed in Section 3.7, *Potential Permits and Approvals Required*.

3.9 REFERENCES

County of Yuba (County). 2021. Yuba County Strategic Master Broadband Plan. Available at: yuba.org/Planning Department Documents/Yuba County Broadband Master Plan.pdf

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4.0 ENVIRONMENTAL IMPACT ANALYSIS

CHAPTER ORGANIZATION

This chapter of the program Environmental Impact Report (EIR) is made up of 14 sections that evaluate the direct, indirect, and cumulative environmental impacts anticipated from approval of the proposed County of Yuba Broadband Infrastructure Project (herein referred to as the "proposed Program" or "Program"). The following sections describe the format of the environmental analysis, significance thresholds, and the methodology of the cumulative impact analysis.

FORMAT OF ENVIRONMENTAL ANALYSIS

This program EIR examines all of the environmental issue areas identified in Appendix G of the California Environmental Quality Act (CEQA) Guidelines and through comments received on the Notice of Preparation (NOP) and public scoping meetings. The potential environmental impacts of the proposed Program are analyzed for potential significant impacts in the following 14 environmental topic areas, which are organized with the listed abbreviations:

- Aesthetics (AES)
- Air Quality (AQ)
- Biological Resources (BIO)
- Cultural Resources (CUL)
- Geology and Soils (GEO)
- Greenhouse Gas Emissions (GHG)
- Hazards and Hazardous Materials (HAZ)
- Hydrology and Water Quality (HYD)
- Noise (NOI)
- Public Services (PS)
- Transportation (TRA)
- Tribal Cultural Resources (TCR)
- Utilities and Service Systems (UTL)
- Wildfire (FIRE)

Each environmental topic area contained in Sections 4.1 through 4.14 is addressed in detail in the following format:

- **Regulatory Framework**: A discussion of the federal, State, and local regulations relevant to the proposed Program.

- **Existing Conditions**: A discussion of the existing conditions and physical environment of the County, providing a baseline against which the potential impacts of the proposed Program can be compared.

- **Significance Thresholds**: A discussion of the thresholds of significance according to the CEQA Guidelines (Appendix G). It explains the quantitative or qualitative standards, performance levels, or criteria used to evaluate the existing setting with and without the proposed Program to determine whether the impact is significant.

- **Impact Analysis**: A discussion of the potential impacts from the proposed program and explains why impacts are found to be significant or less than significant prior to mitigation. This subsection also includes a discussion of cumulative impacts related to the proposed Program. Impacts and mitigation measures are numbered consecutively within each topical analysis and begin with an acronym or abbreviated reference to the impact section.

The following list briefly describes the environmental issue areas that were previously evaluated in the Initial Study, which is included within the Scoping Memorandum (Appendix D), and were determined to not require further evaluation in this program EIR:

- **Agriculture and Forestry Resources:** Typically, agricultural land is considered under CEQA in terms of its designation as Important Farmland under the Farmland Mapping and Monitoring Program (FMMP), which is maintained by the California Department of Conservation (DOC). According to the FMMP 2018-2020 Land Use Conversion Report, there were 82,795 acres of Important Farmland within the County in 2020, which includes 38,969 acres of Prime Farmland; 33,300 acres of Unique Farmland; and 10,526 acres of Farmland of Statewide Importance (DOC 2024a). Important Farmland is generally concentrated in the western portion of the County, with the rest of the County comprised of primarily Grazing Land and Other Land. Yuba County does not participate in the Williamson Act Program, as such, there are no parcels within the County under Williamson Act contract (County 2011). The majority of the County's forest resources are located on protected federal lands outside of the rural community boundaries. However, approximately 245 acres of land within rural community areas in the County are zoned Timber or Timber Preserve Zone. These lands are generally concentrated in the eastern portion of the County (County 2011).

  However, because the proposed Program would primarily be located within existing County maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County, construction, staging, and equipment lay-down areas of broadband infrastructure would not be sited on lands that are currently in agricultural production by the respective landowners. The installation of broadband infrastructure would not interfere with the continuation of existing aboveground uses after construction is completed. Therefore, impacts on agricultural resources would be less than significant. This environmental topic area does not require further evaluation in this Program EIR.

- **Energy:** The proposed Program would not generate additional energy demand beyond existing conditions within the Program area, but rather seeks to improve the connectivity of rural communities in Yuba County through improved broadband access. The Program would comprise multiple segments of new fiber optic lines throughout Yuba County, which would require the use of heavy-duty construction equipment. Energy would be consumed in the form of gasoline and diesel fuel to power this equipment and would be consumed in worker commute vehicles. However, this energy use would be inherently short-term and not substantial and would be a necessary energy expenditure to facilitate the expansion of Yuba County's broadband network, which could ultimately result in a decrease in gasoline consumption as rural workers are provided better telecommuting opportunities. Because the Program would not induce new energy demand and would not conflict with a local or Statewide plan for renewable energy or energy efficiency, energy impacts from Program implementation would be less than significant. Therefore, this environmental topic area does not require further evaluation in this Program EIR.

- **Land Use and Planning:** The proposed Program area would be located within the unincorporated areas of Yuba County. The exact alignment of future broadband infrastructure is currently unknown at this time and would be based on such considerations as construction feasibility, local preference, and locations of sensitive environmental resources. There are various General Plan land use designations and zoning designations within the County. Public roads are currently designated in the County General Plan, zoning codes, and ordinances to

accommodate utility infrastructure. Although some temporary construction-related traffic disturbances could occur, the proposed Program would not permanently divide an established community. Potential traffic impacts are evaluated in Section 4.11, *Transportation*, of this EIR. The proposed broadband infrastructure would be used to connect communities that are currently unserved or underserved. Prior to issuance of use permits, grading, and/or encroachment permits by Yuba County, the proposed Program would be required to demonstrate compliance with all applicable laws, regulations, policies, and ordinances. Therefore, impacts related to land use and planning would be less than significant and this environmental topic area does not require further evaluation in this Program EIR.

- **Mineral Resources:** The County includes a total of ten (10) mines and two (2) Surface Mining and Reclamation Act of 1975 (SMARA) mineral land classification studies (DOC 2024b). However, because the individual broadband projects under the proposed Program would be located within existing County maintained road ROW, public utility easements, or overhead public utility easements of record throughout the County, construction, staging, and equipment lay-down areas of broadband infrastructure would not interfere with the existing mines or mineral land classification studies. Therefore, impacts on minerals resources would be less than significant. This environmental topic area does not require further evaluation in this program EIR.

- **Population and Housing:** The proposed Program does not involve the construction of housing and, thus would not contribute to substantial unplanned population growth. Additionally, the Program would not displace people or housing, as it would expand broadband availability within areas of the County that are currently unserved or underserved. The potential for the Program to have indirect growth inducing effects is addressed in Chapter 8.0, *Growth Inducement*, and other sections of the program EIR. Therefore, the proposed Program would have a less than significant impact on population and housing. This environmental topic area does not require further evaluation in this program EIR.

- **Recreation:** Yuba County operates County-owned public parks and provides park services. In total, there are nine (9) local parks, and one (1) regional park. Several agencies provide park and recreation services in Yuba County in addition to County parks, including the Cities of Marysville and Wheatland, Olivehurst Public Utilities District, River Highlands Community Services District, Browns Valley Irrigation District, and Yuba County Water Agency (County 2011). The proposed Program would not generate population growth that would increase the use of existing recreational facilities in the County or require the construction or expansion of recreational facilities. The Program would have a less than significant impact on recreation. This environmental topic area does not require further evaluation in this program EIR.

SIGNIFICANCE THRESHOLDS

Significance criteria are identified before the impact analysis subsection, under the subsection, "Significance Thresholds." For each impact identified, a level of significance is determined using the following classifications:

- *Potentially Significant* impacts include a description of the circumstances where an established or defined threshold would be exceeded.

- *Less than significant* impacts include effects that are noticeable, but do not exceed established or defined thresholds, or can be mitigated below such thresholds.

- *No impact* describes circumstances where there is no adverse impact on the environment.

For each environmental impact identified as *potentially significant*, the EIR identifies mitigation measures to reduce, eliminate, or avoid the adverse impact. If one or more mitigation measure(s) would adequately reduce the impact to a less than significant level, this is stated in the EIR. *Significant and unavoidable* impacts are described where mitigation measures would not diminish these impacts to less than significant levels.

CUMULATIVE IMPACT ANALYSIS

CEQA Guidelines Section 15130 requires an EIR to discuss the cumulative impacts of a project when the project's incremental impact is "cumulatively considerable." Used in this context, cumulatively considerable means that the incremental impacts of an individual project are considerable when viewed in connection with the impacts of past projects, the impacts of other current projects, and the impact of probable future projects.

Where the incremental impact of a project is not "cumulatively considerable," a Lead Agency need not consider that impact significant but must briefly describe its basis for concluding that the incremental impact is not cumulatively considerable. Where the cumulative impact caused by the project's incremental impact and the impacts of other reasonably foreseeable projects is not significant, the EIR must briefly indicate why the cumulative impact is not significant.

The cumulative impact analyses contained in Sections 4.1 through 4.14 of this EIR explain the geographic scope of the area affected by each cumulative impact (e.g., immediate project areas, Countywide, air or groundwater basin). The geographic area considered for each cumulative impact depends upon the impact that is being analyzed. For example, in assessing aesthetic impacts, the pertinent geographic study area is the area from which a new development can be publicly viewed and may contribute to a significant cumulative visual impact. In assessing macro-scale air quality impacts, on the other hand, all development within the air basin contributes to regional emissions of criteria pollutants, and basin-wide projections of emissions are the best tool for determining the cumulative impact.

CEQA Guidelines Section 15130 permits two different methodologies for completion of the cumulative impact analysis:

- The 'list' approach permits the use of a list of past, present, and probable future projects producing related or cumulative impacts, including projects both within and outside the County; or

- The 'projections' approach allows the use of a summary of projections contained in an adopted plan or related planning document, such as a regional transportation plan, or in an EIR prepared for such a plan. The projections may be supplemented with additional information such as regional modeling.

The cumulative impacts analysis is based on a combination of the list and regional growth projections incorporated into the County's General Plan. As shown in Table 4-1, the County has identified 44

projects within the County at the time that the NOP for this EIR was issued for consideration in the cumulative analysis.

Table 4-1
YUBA COUNTY CUMULATIVE PROJECTS LIST

Project Name	Project Location	Project Type	Approval Date
CSA 52 Resurfacing Project	Edgewater, CA	Road Maintenance and Rehabilitation	April 18, 2024
Retroreflective Backplate Upgrade	At various intersections within the communities of Plumas Lake, Olivehurst, Linda, and South Yuba, CA	Road System Management and Operations	June 14, 2024
Hammonton-Smartsville Shoulder Widening	Hammonton-Smartsville Road, Linda, CA	Road Maintenance and Rehabilitation	June 14, 2024
Olivehurst Roadway Climate Resiliency Project	Various roadway segments between 2nd Avenue and 11th Avenue, Olivehurst, CA	Road Maintenance and Rehabilitation; Bike and Pedestrian	August 5, 2024
Olivehurst Roadway Climate Resiliency Project (Phase II)	Along Ardmore Avenue between 11th Avenue and McGowan Parkway, Olivehurst, CA	Road Maintenance and Rehabilitation; Bike and Pedestrian	August 6, 2024
Ellis Road Bridge Replacement Project	Ellis Road Bridge, Hallwood, CA	Road Maintenance and Rehabilitation	October 8, 2024
Loma Rica Culvert Replacement Project	Along Loma Rica Road between State Route 20 and Fruitland Road, Loma Rica, CA	Road Maintenance and Rehabilitation	October 7, 2024
Pendola Road Extension Project	Along Pendola Road Extension between Craigmont Way and Youngs Hill Road, Camptonville, CA	Road Maintenance and Rehabilitation	January 4, 2024
Miller Ranch TPM	3501 Rollin Hills Road, Marysville, CA	Tentative Parcel Map	May 2, 2024
North Beale Commons	Linda, CA	Tentative Parcel Map	April 4, 2024
Four Lot Residential TPM	5814 Montclair Avenue, Linda, CA	Tentative Parcel Map	May 2, 2024
TPM to split 155 acres into 5 lots, AR-20 zone	14818 Willow Glen Road, Brownsville, CA	Tentative Parcel Map	May 17, 2024
Divide 2.2-acre parcel into two parcels	5944 Lindhurst Avenue, Linda, CA	Tentative Parcel Map	May 16, 2024
Divide APN 014-840-001 into two parcels of 33.7 acres and 41.0 acres	1058 Ella Avenue, Arboga, CA	Tentative Parcel Map	June 6, 2024
TPM off Montclair Avenue, RS zone	5802 Montclair Avenue, Linda, CA	Tentative Parcel Map	May 2, 2024
TSTM for Feather Glen II	South of Partridge Parkway, Arboga, CA	Tentative Subdivision Tract Map	May 15, 2024
TSTM to subdivide 10.24 acres into 75 lots for affordable housing	1708 Ash Way, Linda, CA	Tentative Subdivision Tract Map	February 27, 2024
Divide two parcels into four parcels, 20.2 to 20.3 acres each	Brown's Valley, CA	Final Parcel Map	March 25, 2024
Land Division	1934 11th Avenue, Olivehurst, CA	Final Parcel Map	March 26, 2024

Project Name	Project Location	Project Type	Approval Date
Land Division	N/A	Final Parcel Map	February 12, 2024
Two Lot Residential TPM creating a 6.05-acre lot and a 5.01-acre lot	8310 McGanney Lane, Smartsville, CA	Tentative Parcel Map	January 4, 2024
TPM to create two parcels	7173 Loretta Lane, Smartsville, CA	Tentative Parcel Map	March 7, 2024
TPM to split a one-acre property into two lots	5557 Gledhill Avenue, West Linda, CA	Tentative Parcel Map	February 12, 2024
Divide APN 014-300-087 into three parcels	Feather River Boulevard, Arboga CA	Tentative Parcel Map	March 28, 2024
Kenville TPM	N/A	Tentative Parcel Map	July 22, 2024
Two-lot TPM	5837 Grove Avenue, Linda, CA	Tentative Parcel Map	July 11, 2024
TPM for O'Reilly's	1992 McGowan Parkway, Olivehurst, CA	Tentative Parcel Map	July 23, 2024
SB 9 TPM	4688 Pacific Avenue, Olivehurst, CA	Tentative Parcel Map	July 11, 2024
SB 9 TPM	5512 Alicia Avenue, West Linda, CA	Tentative Parcel Map	July 26, 2024
Land Division	15418 Frenchtown Road, Dobbins, CA	Final Parcel Map	April 21, 2023
Land Division	5932 Grove Avenue, Linda, CA	Final Parcel Map	June 26, 2023
Land Division	1539 2nd Avenue, Olivehurst, CA	Final Parcel Map	June 28, 2023
Land Division	N/A	Final Parcel Map	June 28, 2023
Land Division	1838 14th Street, Olivehurst, CA	Final Parcel Map	June 28, 2023
Land Division	5103 Canal Street, Olivehurst, CA	Final Parcel Map	June 28, 2023
Land Division	1816 Linda Avenue, Linda, CA	Final Parcel Map	June 28, 2023
Land Division	4789 Fleming Way, Olivehurst, CA	Final Parcel Map	June 28, 2023
Land Division	8235 Camp Far West Road, Wheatland, CA	Tentative Parcel Map	April 6, 2023
Land Division	6223 Mapes Way, Linda, CA	Tentative Parcel Map	April 6, 2023
Land Division	10654 Texas Hill Road, Dobbins, CA	Tentative Subdivision Tract Map	May 1, 2023
CUP for a 13-unit multi-family apartment	2356 Erle Road, Linda, CA	Conditional Use Permit	August 17, 2023
TPM to divide 30.13-acre parcel into two parcels	3774 Feather River Boulevard, Arboga, CA	Tentative Parcel Map	August 17, 2023
Four-lot residential TPM	5824 Montclair Avenue, Linda, CA	Tentative Parcel Map	November 2, 2023

Project Name	Project Location	Project Type	Approval Date
Driscoll TPM – two-lot parcel map	10200 Texas Hill Road, Dobbins, CA	Tentative Parcel Map	November 2, 2023

The following list provides a summary of the basis for the cumulative impact analysis for each environmental topic area evaluated in this program EIR:

- **Aesthetics:** The cumulative setting for the visual analysis includes areas from which the proposed Program could be publicly viewed and the impacts of the proposed Program together with other cumulative projects and plans/projections in the County. Effects tend to be localized and generally occur at the interface between urban development and scenic resources.

- **Air Quality:** The cumulative air quality setting is the Northern Sacramento Valley Air Basin (NSVAB) and its anticipated growth. The Yuba County portion of the NSVAB is currently in nonattainment for Ozone, PM_{10}, and $PM_{2.5}$ with respect to California Ambient Air Quality Standards (CAAQS). Thus, for this cumulative analysis, the NSVAB and the regions that affect air quality within Yuba County define the geographic context.

- **Biological Resources:** The cumulative analysis for biological resources considers the impacts of the proposed Program when combined with other cumulative projects and plans/projections in the County. Although impacts to biological resources are site specific, project specific impacts contribute to a continued loss of biological resources throughout the range of the species or other biological resource being impacted.

- **Cultural Resources:** Cumulative cultural resource impacts may occur when a series of actions leads to the loss of historically or archaeologically significant types of site, building, deposit, or tribal cultural resource. For example, while the loss of a single historic building may not be significant to the character of a neighborhood or streetscape, continued loss of such historical resources on a project-by-project basis could amount to a significant cumulative effect.

- **Geology and Soils:** The cumulative analysis for impacts related to geology and soils is generally site-specific and depends on past, present, and future uses and existing soil and conditions. Geology and soils impacts may be related to: increased exposure to seismic hazards; increased risks associated with soil liquefaction and subsidence; and risks associated with mass wasting, expansive soils, and erosion. These effects occur independently of one another and are related to site-specific and project-specific characteristics and conditions.

- **Greenhouse Gas Emissions:** Greenhouse gas (GHG) emissions are inherently a cumulative concern because the significance of GHG emissions is determined based on whether such emissions would have a cumulatively considerable impact on global climate change. Although the geographic scope of cumulative impacts related to GHG emissions is global, this analysis focuses on the State, the region, and the proposed Program's direct and/or indirect generation or offset of GHG emissions.

- **Hazards and Hazardous Materials:** The cumulative setting for hazards and hazardous materials impacts is generally site-specific and depends on past, present, and future uses and existing soil, sediment, and conditions. Hazards and hazardous materials impacts may be related to the

transport, use, or disposal of hazardous materials; exposure to wildland fires; proximity to airports; and the potential to impair emergency response or evacuation plans.

- **Hydrology and Water Quality:** The cumulative analysis for hydrology and water quality considers the impacts of the proposed program when combined with other cumulative projects and plans/projections in the County. Water resources impacts may be related to exposure of people to a significant risk of loss, injury, or death involving flooding; dam failure; and effects to waterways associated with stormwater runoff and point source contamination.

- **Noise:** Cumulatively impacts would occur if project construction noise or construction vibration combined with construction noise and vibration from other cumulative projects or plans/projections in the County to affect the same noise sensitive land uses (NSLU).

- **Public Services:** Cumulative impacts would occur when the proposed Program, in combination with other projects and plans/projections in the County, would result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities in order to maintain acceptable service ratios, response times, or other performance objectives for any public services including fire protection, police protection, schools, parks, or other public facilities. Potential impacts to public services are evaluated on the level at which that public service is provided, which may be regional or more localized depending on the service.

- **Transportation:** The cumulative analysis for transportation, VMT, and circulation addresses the impact of the proposed Program when combined with other cumulative projects or plans/projections in the County.

- **Tribal Cultural Resources:** Cumulative tribal cultural resource (TCR) impacts may occur when a series of actions leads to the loss of historically or archaeologically significant type of site, building, deposit, or tribal cultural resource. For example, while the loss of a single historic building may not be significant to the character of a neighborhood or streetscape, continued loss of such historic resources on a project-by-project basis could amount to a significant cumulative effect.

- **Utilities and Service Systems:** Cumulative impacts are considered in the context of the growth from the proposed Program combined with the estimated growth in the service areas of each utility's service area.

- **Wildfire:** The areas considered for cumulative impacts related to wildfire are the State Responsibility Areas (SRA) or Local Responsibility Areas (LRA) in which individual broadband projects under the proposed Program and other cumulative projects or plans/projections in the County are located.

REFERENCES

California Department of Conservation (DOC). 2024a. Farmland Mapping and Monitoring Program. California Important Farmland Finder. Accessed September 6, 2024 at: https://maps.conservation.ca.gov/DLRP/CIFF/.

2024b. Division of Mine Reclamation. Mines Online. Accessed September 6, 2024 at: https://maps.conservation.ca.gov/mol/index.html.

2020. Farmland Mapping and Monitoring Program. 2018-2020 Land Use Conversion for Yuba County. Accessed December 18, 2024 at: https://www.conservation.ca.gov/dlrp/fmmp/Documents/fmmp/pubs/2018-2020/Alternate_Conversion_tables/Alternate_Yuba_County_2018-2020_Land_Use_Conversion.pdf.

Yuba County (County). 2011. General Plan Final Environmental Impact Report. Available at: https://cms7files.revize.com/yubaca/Yuba%20County/Community%20Development/Planning/General%20Plan/2030%20General%20Plan%20Final%20-%20Complete.pdf.

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4.1 AESTHETICS

This section describes the regulatory framework and existing conditions related to aesthetics, evaluates the potential impacts that could occur as a result of the implementation of the proposed Program, and details mitigation measures needed to reduce significant impacts, as necessary. The potential effects on aesthetics were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance. No issues were identified or raised during scoping that pertain to aesthetics.

4.1.1 Environmental Setting

4.1.1.1 Overview of Visual Resources Concepts

Aesthetic/visual resources are defined as the natural and man-made elements and features of the landscape that contribute to the visual character and quality of a setting. Because a viewer observes the visual environment as a whole and not one object at a time, the viewer's perception of that environment is based on the visual character of objects and the relationships between them. Visual characters are descriptive; it is the order and combination of patterns that are created by visual elements in a scene. The fundamental pattern elements used to describe visual character are form (in terms of bulk, mass, size, and shape), line, color, and texture, and the appearance of a landscape is described according to the dominance of these elements.

Visual quality is evaluated according to the vividness, intactness, and unity present in the viewshed. These criteria for evaluating visual quality can be defined as follows:

- **Vividness** is the visual power or memorability of landscape components as they combine in distinctive visual patterns.

- **Intactness** is the visual integrity of the natural and man-made landscape and its freedom from encroaching elements.

- **Unity** is the visual coherence and compositional harmony of the landscape considered as a whole.

An individual's perception and enjoyment of a view can vary with each individual broadband project. The visual experience of the viewer is a combination of the visual resources in the landscape and the viewer's response to what is seen. Viewer response, or awareness, is composed of two elements: viewer sensitivity and viewer exposure. Viewer sensitivity is defined both as the viewers' concern for scenic quality and the viewers' response to change in the visual resources that make up the view. Viewer exposure is the degree to which viewers are exposed to a view or visual resource. Viewer exposure varies based on the physical location of the viewer and the distance and position of the viewer in relation to the resource, the number of viewers of the resource, and the duration and frequency of the view. A viewer's response is also affected by the degree to which he/she is receptive to the visual details, character, and quality of the surrounding landscape.

Visual Character and Quality

Visual character, visual quality, form, line, texture, and other terms are used throughout this discussion to assess the visual impacts of the proposed Program. These terms, as defined by the U.S. Department of Transportation (DOT), are briefly discussed below.

Visual Character: The description of the visible attributes of a scene or object typically using artistic terms such as form, line, color, and texture.

Visual Quality: What viewers like and dislike about visual resources that compose the visual character of a particular scene. Different viewers may evaluate specific visual resources differently based on their interests in natural harmony, cultural order, and project coherence. Neighbors and travelers may, in particular, have different opinions on what they like and dislike about a scene. The rating for visual quality is described below:

- High – Views are perceived to be harmonious, orderly, or coherent and desirable visual resources are a dominant component of the view.

- Moderately High – Views may be perceived as largely harmonious, orderly, or coherent. Undesirable visual resources may be present but are few in number. Desirable visual resources are generally present and may be a dominant component of the view.

- Moderate – Views may be perceived as fairly harmonious, orderly, or coherent. Undesirable visual resources may be present but do not dominate the view. Desirable visual resources may also be present.

- Low – Views may be perceived as inharmonious, disorderly, or incoherent and undesirable visual resources are generally present.

Natural Harmony: What viewer likes and dislikes about the natural environment. The viewer labels the visual resources of the natural environment as being either harmonious or inharmonious. Harmony is considered desirable; disharmony is undesirable.

Cultural Order: What a viewer likes and dislikes about the cultural environment. The viewer labels the visual resources of the cultural environment as being either orderly or disorderly. Orderly is considered desirable; disorderly is undesirable.

Viewer Sensitivity: The degree to which viewers are sensitive to changes in the visual character of visual resources. It is the consequence of two factors, viewer exposure and viewer awareness.

Viewer Exposure: Viewer exposure is a measure of proximity (the distance between viewer and the visual resource being viewed), the extent (the number of viewers viewing), and duration (how long a time visual resources are viewed). The greater the exposure, the more viewers will be concerned about visual impacts.

Viewer Awareness: Viewer awareness is a measure of attention (level of observation based on routine and familiarity), focus (level of concentration), and protection (legal and social constraints on the use of visual resource). The greater the attention, the more viewers will be concerned about visual impacts.

Form: The unified mass or shape of an object that often has an edge or outline and can be defined by the surrounding space. For example, a high-rise building would have a highly regular, rectangular form, whereas a hill would have an organic, mounded form.

Line: Perceived when there is a change in form, color, or texture, and where the eye generally follows this pathway because of the visual contrast. For example, a city's high-rises can be seen silhouetted against the blue sky and be seen as a skyline, a river can have a curvilinear line as it passes through a landscape, or a hedgerow can create a line where it is seen rising against a flat agricultural field.

Texture: The perceived coarseness of a surface that is created by the light and shadow relationship over the surface of an object. For example, a rough surface texture (e.g., a rocky mountainside) would have many facets resulting in numerous areas in light and shadow, and gradual gradations between light and shadow.

Project Coherence: What a viewer likes and dislikes about the project environment. The viewer labels the visual resources of the project environment as being either coherent or incoherent. Coherent is considered desirable; incoherent is undesirable.

Light and Glare

Light pollution refers to all forms of unwanted light in the night sky, including glare, light trespass, sky glow, and over-lighting. Views of the night sky can be an important part of the natural environment, particularly in communities surrounded by extensive open space, such as many of the rural communities in Yuba County. Excessive light and glare can also be visually disruptive to humans and nocturnal animal species. Electric lighting also increases night sky brightness and is the human-made source of sky glow. Sky glow is highly variable depending on immediate weather conditions, quantity of dust and gas in the atmosphere, amount of light directed skyward, and the direction from which it is viewed.

4.1.1.2 Regulatory Framework

The proposed Program is subject to a number of regulations applicable to the protection of visual resources, as well as plans and policies that ensure adequate consideration is given to preserving and/or enhancing the visual qualities of an area.

Federal Regulations

National Scenic Byways Program

The National Scenic Byways program is part of the DOT, Federal Highway Administration. The program was established under the Intermodal Surface Transportation Efficiency Act of 1991 and was reauthorized in 1998 under the Transportation Equity Act for the 21st Century. Under the program, the U.S. Secretary of Transportation recognizes certain roads as National Scenic Byways or All-American Roads based on their archaeological, cultural, historic, natural, recreational, and scenic qualities.

State Regulations

California Scenic Highway Program

In 1963, the State Legislature established the California Scenic Highway Program through Senate Bill 1467. It is managed by the California Department of Transportation (Caltrans) Landscape Architecture Division. The intent of the program is to establish the State's responsibility for the protection and enhancement of California's natural scenic beauty by identifying those portions of the State highway system which, together with adjacent scenic corridors, require special conservation treatment. Scenic corridors consist of land that is visible from, adjacent to, and outside of the highway right-of-way, and is comprised primarily of scenic and natural features. The designation provides benefits to scenic resources along the highway, some of which include protection from incompatible uses, mitigation of activities within the designated corridor that detract from the highway's scenic quality, and preservation of hillsides. Topography, vegetation, viewing distance, and/or jurisdictional lines determine the corridor boundaries. Under the significance criteria established by CEQA, projects are evaluated for visibility from state scenic highways. There are no designated State Scenic Highways in or within view of Yuba County. State Route (SR) 49, located in the eastern portion of the County, is an eligible State Scenic Highway (Caltrans 2025).

California Building Code

Title 24 in the California Code of Regulations is the California Building Standards Code. Part 6 of Title 24 is the California Energy Code, which includes standards for lighting to improve energy efficiency and reduce light pollution and glare by regulating light power, brightness, and sensor controls.

Part 11 of Title 24 is the California Green Building Standards Code, also known as CALGreen. CALGreen establishes building standards aimed at enhancing the design and construction of buildings through the use of building concepts that have a reduced negative impact or positive environmental impact. CALGreen encourages sustainable construction practices and includes standards for planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. Section 5.106.8, Light Pollution Reduction, specifically establishes Backlight, Uplight, and Glare ratings to minimize the effects of light pollution for non-residential development. The standards for lighting are updated on a three-year basis and have varying requirements according to lighting zones established by the location of a project. The standards contain lighting power (i.e., maximum zonal lumens) allowances for newly installed equipment and specific alterations that are dependent on the designated lighting zone. Rural areas are designated lighting zone 2, which requires more stringent regulation of lighting power associated with outdoor lighting systems. The allowed lighting power is based on the brightness of existing lighting in the surrounding area. Providing greater power than is needed potentially leads to debilitating glare on adjacent or nearby properties.

Local Regulations

Yuba County Code of Ordinances

Section 11.26.070(B) and (C), *Lighting and Glare* provides performance standards that regulate light and glare in the County. This section states that lights shall be placed to deflect light away from adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties. Direct or sky-reflected glare from floodlights shall not be directed

into any other property or street. Except for public streetlights, no light or combination of lights, or activity shall cast light on a public street exceeding one foot-candle as measured from the centerline of the street. No light, combination of lights, or activity shall cast light onto a residentially zoned property, or any property containing residential uses, exceeding one-half foot-candle. Additionally, no use shall be operated such that significant, direct glare, incidental to the operation of the use is visible beyond the boundaries of the lot where the use is located.

Yuba County General Plan

Aesthetics are addressed within the *Natural Resources Element* of the County General Plan. The *Natural Resources Element* contains the following goals, policies, and implementation actions that address aesthetics within the County (County 2011a):

- **Goal NR9: Visual Resources.** Preservation of Yuba County's important visual resources.
    - **Policy NR9.1:** New developments near the Yuba, Bear, and Feather Rivers should be designed and located in a way that retains or enhances scenic views of these important visual resources.
    - **Policy NR9.2:** New plans and projects in western Yuba County should be designed to provide view corridors to the Sutter Buttes, where practical.
    - **Policy NR9.3:** Development in Rural Communities should be designed to preserve important scenic resources, landmarks, and icons that positively contribute to the rural character.
    - **Policy NR9.5:** The County supports the designation of State Route 49 as a State Scenic Highway, and will guide land use change in areas visible from this highway in a way that preserves important aspects of the visual character.
    - **Policy NR9.6:** Grading and drainage for new developments in foothill and mountain areas should preserve and take advantage of the natural landforms and vegetation.
    - **Policy NR9.7:** New construction should be designed to avoid excessive cut and fill by following the natural contour of the subject site.
- **Goal NR10: Trees and Other Important Vegetation.** Preserve the County's trees and other vegetation that provide aesthetic and habitat benefits.
    - **Policy NR10.1:** Building placement, grading, and circulation should be planned to retain as much existing native vegetation as feasible, with a priority on preserving existing oak trees that have a diameter at breast height (dbh) of 6 inches or greater and all other trees that have a dbh of 30 inches or greater. The County's policies and standards for fire safety may override consideration of retaining existing vegetation in certain circumstances.
    - **Policy NR10.2:** The County will encourage the preservation of healthy, attractive native vegetation during land development. Where this is not feasible, the County will require site landscaping that uses appropriate native plant materials.

- **Goal NR11: Aesthetics of the Built Environment.** New construction is compatible with, and supportive of locally important aspects of the visual environment.

    - **Policy NR11.2:** In new development areas, service, utility, loading areas, roof-mounted equipment and noise-generating equipment shall be screened, designed, and located to reduce visibility, odor, and noise as experienced at surrounding properties and pedestrian areas.

    - **Policy NR11.3:** New utilities should generally be placed underground, where feasible. New utilities in rural areas outside the Valley growth Boundary shall avoid ridge lines and blocking expansive views from public viewing locations, where feasible.

    - **Policy NR11.5:** The county shall review and condition nonresidential, multi-family, large single-family projects, and projects located in historically significant areas for compliance with General Plan policy and design guidelines, once guidelines are developed. Large single-family projects are those that propose more than 10 units.

    - **Policy NR11.6:** The County's standards for installation of telecommunications facilities will ensure an efficient permitting process, as well as encourage locations and designs that take into consideration visibility from public rights-of-way, co-location, blending with the visual environment, and aviation safety.

4.1.1.3 Existing Conditions

Regional Visual Character

Yuba County is located in the central part of California and has three physiographic regions including the Sacramento Valley in the west, the Sierra Nevada Mountains in the east, and the Sierra Nevada foothills in between. The County is bordered by Butte and Plumas County to the north and northwest, Sierra County to the northeast, Nevada and Placer County to the east, and Sutter County to the west and south. The two incorporated cities in Yuba County are Wheatland and Marysville, and the County encompasses a total area of 644 square miles.

The visual environment of Yuba County is characterized by a diverse landscape with rivers, farmland, and numerous recreational possibilities that extend into the Sierra foothills (County 2024). From the valley floor, there are views of the expanses of agricultural lands crossed by rivers and canals and the Sierra Nevada foothills to the east. The mountainous areas provide scenic views of peaks, forests, rivers, and lakes, while the most prominent scenic vista in the County is experienced from the foothills: along east-west highways and roads where there are sweeping views of the valley below, with distant views of the Sutter Buttes. SR 20, Hammonton-Smartsville Road, and other roadways in the foothills provide views of the Valley and Sutter Buttes. Although the Sutter Buttes are located in Sutter County west of Yuba County, this mountain range is a distinctive visual feature visible from many developed and undeveloped areas of the County, including both valley and foothill areas (County 2011b). From certain public viewpoints in foothill and mountain areas, there are distant views of the valley floor below, with the Sutter Buttes in the distance, and on clear days, the Coastal Range is visible further to the west, as are the Cascade mountain range, Mt. Lassen, and Mt. Shasta to the north. Local-scale scenic views of the Feather, Yuba, and Bear rivers occur at bridge crossings and where roads parallel these rivers.

Scenic Highways

Although the County does not currently have any officially designated State Scenic Highways, SR 49 in the eastern portion of the County east of the New Bullards Bar reservoir is eligible for designation as a State Scenic Highway (Caltrans 2025). SR 49 is known as the Golden Chain Highway and was designed to connect historical locations and landmarks of the California Gold Rush, passing through many historic mining communities and running through Madera, Mariposa, Tuolumne, Calaveras, Amador, El Dorado, Placer, Nevada, Yuba, Sierra, and Plumas counties (Visit California 2025). See Figure 4.1-1, *State Scenic Highways,* for a map of eligible State Scenic Highways within the proposed Program area (Note: All figures are included in Appendix A).

Existing Viewer Sensitivity, Viewer Groups, Viewer Exposure, and Viewer Awareness

The viewer groups in the Program area include travelers on roadways located in the County, such as SR 49, SR 29, SR 65, SR 70, and County roadways; people engaged in recreational activities such as sightseeing, boating, or fishing on reservoirs and rivers, hiking and camping, and bicycling on roadways or trails are also considered viewer groups. Residents tend to have a higher concern and awareness of visual change taking place near to where they live, and people participating in the aforementioned recreational activities have a heightened awareness of their surroundings and are sensitive to changes in the visual environment.

4.1.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed Program would have significant aesthetic impact if the Program would:

1. Have a substantial adverse effect on a scenic vista;

2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway;

3. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings; and,

4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

4.1.3 Impact Analysis

AES-1 The proposed Program would not have a substantial adverse effect on a scenic vista.

Yuba County contains varying topography and land cover that provides many different types of views and scenic vistas. Prominent aesthetic resources visible within Yuba County include the Sutter Buttes, Sierra Nevada foothills and mountains, the valley floor, expansive agricultural lands, rivers and river valleys, and lakes and reservoirs. Future development of individual broadband projects under the proposed Program could have the potential to affect scenic vistas if broadband infrastructure were to block views of a scenic vista from publicly accessible vantage points or result in the alteration of the overall scenic vista.

Construction activities would result in temporary visual changes for sensitive viewer groups (e.g., residents, recreation users). Implementation of future individual broadband projects under the proposed Program would likely occur over the course of many years. It is possible that multiple, individual broadband projects could have overlapping construction timeframes (or phases). Additionally, any individual broadband project segment could involve multiple construction crews working simultaneously, with plowing, trenching, or directional drilling occurring at the same time in different locations of the segment. Construction activities would occur between 7:00 a.m. and 10:00 p.m., seven days per week. The construction methods for future individual broadband projects would be determined based on various factors such as location, micro-site conditions, and constraints present at each future individual broadband project site. Construction methods could include horizontal directional drilling, plowing, trenching, microtrenching, line installation, and aerial stringing. After construction is complete, the construction staging areas would be returned to conditions similar to those that existed prior to construction of individual broadband projects. As construction activities would be short-term and temporary in nature, construction of individual broadband projects would not permanently or substantially obstruct views from scenic vistas.

Some roadway segments and previously disturbed and/or developed areas within the Program area may have scenic views of natural features (e.g., streams, hills, forests) and buildings of architectural value. However, many of the roadways within the Program area are lined with tall vertical features (e.g., mature trees, utility poles, streetlights, and roadway signs) and horizontal features (e.g., building and pavement edges, fences, and utility lines). The aboveground fiber optic lines on newly or previously constructed utility poles could be introduced to existing viewsheds; however, these structures would be generally consistent with existing vertical and horizontal features within the Program area. New aboveground fiber optic lines and utility poles would not be so large in scale that they would dominate existing viewsheds or detract from existing views. Therefore, implementation of the proposed Program would not have a substantial adverse effect on a scenic vista, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

AES-2 The proposed Program may substantially damage scenic resources such as trees, rock outcroppings, and historic buildings within a State Scenic Highway.

Although there are no officially designated State Scenic Highways within the County, a portion of SR 49 in the County is eligible for designation as a State Scenic Highway (Caltrans 2025). As discussed under Section 4.1.1, *Environmental Setting*, SR 49 provides views of the western foothills of the Sierra Nevada and historical sites and is located in the eastern portion of the County. With designation of this highway, the County would review proposed development projects with a higher level of scrutiny regarding visual impacts and would dictate certain approaches to the design and location of structures within the SR 49 corridor to reduce adverse visual impacts from public viewing locations. Should SR 49 receive a State Scenic Highway designation in the future, the County would prepare and implement a monitoring program designed to preserve and protect the corridor from changes that would affect its aesthetic value, and Caltrans would require developers of projects located adjacent to SR 49 to consult with the County to determine the level of impact to the scenic quality of the corridor (County 2011b).

Although the proposed Program area excludes State highways, aboveground fiber optic lines on newly or previously constructed utility poles could be installed along within the viewshed of SR 49, an eligible State Scenic Highway. SR 49 could be affected by the installation of aboveground individual broadband

projects located within the viewshed of the highway. However, implementation of Mitigation Measure AES-1, which requires the preparation of a Visual Impact Assessment for individual fiber projects proposed within the viewshed of a designated or eligible State Scenic Highway, would ensure that scenic resources are protected and that project-specific visual impacts are adequately addressed to reduce potential impacts to a less than significant level.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure AES-1: Visual Impact Assessment

For each aboveground individual broadband project proposed within the viewshed of a designated or eligible State Scenic Highway, the project applicant shall prepare a Visual Impact Assessment (VIA) for Lead Agency review and approval. The VIA shall be prepared by a qualified professional with experience in visual resource analysis. The VIA shall evaluate the potential impacts of the project on scenic resources in accordance with the California Environmental Quality Act (CEQA) Guidelines, including but not limited to consideration of aesthetic values, visual quality, and the character of the surrounding landscape.

The VIA shall include the following components:

- Baseline Conditions: Documentation of existing visual conditions, including photographs, renderings, and/or other visual tools to establish the project site's current view and its relationship to surrounding scenic resources.

- Visual Simulations: Preparation of photo-realistic visual simulations depicting the project as proposed from key public viewpoints, including those within the scenic vista or from the State Scenic Highway.

- Impact Analysis: Identification of potential impacts on scenic vistas and resources, using thresholds of significance established under CEQA Guidelines or applicable local policies.

- Design Recommendations or Mitigation Measures: Identification of feasible design measures or project-specific mitigation measures to avoid, minimize, and/or reduce potentially significant visual impacts. These measures may include, but are not limited to:

    - Modifications to project design, height, massing, and/or orientation.
    - Use of landscaping, vegetative screening, and/or earthworks to soften visual impacts.
    - Use of non-reflective and/or neutral-colored materials to reduce visual contrast.
    - Adjustment of lighting design to prevent glare and/or light trespass into sensitive areas.

All recommendations and mitigation measures identified in the VIA and approved by the Lead Agency shall be incorporated into project plans and specifications before project approval.

Significance with Mitigation: Less than significant impact.

AES-3 The proposed Program would not substantially degrade the existing visual character or quality of public views of the site and its surroundings in a non-urbanized area.

As previously mentioned, construction of individual broadband projects would be short-term and temporary in nature. The construction methods for future individual broadband projects in the County would be determined based on various factors such as location, micro-site conditions, and constraints present at each future individual broadband project site. Construction activities and equipment would likely be visible to some motorists, residents, employees, tourists, and/or recreationists; however, these activities would occur in pockets throughout the County and would cease following construction of individual broadband projects. Construction of individual broadband projects would not substantially alter the existing visual character of the project areas.

The proposed underground fiber optic lines would not be visible and would therefore not substantially degrade the existing visual character or quality of public views of the site. However, the Program could also include aboveground fiber optic lines that would utilize existing or newly construction utility poles. Portions of the Program area are lined with tall vertical features, including mature trees, utility poles, streetlights, and roadway signs as well as horizontal features, including buildings, pavement edges, fences, and utility lines. Although aboveground fiber optic lines and newly constructed utility poles would be introduced in existing scenic viewsheds, these structures would be generally consistent with existing vertical and horizontal features within the Program area. New aboveground fiber optic lines and utility poles would not be large enough in scale to dominate existing viewsheds or detract from existing views in the Program area. Some portions of the Program area have higher viewer sensitivity, such as those areas with more residences or recreational resources (e.g., trails); however, the visual changes from the Program would be compatible with the existing environment and the overall change in visual quality would not result in any notable changes to existing visual elements, or to the vividness, intactness, or unity of existing views. Therefore, implementation of the proposed Program would not substantially degrade existing visual character or quality of public views, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

AES-4 The proposed Program would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Developed areas of Yuba County generate sources of light and glare into the night sky. “Light pollution” refers to all forms of unwanted light in the night sky, including glare, light trespass, sky glow, and over-lighting. Views of the night sky can be an important part of the natural environment, particularly in communities surrounded by extensive open space. Lighting used during construction would be temporary and would be limited to the period of construction for each individual broadband project. Construction activities would occur between 7:00 a.m. and 10:00 p.m., seven days per week, which would minimize temporary light and glare impacts associated with construction activities. Further, construction-related lighting would be oriented away from adjacent residential areas, which would ensure that construction would not create substantial light or glare. Therefore, construction-related impacts would be less than significant.

Once constructed, individual broadband projects could utilize security lighting; however, all lighting would be minimal and downward facing to prevent light spillover and glare and would be required to

adhere to the applicable provisions contained in Section 11.26.070, *Lighting and Glare*, of the Yuba County Code of Ordinances. No reflective surfaces that could cause glare would be used for aboveground infrastructure, and the Program would not include the construction of structures that would add substantial daytime and/or nighttime glare. Therefore, impacts related to long-term light and glare from operation of individual broadband projects would be less than significant.

Significance without Mitigation: Less than significant impact.

4.1.4 Cumulative Impacts

AES-5 The proposed Program may result in a significant cumulative impact with respect to aesthetics.

Cumulative impacts would occur when the proposed Program, in combination with other projects and plans/projections in Yuba County, would directly or indirectly have a substantial adverse effect on a scenic vista, substantially damage scenic resources, degrade existing character or public views, or create a new source of substantial light or glare. The analysis of cumulative impacts is based on potential impacts of the proposed Program combined with the cumulative projects in the County as listed in Table 4-1, Yuba County Cumulative Projects List, in Chapter 4.0, Environmental Impact Analysis. These projects could require temporary construction activities that are not anticipated to be cumulatively considerable, as construction would be short-term and temporary. However, development of these projects may result in permanent changes to the existing visual setting and viewsheds within the County. These projects would be required to comply with local design and zoning requirements to ensure that the existing visual character and quality are maintained within the County. The potential impacts on aesthetics from the implementation of individual broadband projects under the proposed Program are not expected to combine with future projects in the County to produce a considerable contribution to cumulative impacts.

Effects on scenic resources generally occur at the interface between development and the scenic resources and tend to be localized. As discussed above in Impact AES-2, implementation of Mitigation Measure AES-1 would ensure that project-specific impacts to scenic resources within an eligible or designated State Scenic Highways are adequately addressed to reduce potential impacts to a less than significant level. Therefore, the proposed Program would have a less than cumulatively considerable impact related to aesthetics.

Significance without Mitigation: Potentially significant impact.

See Impact AES-1 for Mitigation Measure AES-1.

Significance with Mitigation: Less than significant impact.

4.1.5 References

California Department of Transportation (Caltrans). 2025. California State Scenic Highway System Map. Accessed January 13, 2025, at: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa

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2011a. Yuba County 2030 General Plan. Available at: https://www.yuba.org/departments/community_development/planning_department/general_plan.php

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4.2 AIR QUALITY

This section describes the regulatory framework and existing conditions related to air quality in the vicinity of the proposed Program, evaluates the potential air quality impacts that could occur as a result of implementation of the proposed Program, and details mitigation measures needed to reduce significant impacts, as necessary. The potential effects on air quality were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance. No issues were identified or raised during scoping that pertain to air quality.

4.2.1 Environmental Setting

The proposed Program is located in Yuba County, which is situated within the northern subarea of the Sacramento Valley Air Basin. The Northern Sacramento Valley Air Basin (NSVAB) also includes Butte, Colusa, Glenn, Sacramento, Shasta, Sutter, and Tehama counties, and is comprised of seven air districts. Air quality within the Yuba County portion of the NSVAB is regulated by the U.S. Environmental Protection Agency (USEPA) at the federal level, by the California Air Resources Board (CARB) at the State level, and by the Feather River Air Quality Management District (FRAQMD).

4.2.1.1 Air Pollutant Descriptors and Terminology

Criteria pollutants are defined by State and federal law as a risk to the health and welfare of the general public. In general, criteria air pollutants include the following compounds:

- Ozone (O_3)
- Carbon monoxide (CO)
- Nitrogen dioxide (NO_2)
- Particulate matter (PM), which is further subdivided:
  - Coarse PM, 10 micrometers or less in diameter (PM_{10})
  - Fine PM, 2.5 micrometers or less in diameter ($PM_{2.5}$)
- Sulfur dioxide (SO_2)
- Lead (Pb)

Criteria pollutants can be emitted directly from sources (primary pollutants, e.g., CO, SO_2, PM_{10}, $PM_{2.5}$, and lead), or they may be formed through chemical and photochemical reactions of precursor pollutants in the atmosphere (secondary pollutants, e.g., ozone, NO_2, PM_{10}, and $PM_{2.5}$). PM_{10} and $PM_{2.5}$ can be both primary and secondary pollutants. The principal precursor pollutants of concern are reactive organic gases ([ROGs] also known as volatile organic compounds [VOCs])[1] and nitrogen oxides (NO_X).

The descriptions of sources and general health effects for each of the criteria air pollutants are shown in Table 4.2-1, Summary of Common Sources and Human Health Effects of Criteria Air Pollutants. Specific adverse health effects on individuals or population groups induced by criteria pollutant emissions are highly dependent on a multitude of interconnected variables such as cumulative concentrations, local

[1] CARB defines and uses the term ROGs while the USEPA defines and uses the term VOCs. The compounds included in the lists of ROGs and VOCs and the methods of calculation are slightly different. However, for the purposes of estimating criteria pollutant precursor emissions, the two terms are often used interchangeably.

meteorology and atmospheric conditions, and the number and characteristics of exposed individuals (e.g., age, gender). Criteria pollutant precursors (ROG and NO_X) affect air quality on a regional scale, typically after significant delay and distance from the pollutant source emissions. Health effects related to Ozone and NO_2 are, therefore, the product of emissions generated by numerous sources throughout a region. Emissions of criteria pollutants from vehicles traveling to or from the Program site (mobile emissions) are distributed nonuniformly in location and time throughout the region, wherever the vehicles may travel. As such, specific health effects from these criteria pollutant emissions cannot be meaningfully correlated to the incremental contribution from the Program.

Table 4.2-1
SUMMARY OF COMMON SOURCES AND HUMAN HEALTH EFFECTS OF CRITERIA AIR POLLUTANTS

Pollutant	Major Man-Made Sources	Human Health Effects
Carbon Monoxide (CO)	An odorless, colorless gas formed when carbon in fuel is not burned completely; a component of motor vehicle exhaust.	Reduces the ability of blood to deliver oxygen to vital tissues, affecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.
Nitrogen Dioxide (NO_2)	A reddish-brown gas formed during fuel combustion for motor vehicles and industrial sources. Sources include motor vehicles, electric utilities, and other sources that burn fuel.	Respiratory irritant; aggravates lung and heart problems. Precursor to ozone and acid rain. Contributes to climate change and nutrient overloading, which deteriorates water quality. Causes brown discoloration of the atmosphere.
Ozone (O_3)	Formed by a chemical reaction between reactive organic gases (ROGs) and nitrogen oxides (NO_X) in the presence of sunlight. Common sources of these precursor pollutants include motor vehicle exhaust, industrial emissions, gasoline storage and transport, solvents, paints, and landfills.	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing, and pain when inhaling deeply; decreases lung capacity; aggravates lung and heart problems. Damages plants; reduces crop yield. Damages rubber, some textiles and dyes.
Particulate Matter (PM_{10} and $PM_{2.5}$)	Produced by power plants, steel mills, chemical plants, unpaved roads and parking lots, wood-burning stoves and fireplaces, automobiles, and other sources.	Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; aggravated asthma; development of chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility (haze).
Sulfur Dioxide (SO_2)	A colorless, nonflammable gas formed when fuel containing sulfur is burned, when gasoline is extracted from oil, or when metal is extracted from ore. Examples are petroleum refineries, cement manufacturing, metal processing facilities, locomotives, and ships.	Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid, which can damage marble, iron and steel. Damages crops and natural vegetation. Impairs visibility. Precursor to acid rain.
Lead	Metallic element emitted from metal refineries, smelters, battery manufacturers, iron and steel producers, use of leaded fuels by racing and aircraft industries.	Anemia, high blood pressure, brain and kidney damage, neurological disorders, cancer, lowered IQ. Affects animals, plants, and aquatic ecosystems.

Source: CARB 2025a; USEPA 2025a

4.2.1.2 Toxic Air Contaminants

Toxic air contaminants (TACs) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or in serious illness, or that may pose a present or potential hazard to human health. TACs can cause long-term health effects such as cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage, or short-term acute effects such as eye watering, respiratory irritation (a cough), runny nose, throat pain, and headaches. TACs may be carcinogenic or noncarcinogenic based on the nature of the health effects associated with exposure to the pollutant. For carcinogenic TACs, there is no level of exposure that is considered safe, and impacts are evaluated in terms of overall relative risk expressed as excess cancer cases per one million exposed individuals. Noncarcinogenic TACs differ in that there is generally assumed to be a safe level of exposure below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis.

4.2.1.3 Asbestos

Asbestos is a mineral fiber that naturally occurs in some rock and soil. Long-term exposure to airborne asbestos fibers has been linked to major health effects including lung cancer; mesothelioma, a rare form of cancer that is found in the thin lining of the lung, chest and the abdomen and heart; and asbestosis, a serious progressive, long-term, non-cancer disease of the lungs (USEPA 2025b).

Because of its fiber strength and heat resistance, asbestos has been mined and used in a variety of building construction materials for insulation and as a fire retardant, primarily in buildings constructed before 1979. No asbestos is mined in Yuba County (County 2011a).

Naturally occurring asbestos (NOA) is most likely to be found in geologic formations which include ultramafic rock and serpentine rock (serpentinite) and associated soils. When rock containing asbestos is broken or crushed, asbestos fibers may be released and become airborne. The foothills of the northern Sierra Nevada mountains, including Yuba County, are known to contain serpentine or ultramafic rock. The areas most likely to contain NOA are in northeastern Yuba County (County 2011b).

4.2.1.4 Diesel Particulate Matter

Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material. The solid material in diesel exhaust is referred to as diesel particulate matter (DPM). Almost all DPM is 10 microns or less in diameter, and 90 percent of DPM is less than 2.5 microns in diameter (CARB 2025b). Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung. In 1998, CARB identified DPM as a TAC based on published evidence of a relationship between diesel exhaust exposure and lung cancer and other adverse health effects. DPM has a notable effect on California's population—it is estimated that about 70 percent of the total known cancer risk related to air toxics in California is attributable to DPM (CARB 2025b).

4.2.1.5 Regulatory Framework

This section describes federal, State, regional, and local environmental laws and policies that are relevant to CEQA review process for air quality. These policies provide context for the impact discussion related to the proposed Program consistency with the applicable regulatory conditions.

Federal Regulations

Clean Air Act

Air quality is defined by ambient air concentrations of specific pollutants identified by the USEPA to be of concern with respect to health and welfare of the general public. The USEPA is responsible for enforcing the Clean Air Act (CAA) of 1970 and its 1977 and 1990 Amendments. The CAA required the USEPA to establish National Ambient Air Quality Standards (NAAQS), which identify concentrations of pollutants in the ambient air below which no adverse effects on the public health and welfare are anticipated. In response, the USEPA established both primary and secondary standards for several criteria pollutants. On February 7, 2024, the USEPA announced a final rule to lower the annual arithmetic mean (AAM) primary NAAQS for $PM_{2.5}$ from 12 µg/m^3 to 9 µg/m^3. The new final rule retains the existing 24-hour primary NAAQS for $PM_{2.5}$ of 35 µg/m^3 and the existing AAM secondary NAAQS for $PM_{2.5}$ of 15 µg/m^3 (USEPA 2025c). Table 4.2-2, Ambient Air Quality Standards, shows the federal and State ambient air quality standards (AAQS) for these pollutants.

Table 4.2-2
AMBIENT AIR QUALITY STANDARDS

Pollutant	Averaging Time	California Standards	Federal Standards	Federal Standards
			Primary[1]	Secondary[2]
O_3	1 Hour	0.09 ppm (180 µg/m^3)	–	–
	8 Hour	0.070 ppm (137 µg/m^3)	0.070 ppm (137 µg/m^3)	Same as Primary
PM_{10}	24 Hour	50 µg/m^3	150 µg/m^3	Same as Primary
	AAM	20 µg/m^3	–	Same as Primary
$PM_{2.5}$	24 Hour	–	35 µg/m^3	Same as Primary
	AAM	12 µg/m^3	9 µg/m^3	15 µg/m^3
CO	1 Hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)	–
	8 Hour	9.0 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)	–
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)	–	–
NO_2	1 Hour	0.18 ppm (339 µg/m^3)	100 ppb (188 µg/m^3)	–
	AAM	0.030 ppm (57 µg/m^3)	0.053 ppm (100 µg/m^3)	Same as Primary
SO_2	1 Hour	0.25 ppm (655 µg/m^3)	75 ppb (196 µg/m^3)	–
	3 Hour	–	–	0.5 ppm (1,300 µg/m^3)
	24 Hour	0.04 ppm (105 µg/m^3)	–	–
Lead	30-day Avg.	1.5 µg/m^3	–	–
	Calendar Quarter	–	1.5 µg/m^3	Same as Primary
	Rolling 3-month Avg.	–	0.15 µg/m^3	
Visibility Reducing Particles	8 Hour	Extinction coefficient of 0.23 per km – visibility ≥ 10 miles	**No Federal Standards**	

Pollutant	Averaging Time	California Standards	Federal Standards	Federal Standards
			Primary[1]	Secondary[2]
		(0.07 per km – ≥30 miles for Lake Tahoe)		
Sulfates	24 Hour	25 µg/m^3		
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)		
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m^3)		

Source: CARB 2016; USEPA 2025c

[1] National Primary Standards: The levels of air quality necessary, within an adequate margin of safety, to protect the public health.

[2] National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

[3]. O_3: ozone; ppm: parts per million; µg/m^3: micrograms per cubic meter; PM_{10}: large particulate matter; AAM: Annual Arithmetic Mean; $PM_{2.5}$: fine particulate matter; CO: carbon monoxide; mg/m^3: milligrams per cubic meter; NO_2 nitrogen dioxide; SO_2: sulfur dioxide; km: kilometer; –: No Standard.

The CAA allows states to adopt ambient air quality standards and other regulations provided they are at least as stringent as federal standards. Areas that do not meet the NAAQS for a particular pollutant are considered to be "nonattainment areas" for that pollutant. The area air quality attainment status for the Yuba County portion of the NSVAB is shown in Table 4.2-3, Attainment Status for the Yuba County Portion of the NSVAB. The Yuba County portion of the NSVAB is currently in nonattainment for Ozone, PM_{10}, and $PM_{2.5}$ with respect to the CAAQS.

Table 4.2-3
ATTATINMENT STATUS FOR THE YUBA COUNTY PORTION OF THE NSVAB

Pollutant	State of California Attainment Status	Federal Attainment Status
Ozone (1-hour)	Nonattainment/Transitional	No Federal Standard
Ozone (8-hour)	Nonattainment/Transitional	Unclassifiable/Attainment
Suspended Particulate Matter (PM_{10})	Nonattainment	Unclassifiable
Fine Particulate Matter ($PM_{2.5}$)	Nonattainment	Unclassifiable/Attainment
Carbon Monoxide (CO)	Unclassified	Unclassifiable/Attainment
Nitrogen Dioxide (NO_2)	Attainment	Unclassifiable/Attainment
Lead	Attainment	Attainment/Unclassified
Sulfur Dioxide (SO_2)	Attainment	Attainment/Unclassified
Sulfates	Attainment	No Federal Standard
Hydrogen Sulfide	Unclassified	No Federal Standard
Visibility Reducing Particles	Unclassified	No Federal Standard

Sources: CARB 2025c

State Regulations

California Clean Air Act

CARB has established the more stringent California Ambient Air Quality Standards (CAAQS) for the seven criteria air pollutants listed above through the California CAA of 1988, and has also established CAAQS for additional pollutants, including sulfates, hydrogen sulfide (H_2S), vinyl chloride and visibility-reducing

particles. Areas that do not meet the CAAQS for a particular pollutant are considered to be "nonattainment areas" for that pollutant. Within Yuba County, the NSVAB is currently classified as a nonattainment/transitional area under the CAAQS for ozone (1-hour and 8-hour) and PM_{10}.

CARB is the State regulatory agency with the authority to enforce regulations to both achieve and maintain the NAAQS and CAAQS. The NSVAB is responsible for developing and implementing the rules and regulations designed to attain the NAAQS and CAAQS, as well as the permitting of new or modified sources, developing of air quality management plans, and adopting and enforcing air pollution regulations within the NSVAB.

State Implementation Plan

The CAA requires areas with unhealthy levels of ozone, inhalable particulate matter, carbon monoxide, nitrogen dioxide, and sulfur dioxide to develop plans, known as State Implementation Plans (SIPs). SIPs are comprehensive plans that describe how an area will attain the NAAQS. The 1990 amendments to the CAA set deadlines for attainment based on the severity of an area's air pollution problem.

SIPs are not single documents—they are a compilation of new and previously submitted plans, programs (e.g., monitoring, modeling, permitting), district rules, State regulations and federal controls. Many of California's SIPs rely on a core set of control strategies, including emission standards for cars and heavy trucks, fuel regulations and limits on emissions from consumer products. State law makes CARB the lead agency for all purposes related to the SIP. Local air districts and other agencies prepare SIP elements and submit them to CARB for review and approval. CARB forwards the SIP revisions to the USEPA for approval and publication in the Federal Register. The Code of Federal Regulations (CFR) Title 40, Chapter I, Part 52, Subpart F, Section 52.220 lists all of the items that are included in the California SIP (CFR 2025). At any one time, several California submittals are pending USEPA approval.

Airborne Toxic Control Measures

CARB has promulgated regulations for the control of several categories of pollutants known as Airborne Toxic Control Measures (ATCMs). *Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations* (17 California Code of Regulation [CCR] Section 93105; Asbestos ATCM) would be potentially applicable to the proposed Program construction activities. The ATCMs would be applicable if an area disturbed by the proposed Program construction activities is located in a geographic ultramafic rock unit or if any portion of the area disturbed has NOA, serpentine, or ultramafic rock. The ATCMs would also be applicable if NOA, serpentine, or ultramafic rock is discovered by the owner/operator, a registered geologist, or the FRAQMD after the start of construction. Unless a geologic evaluation has been completed by a registered geologist and the evaluation determined that no serpentine or ultramafic rock is likely to be found in the area to be disturbed, the following Asbestos ATCM requirements would apply (see the full text of the regulation for all requirements; CARB 2002):

- For areas of one acre or less, implement the following fugitive dust control measures throughout the duration of all soil disturbing activities:
    - Construction vehicle speed at the work site must be limited to 15 miles per hour or less;
    - Prior to any ground disturbance, sufficient water must be applied to the area to be disturbed to prevent visible emissions from crossing the property line;

- Areas to be graded or excavated must be kept adequately wetted to prevent visible emissions from crossing the property line;
- Storage piles must be kept adequately wetted, treated with a chemical dust suppressant, or covered when material is not being added to or removed from the pile;
- Equipment must be washed down before moving from the property onto a paved public road; and
- Visible track-out on the paved public road must be cleaned using wet sweeping or a High-Efficiency Particulate Air (HEPA) filter equipped vacuum device within 24 hours.

- For areas of more than one acre, an asbestos dust mitigation plan must be submitted to and approved by the FRAQMD prior to the start of any soil disturbing activities. See the full text of the regulation for the asbestos dust mitigation plan requirements (CARB 2002).

Regional Regulations

Feather River Air Quality Management District

Local control in air quality management from the CARB is provided through county or regional level air pollution control districts. The proposed Program would be located within the FRAQMD, a bi-county district that attains and maintains air quality conditions for Sutter and Yuba counties. The FRAQMD is responsible for enforcing the standards discussed above under the Federal and State Regulations, and regulating stationary sources, while the CARB is responsible for controlling mobile emission sources.

The FRAQMD provides CEQA planning guidance to assist with the identification of significant adverse air quality impacts and suggests measures that will reduce potential project emissions early in the planning process. Because stationary sources like industrial facilities are largely regulated, the guidelines focus on transportation and land use control measures to reduce emissions to achieve and maintain federal and state health-based air quality standards. Many projects, particularly those proposing new stationary sources, are subject to FRAQMD rules and regulations in effect at the time of construction.

Air Quality Plans

The California CAA requires air districts which have been designated as a nonattainment area for CAAQS for ozone, carbon monoxide, sulfur dioxide, or nitrogen dioxide to prepare and submit a plan for attaining and maintaining the standards. The California CAA also requires that districts review their progress made toward attaining the CAAQS every three years. The Air Pollution Control Districts and Air Quality Management Districts (Districts) for the counties located in the NSVAB together establish the Northern Sacramento Valley Planning Area (NSVPA). The Butte, Colusa, Glenn, Shasta, Sutter, Tehama, and Yuba counties jointly prepared an Air Quality Attainment Plan. Glenn and Colusa Counties are in Attainment but continue to participate in the regional effort.

Prepared by the Sacramento Valley Air Quality Engineering and Enforcement Professionals (SVAQEEP; a coalition of representatives from the NSVPA air districts), the 2024 triennial update of the NSVPA Air Quality Attainment Plan (2024 Plan) assesses the progress made in implementing the previous triennial update and proposes modifications to the strategies necessary to attain the CAAQS by the earliest practicable date. The 2024 Plan includes an assessment of progress towards achieving the control

measure commitments in the previous Triennial Plan, a summary of the last three years of ozone data, a comparison of the expected versus actual emission reductions for each measure committed to in the previous Triennial Plan, updated control measure commitments, and updated growth rates of population, industry, and vehicle related emissions (SVAQEEP 2025).

Rules and Regulations

The following rules promulgated by the FRAQMD would be applicable to the construction and/or operation of the proposed Program (FRAQMD 2025).

Rule 3.0—Visible Emissions

A person shall not discharge into the atmosphere from any single source of emissions whatsoever, any air contaminants for a period or periods aggregating more than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on the Ringleman Chart.

Rule 3.16—Fugitive Dust Emissions

The developer or contractor is required to control dust emissions from earth moving activities, storage or any other construction activity to prevent airborne dust from leaving the project site.

Rule 11.1 – State Airborne Toxic Control Measures

This rule incorporates all CARB ATCMs into the FRAQMD rules and regulations, including ATCMs for NOA. Responsible parties for construction activities within Yuba County must identify if they are operating in areas known or likely to contain NOA (e.g., areas containing serpentine or ultramafic rock) and must comply with the requirements of CARB's Asbestos ATCM, see the State Regulations Section, above.

Local Regulations

Yuba County Code of Ordinances

Section 11.26.100 applies to air contaminants and states that all uses, activities, and processes shall not operate in a manner that emits excessive dust, fumes, smoke, or particulate matter. Sources of air pollution shall comply with rules identified by the USEPA (CFR, Title 40), the CARB, and the FRAQMD.

Section 11.26.120 applies to fire and explosive hazards, and requires that all activities, processes and uses involving the use of, or storage of, flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion. Firefighting and fire suppression equipment and standard devices in industry shall be approved by the local fire district. With the exception of waste allowed by the fire authority and air quality management district, all incineration is prohibited with the exception of those substances such as, but not limited to, chemicals, insecticides, hospital materials and waste products, required by law to be disposed of by burning, and those instances wherein the fire authority deems it a practical necessity.

Yuba County General Plan

Air quality is addressed within the *Public Health and Safety Element* of the Yuba County General Plan (County 2011a). The *Public Health and Safety Element* contains the following goal and policy that address air quality within the County:

- **Goal HS6: Construction Emissions.** Use construction practices and operational strategies that minimize air pollution.
    - **Policy HS6.1:** New developments shall implement emission control measures recommended by the Feather River Air Quality Management District for construction, grading, excavation, and demolition, to the maximum extent feasible

4.2.1.6 Existing Conditions

Physical Environmental

Yuba County lies within the NSVAB, which also includes Butte, Colusa, Glenn, Shasta, Sutter, and Tehama counties. Different areas within the NSVAB often share topographic characteristics, other physical characteristics, as well as sources of regional air pollutants. The ambient concentrations of air pollutant emissions are determined by the amount of emissions released by sources and the atmosphere's ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, atmospheric stability, and sunlight. Existing air quality conditions in Yuba County and the rest of the NSVAB are determined by such natural factors as topography, meteorology, and climate, in addition to the amount of emissions released by existing air pollutant sources, as discussed below (County 2011b).

Topography

The dimensions of the NSVAB are approximately 216 miles north to south and 95 miles east to west at the widest part. The NSVAB is bounded on the west and north by the Coast Range and on the east by the southern portion of the Cascade Range and the northern portion of the Sierra Nevada. The surrounding mountain ranges reach heights of 3,500 feet in the southwest, 8,500 feet in the northwest, 1,700 feet in the southeast, and 10,500 feet in the northeast. These mountain ranges provide a substantial physical barrier to locally created pollution as well as that transported northward by prevailing winds from the Sacramento metropolitan area (County 2011b).

Meteorology and Climate

The annual temperature, humidity, precipitation, and wind patterns of the NSVAB reflect the regional topography and the strength and location of a semi-permanent, subtropical high-pressure cell. Summer temperatures that exceed 100°F, coupled with clear sky conditions, are favorable for ozone formation. Most precipitation in the valley occurs during winter storms. The coastal mountain ranges induce winter storms from the Pacific Ocean to release precipitation on the western slopes, producing a partial rain shadow over the valley. The winds and unstable atmospheric conditions associated with the passage of winter storms result in periods of low air pollution and excellent visibility. However, between winter storms, high pressure and light winds lead to the creation of low-level temperature inversions and stable atmospheric conditions that can result in high concentrations of CO and PM (County 2011b).

Atmospheric Stability and Inversions

NSVAB atmospheric stability categories range from extremely unstable conditions, which are present in spring and summer, through neutral to stable conditions, which are both present in fall and winter. Unstable conditions occur primarily during the daytime when solar heating warms the lower atmospheric layers sufficiently. Under extremely unstable conditions, large fluctuations in horizontal wind direction are coupled with large mixing depths, which are the vertical depths available for diluting air pollution near the ground. As solar heating decreases, fluctuations in wind direction and the vertical mixing depth become less pronounced, resulting in neutral to stable conditions. Under the most stable conditions, which are present in the NSVAB in fall and winter, air pollution emitted into the atmosphere will travel downwind with poor dispersion. The dispersive power of the atmosphere decreases with progression through the categories from extremely unstable to stable (County 2011b).

The formation and dispersion of air pollutants is also affected by the presence or absence of significant temperature differences among atmospheric layers. For example, a layer of warmer air over a layer of cooler air is called an "inversion," which can influence the mixing depth of the atmosphere and significantly affect air quality conditions. The NSVAB experiences two types of inversions that affect air quality. The first type of inversion layer contributes to photochemical smog by confining pollution to a shallow layer of air near the ground. This type of inversion occurs during the summer, when sinking air near the ground forms a "lid" over the region. The second type of inversion occurs when the air near the ground cools while the air aloft remains warm. This type of inversion occurs during winter nights and can cause localized air pollution "hot spots" near emission sources because of poor dispersion. The shallow surface-based inversions are present in the morning but are often broken by daytime heating of the air layers near the ground (County 2011b).

Sensitive Receptors

Ambient air quality standards have been established to represent the levels of air quality considered sufficient, with an adequate margin of safety, to protect public health and welfare. They are designed to protect that segment of the public most susceptible to respiratory distress, known as sensitive receptors, such as infants (including in utero in the third trimester of pregnancy), children under the age of 14, adults over 65 years old, and people with cardiovascular and chronic respiratory diseases. Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved and are referred to as sensitive receptors locations. Examples of these sensitive receptor locations are residences, schools, hospitals, and daycare centers which are located throughout the County (CARB 2005; OEHHA 2015).

4.2.2 Methodology

Criteria pollutant and precursor emissions for the proposed Program construction activities were calculated using the California Emissions Estimator Model (CalEEMod), Version 2022.1. CalEEMod is a Statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model was developed for the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the California air districts. CalEEMod allows for the use of default data (e.g., emission factors, trip lengths, meteorology, source inventory) provided by the various California air districts to account for local requirements and conditions, and/or user-defined inputs. The model calculates

emissions of criteria pollutants, Ozone precursors, and GHGs. The calculation methodology and input data used in CalEEMod can be found in the CalEEMod User's Guide Appendices C, D, and G (CAPCOA 2022). The input data and subsequent construction and operation emission estimates for the proposed Program are discussed below. The CalEEMod output files are included in Appendix F to this program Environmental Impact Report (EIR).

4.2.2.1 Construction Emissions

It is anticipated that construction of individual broadband projects would begin as early as fall 2025. Construction emissions were calculated using CalEEMod based on various construction methods that would be used to construct individual broadband projects. Construction methods include horizontal directional drilling, plowing, trenching, microtrenching, line installation, aerial stringing, and pavement repair. It is assumed that each construction method would be completed in one day for each individual broadband project. Daily construction emissions were estimated for each construction method based on the construction equipment shown in Table 4.2-4, Construction Equipment Assumptions.

Table 4.2-4
CONSTRUCTION EQUIPMENT ASSUMPTIONS

Equipment	Horsepower	Number	Hours per Day
Horizontal Directional Drilling			
Bore/Drill Rigs	83	1	8
Cranes	367	1	8
Generator Sets	14	1	8
Excavators	36	1	8
Tractors/Loaders/Backhoes	84	1	8
Plowing			
Crawler Tractors	87	1	8
Line Installation			
Air Compressors	37	1	8
Generator Sets	14	1	8
Aerial Stringing			
Bore/Drill Rigs	83	1	8
Cranes	367	1	8
Rough Terrain Forklifts	96	1	8
Tractors/Loaders/Backhoes	84	1	8
Microtrenching			
Trenchers	40	1	8
Tractors/Loaders/Backhoes	84	1	8
Trenching			
Concrete/Individual Saws	33	1	8
Excavators	36	2	8
Tractors/Loaders/Backhoes	84	2	8
Pavement Repair			
Tractors/Loaders/Backhoes	84	1	8
Rollers	36	1	8
Cement and Morter Mixes	10	1	8

Source: CalEEMod (output data is provided in Appendix F).

Construction traffic would primarily include the delivery of construction equipment, vehicles, and materials including fiber optic cable, utility poles, and daily construction worker trips. Equipment, materials, and labor would likely come from the Yuba County area; however, it is possible that some equipment, materials, and labor would need to come from outside areas due to the rural nature of the County. Construction activities would be temporary and short-term in nature and would vary day to day depending on the construction method. It is assumed that all roads used for construction traffic would be paved.

4.2.2.2 Operation Emissions

Operation of the individual broadband projects under the proposed Program would not result in a population increase and would not generate new vehicle trips beyond occasional maintenance activities. Individual broadband projects would produce negligible operational emissions due to the limited number of maintenance trips and therefore, operational emissions were not calculated.

4.2.3 Significance Thresholds

The impact analysis provided below is based on the application of the following CEQA Guidelines Appendix G thresholds of significance, which indicate that the proposed Program would have a significant air quality impact if it would:

1. Conflict with or obstruct implementation of the applicable air quality plan;

2. 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;

3. Expose sensitive receptors to substantial pollutant concentrations; and,

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

Appendix G of the State CEQA Guidelines states that the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the above determinations. The FRAQMD has developed thresholds of significance for mass emissions of ROG, NO_X, and PM_{10}, which lead agencies within their jurisdiction can use to evaluate the air pollutant emissions impacts of land use projects. These criteria pollutant and precursor thresholds and other assessment recommendations are contained in FRAQMD's *Indirect Source Review Guidelines* (FRAQMD 2010). The FRAQMD has not adopted thresholds of significance for a project's construction- or operational-period emissions of $PM_{2.5}$.

Table 4.2-5, Air Quality Significance Thresholds, presents the FRAQMD ROG, NO_X, and PM_{10} significance thresholds. A project with daily emission rates below these thresholds would be considered to have a less than significant impact on air quality.

The FRAQMD distinguishes between two types of projects and refers to them as Type 1 and Type 2. Type 1 projects consist of land use projects in which an operational phase exists. Type 2 projects lack a land use component. Because the proposed Program would include some operational emissions sources, the proposed Program would be considered a Type 1 project.

Table 4.2-5
AIR QUALITY SIGNIFICANCE THRESHOLDS

Maximum Daily Emissions Thresholds (pounds per day)		
Pollutant	**Construction**	**Operation**
ROG	25[1]	25
NO_X	25[1]	25
CO	None	None
SO_X	None	None
PM_{10}	80	80
$PM_{2.5}$	None	None

Source: FRAQMD 2010

[1] 25 pounds/day multiplied by project length, not to exceed 4.5 tons/year

ROG: reactive organic gas; NO_X: nitrogen oxides; CO: carbon monoxide; PM_{10}: coarse particulate matter with a diameter of 10 microns or less; $PM_{2.5}$: fine particulate matter with a diameter of 2.5 microns or less; SO_X: sulfur oxides

If the operational emissions of a Type 1 project do not exceed the operational thresholds, and the construction emissions of NOx or ROG do not exceed the 25 lbs/day averaged over the length of the project, or the PM_{10} emissions do not exceed 80 lbs/day, the FRAQMD recommends the following construction phase Standard Mitigation Measures:

1. Implement the Fugitive Dust Control Plan
2. Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions limitation (40 percent opacity or Ringelmann 2.0)
3. The contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation
4. Limiting idling time to 5 minutes – saves fuel and reduces emission. (State idling rule: commercial diesel vehicles- 13 CCR Chapter 10 Section 2485 effective 02/01/2005; off road diesel vehicles- 13 CCR Chapter 9 Article 4.8 Section 2449 effective 05/01/2008)
5. Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.
6. Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
7. Portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, may require CARB Portable Equipment Registration with the State or a local district permit. The owner/operator shall be responsible for arranging appropriate consultations with the ARB or the FRAQMD to determine registration and permitting requirements prior to equipment operation at the site.

If the operational emissions of a Type 1 project do not exceed the operational thresholds, but the construction phase emissions exceed the construction thresholds of 25 lbs/day of NO_X or ROG averaged over the length of the project and 80 lbs/day of PM_{10}, the FRAQMD recommends following Best Available Mitigation Measures for Construction Phase, below, in addition to the Standard Mitigation Measures:

1. All grading operations on a project should be suspended when winds exceed 20 miles per hour or when winds carry dust beyond the property line despite implementation of all feasible dust control measures.
2. Construction sites shall be watered as directed by the Department of Public Works or Air Quality Management District as necessary to prevent fugitive dust violations.
3. An operational water truck should be available at all times. Apply water to control dust as needed to prevent visible emissions violations and offsite dust impacts.
4. Onsite dirt piles or other stockpiled particulate matter should be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce wind-blown dust emissions. Incorporate the use of approved non-toxic soil stabilizers according to manufacturer's specifications to all inactive construction areas.
5. All transfer processes involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.
6. Apply approved chemical soil stabilizers according to the manufacturers' specifications, to all inactive construction areas (previously graded areas that remain inactive for 96 hours) including unpaved roads and employee/equipment parking areas.
7. To prevent track-out, wheel washers should be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks to prevent/diminish track-out.
8. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.
9. Provide temporary traffic control as needed during all phases of construction to improve traffic flow, as deemed appropriate by the Department of Public Works and/or Caltrans and to reduce vehicle dust emissions. An effective measure is to enforce vehicle traffic speeds at or below 15 mph.
10. Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less and reduce unnecessary vehicle traffic by restricting access. Provide appropriate training, onsite enforcement, and signage.
11. Reestablish ground cover on the construction site as soon as possible and prior to final occupancy, through seeding and watering.
12. Disposal by Burning: Open burning is yet another source of fugitive gas and particulate emissions and shall be prohibited at the project site. No open burning of vegetative waste (natural plant growth wastes) or other legal or illegal burn materials (trash, demolition debris, et. al.) may be conducted at the project site. Vegetative wastes should be chipped or delivered to waste to energy facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials offsite for disposal by open burning.

4.2.4 Impact Analysis

AQ-1 The proposed Program would not conflict with or obstruct implementation of the applicable air quality plan.

Consistency with the air quality plan is determined by whether the project would hinder implementation of control measures identified in the air quality plan or would result in growth of population or employment that is not accounted for in local and regional planning.

As discussed in Section 4.2.3, *Significance Thresholds*, above, the FRAQMD has established thresholds of significance for a project's criteria pollutant and precursor emissions. These significance thresholds have been established to assist lead agencies in determining whether a project may have a significant air quality impact during preparation of this Program EIR. A project with daily emission rates below these thresholds would be considered to have a less than significant impact on air quality. A project with emissions lower than the thresholds would not conflict with or obstruct the implementation of FRAQMD's air quality plans for the attainment of the applicable NAAQS and CAAQS.

As shown in the discussion for Impact AQ-2 below, the proposed Program's construction and operational-generated emissions of ROG, NO_X, and PM_{10}, would not exceed FRAQMD thresholds. The proposed Program would not conflict with or obstruct the implementation of the applicable air quality plan, and the impact would be less than significant.

Long-range air quality planning throughout the State is based on population and employment growth assumptions. The proposed Program would not result in an increase in population or employment in the County or region. Therefore, the Program would be consistent with the growth projections used to develop FRAQMD's air quality plan. The proposed Program would not conflict with or obstruct implementation of the applicable air quality plans, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

AQ-2 The proposed Program may 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.

The Yuba County portion of the NSVAB is currently in nonattainment for Ozone, PM_{10}, and $PM_{2.5}$ with respect to the CAAQS. The FRAQMD has developed thresholds of significance for mass emissions of ROG, NO_X, and PM_{10}, which lead agencies within their jurisdiction can use to evaluate the air pollutant emissions impacts of land use projects. These criteria pollutant and precursor thresholds and other assessment recommendations are contained in FRAQMD's *Indirect Source Review Guidelines* (FRAQMD 2010). The FRAQMD has not adopted thresholds of significance for a project's construction- or operational-period emissions of $PM_{2.5}$.

Construction Emissions

The proposed Program temporary construction emissions were estimated using CalEEMod as described in Section 4.2.2. *Methodology*. The proposed Program's construction period emissions of ROG, NO_X, and PM_{10} are compared to the FRAQMD construction thresholds in Table 4.2-6, Daily Construction Emissions. The complete CalEEMod output is provided in Appendix F to this program EIR.

As shown in Table 4.2-6, the proposed Program daily construction emissions for each individual construction method would not exceed FRAQMD maximum daily emissions threshold. It is likely that construction could simultaneously occur at various individual broadband project sites; however, the daily combined construction emissions would not exceed FRAQMD thresholds. It is assumed that no more than 10 individual broadband project construction sites would be active at one time.

Table 4.2-6
DAILY CONSTRUCTION EMISSIONS

Construction Methods	Pollutant Emissions (pounds per day)					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Horizonal Directional Drilling	0.8	7.7	9.0	<0.1	0.3	0.3
Plowing	0.3	2.6	2.5	<0.1	0.2	0.2
Trenching	0.6	5.4	7.7	<0.1	0.1	0.1
Microtrenching	0.3	2.4	3.4	<0.1	0.1	0.1
Line Installation	0.3	2.0	2.1	<0.1	0.1	0.1
Aerial Stringing	0.7	7.2	9.6	<0.1	0.3	0.2
Pavement Repair	0.3	2.4	3.2	<0.1	0.1	0.1
FRAQMD Threshold	*25*	*25*	*None*	*None*	*80*	*None*
Exceed Threshold?	***No***	***No***	***No***	***No***	***No***	***No***

Source: CalEEMod (Output data is provided in Appendix F)

As noted in Section 4.2.3., *Significance Thresholds*, the FRAQMD distinguishes between two types of projects and refers to them as Type 1 and Type 2. Because the Program would include some operational emissions sources, the Program would be considered a Type 1 project. In accordance with FRAQMD recommendations, the proposed Program should implement construction phase Standard Mitigation Measures for individual broadband projects that do not exceed the PM_{10} threshold. Mitigation Measure AQ-1 would require implementation of the FRAQMD's construction phase Standard Mitigation Measures per the FRAQMD's Indirect Source Review Guidelines, Chapter 4 (FRAQMD 2010). Implementation Mitigation Measure AQ-1 would ensure compliance with FRAQMD Rule 3.16, Fugitive Dust Emissions. With implementation of Mitigation Measure AQ-1, impacts related to construction emissions would be less than significant.

Operation Emissions

Operation of the individual broadband projects under the proposed Program would not result in a population increase and would not generate new vehicle trips beyond occasional maintenance activities. An emergency backup generator may be used at some of the individual broadband sites in the event of a power outage or for routine testing. Monthly routine testing is assumed to last 15 minutes at one time. As routine use of the backup generators would be limited, individual broadband projects would be expected to produce minimal operational emissions. The proposed Program's operational emissions would not violate any air quality standard or result in a considerable net increase in any criteria pollutant. Impacts related to operational emissions would be less than significant.

Impact Conclusion

The proposed Program's daily construction emissions for each individual construction method would be significantly less than FRAQMD maximum daily emissions threshold. It is likely that construction could simultaneously occur at various individual broadband project sites; however, the daily combined construction emissions would not exceed FRAQMD thresholds.

As noted in Section 4.2.3., *Significance Thresholds*, the FRAQMD distinguishes between two types of projects and refers to them as Type 1 and Type 2. Because the proposed Program would include some operational emissions sources, the Program would be considered a Type 1 project. In accordance with FRAQMD recommendations, Mitigation Measure AQ-1 would require implementation of the FRAQMD's construction phase Standard Mitigation Measures

Additionally, operation of the individual broadband projects under the proposed Program would not result in population increase and would not generate new vehicle trips beyond occasional maintenance activities. An emergency backup generator may be used in the event of a power outage or for routine testing. Monthly routine testing is assumed to last 15 minutes at one time. As use of the emergency backup generator would be limited, individual broadband projects would be expected to produce minimal operational emissions.

The proposed Program's construction and operational emissions would not violate any air quality standard or result in a considerable net increase of any criteria pollutant, and the impact would be less than significant with implementation of Mitigation Measure AQ-1.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure AQ-1: Construction Fugitive Dust Control

The applicant of an individual broadband project, or their designated contractor, shall implement the following fugitive dust control measures.

1. Submit the Feather River Air Quality Management District (FRAQMD) Fugitive Dust Control Plan form to the FRAQMD.
2. Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions limitation (40 percent opacity or Ringelmann 2.0)
3. The contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation
4. Limit idling time to 5 minutes – saves fuel and reduces emission. (State idling rule: commercial diesel vehicles- 13 CCR Chapter 10 Section 2485; off road diesel vehicles- 13 CCR Chapter 9 Article 4.8 Section 2449)
5. Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.
6. Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
7. Portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, may require California Air Resources Board (CARB) Portable Equipment Registration with the State or a local district permit. The owner/operator shall be responsible for arranging appropriate consultations with CARB or the FRAQMD to determine registration and permitting requirements prior to equipment operation at the site.

Significance with Mitigation: Less than significant impact.

AQ-3 The proposed Program would not expose sensitive receptors to substantial pollutant concentrations.

Impacts to sensitive receptors are typically analyzed for CO hot spots and exposure to TACs. An analysis of the Program potential to expose sensitive receptors to these pollutants is provided below.

Carbon Monoxide Hotspots

Vehicle exhaust is the primary source of CO. In an urban setting, the highest CO concentrations are generally found near congested street intersections. Under typical meteorological conditions, CO concentrations tend to decrease as distance from the emissions source (i.e., congested intersection) increases. Because CO is a byproduct of incomplete combustion, exhaust emissions are worse when fossil-fueled vehicles are operated inefficiently, such as in stop-and-go traffic or through heavily congested intersections. Because CO disperses rapidly, hot spots are most likely to occur in areas with limited vertical mixing such as tunnels, long underpasses, or below-grade roadways.

The proposed Program would not result in an increase in traffic on the local roadways within the County such that it would impact the efficiency of roadways and/or intersections. As the Program would not create congestion or delay, there would be no circumstances in which CO hotspots would occur. Therefore, the impact would be less than significant.

Other Localized Pollutants

The proposed Program construction activities could result in emissions of the TAC DPM. The dose of TACs to which receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance in the environment and the extent of exposure a person has with the substance; a longer exposure period to a fixed quantity of emissions would result in higher health risks. Current models and methodologies for conducting cancer health risk assessments are associated with longer-term exposure periods (typically 30 years for individual residents based on guidance from Office of Environmental Health Hazard Assessment [OEHHA]) and are best suited for evaluation of long duration TAC emissions with predictable schedules and locations. These assessment models and methodologies do not correlate well with the temporary and highly variable nature of construction activities. Cancer potency factors are based on animal lifetime studies or worker studies where there is long-term exposure to the carcinogenic agent. There is considerable uncertainty in trying to evaluate the cancer risk from projects that will only last a small fraction of a lifetime (OEHHA 2015). In addition, concentrations of mobile source DPM emissions disperse rapidly and are typically reduced by 70 percent at approximately 500-feet (CARB 2005). Considering the short duration of intensive heavy construction equipment use, the intermittent nature of construction activities, and the highly dispersive nature of DPM, construction of individual broadband projects would not expose sensitive receptors to substantial DPM concentrations. Therefore, individual broadband projects would not result in the exposure to sensitive receptors to substantial concentrations of DPM.

As discussed in Section 4.2.1, *Environmental Setting*, northeastern Yuba County has areas likely to contain NOA (County 2011b). Individual broadband projects under the proposed Program may be located within known areas of NOA, areas classified as more likely to contain asbestos, or within the quarter mile buffer more likely to contain asbestos or fault line. As discussed in Section 4.2.1.5, the proposed Program construction activities would be subject to CARB's Asbestos ATCM (17 CCR Section 93105). If an individual broadband project would have construction activities which would disturb soil in an area identified as containing NOA (or NOA is discovered after construction has commenced), the Asbestos ATCM requires implementation of dust control measures for projects sites one acre or less or, for project sites more than one acre, an asbestos dust mitigation plan must be submitted to and approved by the FRAQMD. See the full text of CARB's Asbestos ATCM for all requirement details (CARB 2022). Compliance with CARB's Asbestos ATCM would ensure sensitive receptors are not exposed to substantial concentrations of fugitive dust containing asbestos.

Once operational, pollutant emissions resulting from the proposed Program would be negligible and would not result in substantial localized concentration. Therefore, construction and operation of projects implemented by the proposed Program would not result in exposure of sensitive receptors to substantial pollutant concentrations, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

AQ-4 The proposed Program would not result in substantial emissions of odors adversely affecting a substantial number of people.

Construction Emissions

Construction of individual broadband projects may require the use of diesel-powered equipment. Diesel exhaust can be a temporary source of odors. Due to the temporary and intermittent nature of construction methods, construction of individual broadband projects would not result in emissions leading to odors that would adversely affect substantial numbers of people. Impacts would be less than significant related to construction.

Operational Emissions

Broadband infrastructure is not considered to be a typical significant source of objectionable odors. Therefore, individual broadband projects would not result in emissions leading to odors that would adversely affect substantial numbers of people. No impact would occur related to operation.

Significance without Mitigation: Less than significant impact.

4.2.5 Cumulative Impacts

AQ-5 The proposed Program may contribute to a cumulatively considerable impact on regional air quality.

The cumulative air quality setting is the NSVAB and its anticipated growth. The Yuba County portion of the NSVAB is currently in nonattainment for Ozone, PM_{10}, and $PM_{2.5}$ with respect to the CAAQS. Thus, for this cumulative analysis, the NSVAB and the regions that affect air quality within Yuba County define the geographic context.

By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards in the NSVAB. Instead, a project's individual emissions of criteria pollutants and precursors contribute to existing cumulatively significant adverse air quality impacts in the FRAQMD. The proposed Program's construction and operational-generated emissions of ROG, NO_X, and PM_{10}, would not exceed FRAQMD thresholds. FRAQMD establishes thresholds designed to help the NSVAB achieve State ambient air quality standards; therefore, because the proposed Program would not exceed those thresholds, the cumulative impact related to air quality is not significant. As outlined in Impact AQ-2, with implementation of Mitigation Measure AQ-1, which requires the FRAQMD's construction phase Standard Mitigation Measures, impacts related to construction emissions would be less than significant.

As outlined in Impact AQ-3, potential impacts from substantial pollutant concentrations, including emissions of DPM and fugitive dust containing asbestos, released during construction of the proposed Program would be less than significant.

Therefore, with implementation of Mitigation Measure AQ-1, the proposed Program would not result in a cumulatively considerable impact on regional air quality, and the impact would be less than significant.

Significance without Mitigation: Potentially significant impact.

See Impact AQ-2 for Mitigation Measure AQ-1.

Significance with Mitigation: Less than significant impact.

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4.3 BIOLOGICAL RESOURCES

This section describes the regulatory framework and existing conditions related to biological resources, evaluates the potential impacts that could occur as a result of implementation of the proposed Program, and details mitigation measures needed to reduce significant impacts, as necessary. The potential effects on biological resources were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance. No issues were identified or raised during scoping that pertain to biological resources.

4.3.1 Environmental Setting

Regulatory Framework

This section describes federal, State, regional, and local environmental laws and policies that are relevant to the CEQA review process for biological resources. These policies provide context for the impact discussion related to the proposed Program's consistency with the applicable regulatory conditions.

Federal Regulations

Federal Endangered Species Act

The U.S. Fish and Wildlife Service (USFWS) enforces the provisions stipulated within the Federal Endangered Species Act of 1973 (FESA; 16 United States Code [USC] 1531 et seq.). Species identified as federally threatened or endangered (50 CFR 17.11, and 17.12) are protected from take, defined as direct or indirect harm, unless a Section 10 permit is granted to an entity other than a federal agency or a Biological Opinion with incidental take provisions is rendered to a federal lead agency via a Section 7 consultation. Pursuant to the requirements of FESA, an agency reviewing a proposed project within its jurisdiction must determine whether any federally listed species may be present in the project site and determine whether the proposed project will jeopardize the continued existence of or result in the destruction or adverse modification of critical habitat of such species (16 USC 1536 (a)[3], [4]). Other federal agencies designate species of concern (species that have the potential to become listed), which are evaluated during environmental review under the National Environmental Policy Act (NEPA) or CEQA although they are not otherwise protected under FESA.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 established federal responsibilities for the protection of nearly all species of birds, their eggs, and nests. The Migratory Bird Treaty Reform Act of 2004 further defined species protected under the act and excluded all non-native species. Section 16 U.S.C. 703–712 of the Act states "unless and except as permitted by regulations, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill" a migratory bird. A migratory bird is any species or family of birds that live, reproduce, or migrate within or across international borders at some point during their annual life cycle. Currently, there are 836 migratory birds protected nationwide by the MBTA, of which 58 are legal to hunt. The U.S. Court of Appeals for the 9th Circuit (with jurisdiction over California) has ruled that the MBTA does not prohibit incidental take (952 F 2d 297 – Court of Appeals, 9th Circuit 1991).

The Bald and Golden Eagle Protection Act

The bald eagle and golden eagle are federally protected under the Bald and Golden Eagle Protection Act (16 USC 668–668c). It is illegal to take, possess, sell, purchase, barter, offer to sell or purchase or barter, transport, export, or import at any time or in any manner a bald or golden eagle, alive or dead; or any part, nest, or egg of these eagles unless authorized by the Secretary of the Interior. Violations are subject to fines and/or imprisonment for up to one year. Active nest sites are also protected from disturbance during the breeding season.

Clean Water Act (33 USC 1252-1376)

On May 25, 2023, the United States Supreme Court issued a decision in the case of *Sackett v. Environmental Protection Agency* (Supreme Court of the United States 2023) which will ultimately influence how federal waters are defined. The May 25, 2023, Supreme Court decision in *Sackett v. Environmental Protection Agency* determined that "the Clean Water Act (CWA) extends to only those 'wetlands with a continuous surface connection to bodies that are "waters of the United States" in their own right,' so that they are 'indistinguishable' from those waters." The United States Environmental Protection Agency (USEPA) and the United States Army Corps of Engineers (USACE) after review issued a final rule to replace the 2023 rule that amends the "Revised Definition of "Waters of the United States" to conform key aspects of the regulatory text to the U.S. Supreme Court's May 25, 2023rd decision in the case of *Sackett v. Environmental Protection Agency*.

Unless considered an exempt activity under Section 404(f) of the Federal Clean Water Act, any person, firm, or agency planning to alter or work in "waters of the U.S.," including the discharge of dredged or fill material, must first obtain authorization from the USACE under Section 404 of the Clean Water Act (CWA; 33 USC 1344). Permits, licenses, variances, or similar authorization may also be required by other federal, state, and local statutes. Section 10 of the Rivers and Harbors Act prohibits the obstruction or alteration of navigable waters of the U.S. without a permit from USACE (33 USC 403). Activities exempted under Section 404(f) are not exempted within navigable waters under Section 10.

Federal and State regulations pertaining to waters of the U.S., including wetlands, are discussed below.

Clean Water Act (33 USC 1251-1376). The CWA provides guidance for the restoration and maintenance of the chemical, physical, and biological integrity of the nation's waters.

Section 401 requires that an applicant for a federal license or permit that allows activities resulting in a discharge to waters of the U.S. must obtain a state certification that the discharge complies with other provisions of CWA. The Regional Water Quality Control Board (RWQCB) administers the certification program in California and may require State Water Quality Certification before other permits are issued.

Section 402 establishes a permitting system for the discharge of any pollutant (except dredged or fill material) into waters of the U.S. This system is the National Pollutant Discharge Elimination System (NPDES) program, administered by the USEPA, that has granted oversight authority in California to the State Water Board through its Regional Water Quality Control Boards.

Section 404 establishes a permit program administered by USACE that regulates the discharge of dredged or fill material into waters of the U.S. (including wetlands). Implementing regulations by USACE are found at 33 CFR Parts 320-332. The Section 404 (b)(1) Guidelines were developed by the USEPA in conjunction with USACE (40 CFR Part 230), allowing the discharge of dredged or fill material for non-

water dependent uses into special aquatic sites only if there is no practicable alternative that would have less adverse impacts.

4.3.1.1 State Regulations

California Endangered Species Act

The California Endangered Species Act (CESA), established under California Fish and Game Code §2050 et. seq., identifies measures to ensure that endangered species and their habitats are conserved, protected, restored, and enhanced. The CESA restricts the "take" of plant and wildlife species listed by the state as endangered or threatened, as well as candidates for listing. Section 86 of the Fish and Game Code defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Under §2081(b) of the Fish and Game Code, California Department of Fish and Wildlife (CDFW) has the authority to issue permits for incidental take for otherwise lawful activities. Under this section, CDFW may authorize incidental take, but the take must be minimal, and permittees must fully mitigate project impacts. CDFW cannot issue permits for projects that would jeopardize the continued existence of state listed species. For species listed under both FESA and CESA requiring a Biological Opinion under Section 7 of the FESA, CDFW may also authorize impacts to CESA species by issuing a Consistency Determination under Section 2080.1 of the Fish and Game Code.

CDFW maintains lists of Candidate-Endangered Species and Candidate-Threatened Species. Candidate species and listed species are given equal protection under the law. CDFW also lists Species of Special Concern (SSC) based on limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Designation of SSC is intended by the CDFW to be used as a management tool for consideration in future land use decisions; these species do not receive protection under the CESA or any section of the California Fish and Game Code, and do not necessarily meet CEQA Guidelines §15380 criteria as rare, threatened, endangered, or of other public concern. The determination of significance for SSC must be made on a case-by-case basis. CDFW typically requests that CEQA lead agencies consider minimization of impacts to SSC species when approving projects.

California Code of Regulations Title 14 and California Fish and Game Code

The official listing of endangered and threatened animals and plants is contained in the California Code of Regulations Title 14 §670.5. A state candidate species is one that the California Fish and Game Code has formally noticed as being under review by CDFW to include in the state list pursuant to Sections 2074.2 and 2075.5 of the California Fish and Game Code.

Legal protection is also provided for wildlife species in California that are identified as "fully protected animals." These species are protected under Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species at any time. CDFW is unable to authorize incidental take of fully protected species when activities are proposed in areas inhabited by these species. CDFW has informed non-federal agencies and private parties that they must avoid take of any fully protected species in carrying out projects. However, Senate Bill 618 (2011) allows the CDFW to issue permits authorizing the incidental take of fully protected species under the CESA, so long as any such take authorization is issued in conjunction with the approval of a Natural Community Conservation Plan that covers the fully protected species (California Fish and Game Code Section 2835).

California Environmental Quality Act

Under CEQA (1970, as amended PRC Section 21000 et seq.), lead agencies analyze whether projects would have a substantial adverse effect on a candidate, sensitive, or special-status species (PRC Section 21001(c)). These "special status" species generally include those listed under FESA and CESA, and species that are not currently protected by statute or regulation, but would be considered rare, threatened, or endangered under the criteria included CEQA Guidelines Section 15380. Therefore, species that are considered rare are addressed in this study regardless of whether they are afforded protection through any other statute or regulation. The California Native Plant Society (CNPS) inventories the native flora of California and ranks species according to rarity; plants with a California Rare Plant Rank (CRPR) of 1A, 1B, 2A, 2B, and 3 are generally considered special-status species under CEQA (CNPS 2024a).

Although threatened and endangered species are protected by specific federal and state statutes, CEQA Guidelines Section 15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare if it can be shown to meet certain specified criteria. These criteria have been modeled after the definition in FESA and the section of the California Fish and Game Code dealing with rare or endangered plants and animals. Section 15380(d) of the CEQA Guidelines allows a public agency to undertake a review to determine if a significant effect on species that have not yet been listed by either the USFWS or CDFW (i.e., candidate species) would occur. Thus, CEQA provides an agency with the ability to protect a species from the potential impacts of a project until the respective government agency has an opportunity to designate the species as protected, if warranted.

Nesting Birds (California Fish and Game Code Sections 3503, 3511, and 3800)

California Fish and Game Code Subsections 3503 and 3800 prohibit the possession, take, or needless destruction of birds, their nests, and eggs, and the salvage of dead nongame birds. California Fish and Game Code Subsection 3503.5 protects all birds in the orders of Falconiformes and Strigiformes (birds of prey). Fish and Game Code Subsection 3511 states that fully protected birds or parts thereof may not be taken or possessed at any time. Fish and Game Code Subsection 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA. The Attorney General of California has released an opinion that the Fish and Game Code prohibits incidental take.

California Native Plant Protection Act (California Fish and Game Code Sections 1900-1913)

The Native Plant Protection Act (NPPA), enacted in 1977, allows the Fish and Game Commission to designate plants as rare or endangered. There are 64 species, subspecies, and varieties of plants protected under the NPPA. The NPPA prohibits take of endangered or rare native plants, with some exceptions for agricultural and nursery operations and emergencies. Vegetation removal from canals, roads, and other sites, changes in land use, and certain other situations require proper advance notification to CDFW.

CNPS is a non-governmental conservation organization that has developed a list of plants of special concern in California. The following explains the designations for each plant species (CNPS 2024a).

- Rare Plant Rank 1A – Plants Presumed Extirpated in California and Either Rare or Extinct Elsewhere

- Rare Plant Rank 1B – Plants Rare, Threatened, or Endangered in California and Elsewhere
- Rare Plant Rank 2A – Plants Presumed Extirpated in California, but Common Elsewhere
- Rare Plant Rank 2B – Plants Rare, Threatened, or Endangered in California, but More Common Elsewhere
- Rare Plant Rank 3 – Plants About Which More Information is Needed- A Review List
- Rare Plant Rank 4 – Plants of Limited Distribution – A Watch List

Although the CNPS is not a regulatory agency and plants on these lists have no formal regulatory protection, plants with a CRPR of 1A, 1B, 2A, and 2B are be considered to meet the definition of endangered, rare, or threatened species under Section 15380(d) of CEQA (see above) and impacts to these species may be considered "significant."

Waters of the State

Any action requiring a CWA Section 404 permit, or a Rivers and Harbors Act Section 10 permit, must also obtain a CWA Section 401 Water Quality Certification. The State of California Water Quality Certification (WQC) Program was formally initiated by the State Water Resources Control Board (SWRCB) in 1990 under the requirements stipulated by section 401 of the Federal CWA. Although the Clean Water Act is a Federal law, Section 401 of the CWA recognizes that states have the primary authority and responsibility for setting water quality standards. In California, under Section 401, the State and Regional Water Boards are the authorities that certify that issuance of a federal license or permit does not violate California's water quality standards (i.e., that they do not violate Porter-Cologne and the Water Code). The WQC Program currently issues the WQC for discharges requiring USACE permits for fill and dredge discharges within waters of the U.S., and now also implements the State's wetland protection and hydromodification regulation program under the Porter Cologne Water Quality Control Act.

On April 2, 2019, the SWRCB adopted a State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures), for inclusion in the forthcoming Water Quality Control Plan for Inland Surface Waters and Enclosed Bays and Estuaries and Ocean Waters of California. The Procedures consist of four major elements: 1) a wetland definition; 2) a framework for determining if a feature that meets the wetland definition is a water of the state; 3) wetland delineation procedures; and, 4) procedures for the submittal, review and approval of applications for Water Quality Certifications and Waste Discharge Requirements for dredge or fill activities. The Office of administrative Law approved the Procedures on August 28, 2019, and the Procedures become effective May 28, 2020. The SWRCB circulated final implementation Guidance on the Procedures in April 2020.

Under the Procedures and the State Water Code (Water Code §13050(e)), "Waters of the State" are defined as "any surface water or groundwater, including saline waters, within the boundaries of the state." Unless excluded by the Procedures, any activity that could result in discharge of dredged or fill material to Waters of the State, which includes Waters of the U.S. and non-federal Waters of the State, requires filing of an application under the Procedures.

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act, Water Code Section 13000 et seq.) is California's statutory authority for the protection of water quality in conjunction with the federal CWA. The Porter-Cologne Act requires the SWRCB and RWQCBs under the CWA to adopt and periodically

update water quality control plans, or basin plans. Basin plans are plans in which beneficial uses, water quality objectives, and implementation programs are established for each of the nine regions in California. The Porter-Cologne Act also requires dischargers of pollutants or dredged or fill material to notify the RWQCBs of such activities by filing Reports of Waste Discharge and authorizes the SWRCB and RWQCBs to issue and enforce waste discharge requirements, NPDES permits, Section 401 water quality certifications, or other approvals.

California Fish and Game Code Section 1600

Under the California Fish and Game Code, the CDFW provides protection from "take" for a variety of species. The CDFW also protects streams, water bodies, and riparian corridors through the Lake and Streambed Alteration Agreement process under Section 1601 to 1606 of the California Fish and Game Code. The California Fish and Game Code stipulates that it is "unlawful to substantially divert of obstruct the natural flow or substantially change the bed, channel or bank of any river, stream or lake", which includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round), without notifying the CDFW, incorporating necessary mitigation, and obtaining a Lake and Streambed Alteration Agreement. CDFW's jurisdiction extends to the top of banks and often includes the outer edge of riparian vegetation canopy cover. Impacts to riparian vegetation are regulated through the Lake and Streambed Alteration program. Preliminary notification and project review generally occur during the environmental process. When an existing fish or wildlife resource may be substantially adversely affected, CDFW is required to propose reasonable project changes to protect the resource.

Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) establishes a management system for national marine and estuarine fishery resources. The Act applies to Pacific salmon, groundfish, and several pelagic species found in the Pacific Ocean and San Francisco Bay and Delta and pertains to Federal Agencies that carry out projects with the potential to affect Essential Fish Habitat (EFH). Essential fish habitat is defined as those waters and substrate necessary for fish spawning, breeding, feeding, or growth to maturity. For the purposes of interpreting the definition of EFH, "waters" include aquatic areas and their associated physical, chemical, and biological properties that are used by fish, and may include areas historically used by fish where appropriate; "substrate" includes sediment, hard bottom, structures underlying the waters, and associated biological communities; "necessary" means habitat required to support a sustainable fishery and a healthy ecosystem; and "spawning, breeding, feeding, or growth to maturity" covers a species' full life cycle.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act, Water Code Section 13000 et seq.) is California's statutory authority for the protection of water quality in conjunction with the federal CWA. The Porter-Cologne Act requires the SWRCB and RWQCBs under the CWA to adopt and periodically update water quality control plans, or basin plans. Basin plans are plans in which beneficial uses, water quality objectives, and implementation programs are established for each of the nine regions in California. The Porter-Cologne Act also requires dischargers of pollutants or dredged or fill material to notify the RWQCBs of such activities by filing Reports of Waste Discharge and authorizes the SWRCB and RWQCBs to issue and enforce waste discharge requirements, NPDES permits, Section 401 water quality certifications, or other approvals. Projects that do not require a federal permit may still require review and approval by the RWQCB. The RWQCB focuses on ensuring that projects do not adversely affect the

"beneficial uses" associated with waters of the State. In most cases, the RWQCB requires the integration of water quality control measures into projects that will require discharge into waters of the State. For most construction projects, the RWQCB requires the use of construction and post-construction best management practices.

4.3.1.2 Local Regulations

Yuba County General Plan

Biological Resources are addressed within the *Community Development Element*, the *Health and Safety Element*, and the *Natural Resources Element* of the County General Plan (County 2011).

The *Community Development Element* contains the following goals and policies that address biological resources within the County:

- **Goal CD9: Rural Areas.** Preserve and enhance the rural character through development and conservation in Yuba County's Rural Communities and open space areas.
    - **Policy CD9.1:** Foothill and mountain development projects shall be designed to preserve the existing rural character.
    - **Policy CD9.2:** Rural development should be located and designed to preserve and provide buffers around native oak trees and other healthy and attractive native vegetation, cultural resources, biological features, mineral deposits, active agricultural operations, unique landforms, historic structures and landscapes, and other natural resources.
- **Goal CD15: Smart Infrastructure, Facilities, Services**. Cost-effective, efficient, and environmentally responsible public infrastructure, facilities, and services
    - **Policy CD15.1:** Infrastructure and facilities constructed to meet demand within unincorporated County areas should be located and designed to minimize adverse impacts related to habitats for special-status species, floodplains, farmlands, cultural resources, and watershed areas.
    - **Policy CD15.12:** The County will require any proposed electrical transmission lines to be located and designed in a way that reduces agricultural and other environmental impacts.

The *Health and Safety Element* contains the following goals, policies, and implementation actions that address biological resources within the County:

- **Goal HS1: Flood Protection.** Reduce flood risk for the County's people and property.
    - **Policy HS1.3:** The County may allow non-residential improvements within the 100-year floodplain so long as the proposed improvements do not:
        - Increase flood heights or velocities;

        - Inhibit emergency access;
        - Create excessive costs in providing governmental services during or after flooding;
        - Interfere with the existing waterflow capacity of the floodway;
        - Substantially increase erosion and/or sedimentation; or
        - Contribute to the deterioration of any watercourse or the quality of water in any body of water.
    - **Policy HS1.11:** Natural waterways should be protected from unnecessary alteration whenever flood protection structures or other forms of construction are proposed.

- **Goal HS3: Water Quality.** Preserve, protect, and improve the quality of regional water supplies.
    - **Policy HS3.6:** New developments shall comply with streambed alteration standards and shall be designed to avoid harmful discharge that would substantially affect wetlands and riparian areas.
    - **Policy HS3.14:** The County will encourage the preservation, creation, or restoration of riparian corridors, wetlands, open space buffers, and other types of open space that provide water quality benefits.
    - **Policy HS3.16:** New developments are encouraged to incorporate open, vegetated swales to filter, slow down, and convey stormwater and encourage groundwater infiltration.

- **Action HS3.1: Ongoing Monitoring and Corrective Actions.** During General Plan buildout, the County may conduct water quality monitoring along key waterways and watersheds. The County may require more stringent water quality standards for development that may affect waterways or watersheds with identified water quality problems.

  The County, in collaboration with regional water supply providers, will conduct ongoing monitoring to ensure the application and effectiveness of construction and environmental policies and standards. Ongoing monitoring would be designed to identify problems that may require corrective actions. The County will collaborate with regional and State agencies on the need for corrective actions for ongoing uses that pollute the County's water supply. [Goal HS3 and NR12]

- **Goal HS8: Geology and soils.** Reduce risk to people and property from geologic hazards and soil limitations.
    - **Policy HS8.5:** An erosion and sediment control plan meeting County standards for preventing to increased discharge of sediment is required for:
        - Projects that propose to grade more than 10,000 square feet of area having a slope greater than ten percent;

- Clearing and grubbing areas of one acre or more regardless of slope;
- Projects where more than 2,500 square feet will be inadequately protected from erosion during any portion of the rainy season;
- Projects that involve grading will occur within 50 feet of any watercourse; or
- Where the County determines that the grading will or may pose a significant erosion, or sediment discharge hazard for any reason.

- **Policy HS8.6:** Project applicants may be required to show evidence of coverage, or application for coverage, under an NPDES general construction permit and a Storm Water Pollution Prevention Plan (SWPPP) with a State issued W.D.I.D. number, if applicable. Grading activities shall be located and designed to avoid contributing to the violation of provisions of any applicable NPDES stormwater discharge permit.
- **Policy HS8.7:** Grading activities shall be designed, per County standards, to avoid obstructing or impeding the natural flow of stormwaters, causing accelerated erosion, or aggravating any existing flooding condition.
- **Policy HS8.8:** For engineered grading, the peak off-site storm water discharge from the project site shall not exceed pre-construction conditions unless the applicant demonstrates that downstream storm water conveyance systems have sufficient capacity to handle the increased flow rate without exceeding established design standards, subject to County approval.
- **Policy HS8.10:** Grading activities shall preserve natural features, including vegetation, terrain, watercourses and similar resources, wherever feasible.

- **Action HS8.1: Grading Permits, Erosion Control Plans, Drainage Studies, and Geotechnical Evaluations.** The County will update and maintain standards designed to avoid geologic hazards, mitigate for soils related constraints, reduce impacts to hydrological and drainage conditions, and minimize erosion resulting from site grading and preparation, construction, and ongoing operations. Projects will be conditioned to include measures to avoid geologic and soils related impacts, as necessary.

  The County will require a geotechnical evaluation prior to construction of buildings meant for public occupancy in areas with potential risk related to geologic condition or soil limitations, as identified on maps maintained by the County. The geotechnical evaluation shall evaluate all relevant risks, which may include but are not limited to liquefaction, erosion, landslide, expansive soils, subsidence, and seismic activity. Recommendations from the geotechnical evaluation shall be incorporated into the subject project or plan in order to reduce risk to levels acceptable to the County. The County will also incorporate geotechnical evaluations and recommendations into its own public investments, as appropriate. [Goal HS8]

The *Natural Resources Element* contains the following goals, policies, and implementation actions that address biological resources within the County:

- **Goal NR5: Biological Resources.** Protect and restore habitat for special-status species that have the potential to occur in Yuba County.

    - **Policy NR5.1:** New developments that could adversely affect special-status species habitat shall conduct a biological resources assessment and identify design solutions that avoid such adverse effects. If, after examining all feasible means to avoid impacts to special-status species habitat through project design, adverse effects cannot be avoided, then impacts shall be mitigated in accordance with guidance from the appropriate state or federal agency charged with the protection of the subject species, including pre-construction surveys conducted according to applicable standards and protocols, where necessary.

    - **Policy NR5.2:** The County will coordinate its environmental review and mitigation requirements with the Yuba-Sutter Natural Community Conservation Plan (NCCP)/Habitat Conservation Plan (HCP), once adopted.

    - **Policy NR5.3:** The County will support the continued development and implementation of the Yuba-Sutter NCCP/HCP, once adopted.

    - **Policy NR5.4:** New developments shall be located and designed to preserve and incorporate existing native vegetation to the maximum extent feasible. Fire safety standards may override consideration of retaining existing vegetation in certain circumstances.

    - **Policy NR5.7:** New developments and public investments near Yuba County's streams and rivers shall be designed to avoid tree removal, erosion, or other modifications that would adversely affect salmonid habitat.

    - **Policy NR5.9:** New developments shall be designed to avoid the loss of jurisdictional wetlands. If loss is unavoidable, the County will require applicants to mitigate the loss on a "no net loss" basis through a combination of avoidance, minimization, restoration, and/or constructed wetlands, in accordance with federal and state law.

    - **Policy NR5.12:** Any new developments adjacent to the Spenceville Wildlife Refuge, Marysville Wildlife Area, Feather River Wildlife Area, Daugherty Hill Wildlife Area, or Starbend Fishing Access shall be buffered from wildlife areas or otherwise designed to avoid adverse direct and indirect effects on wildlife. Buffers related to firearm use, if necessary, should occur within the public wildlife area.

    - **Policy NR5.13:** New developments that could adversely affect wildlife movement corridors shall conduct a biological assessment and avoid placing any temporary or permanent barriers within such corridors if they are determined to exist on-site. Avoiding barriers to wildlife movement may be accomplished at the project or community plan level.

    - **Policy NR5.14:** The County will discourage development that would substantially and adversely affect the designated winter and critical winter range of the Mooretown or Downieville deer herd.

- **Policy NR5.15:** Roads, water lines, sewer lines, drainage facilities, and other public facilities constructed to serve unincorporated County development shall be located and designed to avoid substantial impacts to stream courses, associated riparian areas, and wetlands, to the greatest extent feasible.

- **Action NR5.1: Environmental Review and Mitigation.** The County will maintain information on biological resources, including data gathered for this General Plan and the NCCP/HCP, and will use this information to determine whether projects could have potentially significant impacts on biological resources, and whether project-level biological assessments would be required prior to project approval. Private and public projects will be required to comply with provisions of CEQA, including documentation and mitigation of potentially significant impacts. The County will identify a range of exemptions and streamlining for infill development4 projects where the County is the CEQA lead agency, including streamlining of biological resource information that is necessary to entitle such development projects.

  For projects that would affect the function and value of river, stream, lake, pond, or wetland features, each of these features shall be delineated. For wetlands, the delineation shall be conducted in accordance with the USACE Wetland Delineation Manual and verified by USACE.

  The County will identify standard mitigation and survey requirements, if necessary, for use with project level CEQA review, as well as National Environmental Policy Act (NEPA) review, where needed. The standard mitigation and survey requirements will be consistent with applicable guidance from trustee and responsible agencies, such as the California Department of Fish & Game, the Army Corps of Engineers, and the U.S. Fish and Wildlife Service. Mitigation monitoring shall be conducted to ensure performance criteria are met.

- **Action NR5.2: Conservation Planning.** The County, in collaboration with other participating agencies, will participate in development, adoption, and implementation of an NCCP/HCP. Mitigation and conservation measures from the NCCP/HCP will be incorporated into the County's monitoring and implementation of the General Plan, Specific Plans, and Community Plans, as appropriate.

- **Action NR5.3: Wetlands and Riparian Buffers.** Through review of proposed private and public projects near wetlands and riparian areas, the County will require buffering to protect these important habitats. Setbacks are expected to range from 33 to 150 feet in width. Where stream courses are contained within levees, as in the case of the Bear, Feather, and Yuba rivers, required setbacks shall be measured from the outside toe of the levee. Where levees are not present, the buffer shall be measured from the edge of the active floodway.

  Setbacks will be included as a part of conditions of approval for proposed projects. The depth of the setback shall be determined based upon site-specific conditions and communication with appropriate trustee and responsible agencies, such as the California Department of Fish & Game, the U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service. Depending on the vegetation type, ongoing management of buffers may be necessary to address invasive species, human disturbance, and to sustain habitat and water quality functions.5

  Buffers should generally be subject to a permanent covenant, such as a conservation easement, and shall include an ongoing maintenance agreement with a land trust or other qualified

organization. In the case of vernal pool wetlands, sufficient area shall be preserved to maintain the hydrologic integrity of each vernal pool to be preserved. Low-impact recreation could be allowed in buffer areas so long as impacts to these sensitive habitats are avoided or fully mitigated. Human and pet disturbance in sensitive habitat areas should be discouraged as a part of buffer and project design.

4.3.2 Methodology

Biological studies conducted in support of this program Environmental Impact Report (EIR) consisted of a special-status species evaluation, which included a desktop review and database searches to identify known biological resources in Yuba County and vicinity with potential to occur within the program footprint of the proposed broadband infrastructure.

For the purposes of this EIR, special-status species are defined as those that fall into one or more of the following categories, including those:

- Listed as endangered or threatened under Federal Endangered Species Act (FESA; including candidates and species proposed for listing);
- Listed as endangered or threatened under CESA (including candidates and species proposed for listing);
- Designated as rare, protected, or fully protected pursuant to California Fish and Game Code;
- Designated an SSC by CDFW;
- Considered by CDFW to be a Watch List species with potential to become an SSC;
- Defined as rare or endangered under Section 15380 of CEQA; or,
- Having a CNPS designated CRPR of 1A, 1B, 2A, or 2B.

4.3.2.1 Existing Conditions

Individual broadband projects would typically be implemented in previously disturbed and/or developed areas (e.g., in ROW or public utility easements). However, given that the exact alignment of the future broadband infrastructure is currently unknown, the entirety of Yuba County was conservatively treated as the program project site as it relates to biological resources. The County includes a wide variety of terrestrial and aquatic habitats that support many common and special-status plant and wildlife species. From its lower elevation, at approximately 20 feet above mean sea level (amsl), the County extends from the Sierra Nevada foothills to the western slope of the Sierra Nevada mountain range, with its highest peak within the County at approximately 4,825 feet amsl. Land uses vary throughout the County and include uses such as agriculture, timber harvest, mining, residential, commercial, industrial, open space, and public lands.

4.3.2.2 Biological Communities

Biological community mapping provided in Figure 4.3-1, *Biological Communities,* for the Program area is sourced from the Existing Vegetation (Eveg) data associated with the Classification and Assessment with

LANDSAT of Visible Ecology Groupings (CALVEG) Zones 3 (North Sierra) and 5 (Central Valley) (USDA, USFS 2014). The CALVEG habitat classification system correlates to other classification systems, such as the California Wildlife Habitat Relationships System (CWHR), which is described in detail in the CWHR publication *A Guide to Wildlife Habitats of California* (Mayer and Laudenslayer 1988). Biological communities within the County broadly include aquatic, herbaceous, shrub, and forest and woodland habitats, as well as developed and non-vegetated lands. These broadly classified communities are further expanded into 29 CWHR habitat types within the County, which are displayed in Figure 4.3-1 (Note: All figures are included in Appendix A). Table 4.3-1, Biological Communities in Yuba County, provides acreages of each habitat type mapped within the County.

Table 4.3-1
BIOLOGICAL COMMUNITIES IN YUBA COUNTY

Habitat Type[1]	Acres in Yuba County[2]
Developed and Vegetated Habitats	
Barren	7,145
Cropland	2,438
Deciduous Orchard	35,263
Irrigated Row and Field Crops	3,124
Pasture	24,368
Rice	37,913
Urban	10,568
Aquatic habitats	
Fresh Emergent Wetland	594
Lacustrine	8,767
Riverine	1,900
Wet meadow	9
Herbaceous Habitats	
Annual Grassland	58,085
Perennial Grassland	3
Shrub Habitats	
Mixed Chaparral	1,863
Montane Chaparral	624
Forest and Woodland Habitats	
Aspen	10
Blue Oak Woodland	46,263
Blue Oak-Foothill Pine	3,291
Closed-Cone Pine-Cypress	74
Douglas Fir	70
Montane Hardwood	39,115
Montane Hardwood-Conifer	16,775
Montane Riparian	287
Ponderosa Pine	14,285
Sierran Mixed Conifer	61,495
Valley Oak Woodland	1,401
Valley Foothill Riparian	3,265
White Fir	248

[1] Habitat type classification is based on the CDFW CWHR (Mayer and Laudenslayer 1988).
[2] Acreage values are rounded to the nearest whole number.

4.3.2.3 Sensitive Biological Resources

Special-Status Species

According to the database queries, a total of 25 regionally occurring special-status plant species and 29 special-status wildlife species are either known to occur or have the potential to occur in Yuba County and the vicinity of the Program area. Based on published information and literature review, 54 species have potential to occur within Yuba County. Further details on these species are included in Appendix G of this program EIR.

Within Yuba County, USFWS has mapped two final designated critical habitats for vernal pool tadpole shrimp (*Lepidurus packardi*) and California red-legged frog (*Rana draytonii*).

Additionally, National Marine Fisheries Service (NMFS) Essential Fish Habitat (EFH) Mapper has EFH for chinook salmon (*Oncorhynchus tshawytscha*) for three different watersheds within Yuba County. EFH for chinook salmon has been mapped in the Honcut Headwaters-Lower Feather watershed (18020159), the Upper Yuba watershed (18020125), and the Upper Bear-Below Camp Far West watershed (18020126).

Sensitive Natural Communities

Sensitive natural communities include those that are of special concern to resource agencies or those that are protected under CEQA, Section 1600 of the California Fish and Game Code (i.e., riparian areas), the Porter-Cologne Act, and/or Sections 401 and 404 of the Clean Water Act, which includes wetlands and other waters of the U.S. and State.

Sensitive natural communities, such as wetlands and other waters of the U.S. and State, are present within Yuba County and have potential of being within the footprint of the proposed broadband infrastructure given the numerous stream crossings present along County ROWs. Other sensitive natural communities within the County may include riparian areas and other terrestrial habitats deemed sensitive by CDFW.

4.3.2.4 Wildlife Movement Corridors

Wildlife corridors link areas of suitable wildlife habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. This fragmentation of habitat can also occur when a portion of one or more habitats is converted into another habitat; for instance, when woodland or scrub habitat is altered or converted into grasslands after a disturbance such as fire, mudslide, or construction activities. Wildlife corridors mitigate the effects of this fragmentation by: (1) allowing animals to move between remaining habitats thereby permitting depleted populations to be replenished and promoting genetic exchange; (2) providing escape routes from fire, predators, and human disturbances, thus reducing the risk of catastrophic events (such as fire or disease) on population or local species extinction; and, (3) serving as travel routes for individual animals as they move within their home ranges in search of food, water, mates, and other needs.

Some areas along the Northern and Eastern boundary of the County are mapped as Essential Connectivity Areas (ECA) by the California Essential Habitat Connectivity Project. Other wildlife movement corridors are likely present throughout the Program area, such as riparian areas, drainages, or contiguous vegetated areas; however, these potential corridors will need to be evaluated on a site-specific level to determine the presence or absence within the project footprint.

4.3.3 Significance Thresholds

The thresholds for determining significance under CEQA are based on Appendix G of the CEQA Guidelines. In this analysis, the proposed Program would have significant impacts on biological resources if it would:

1. 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 CDFW or USFWS.

2. Have a substantial adverse effect of any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS.

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

4. 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.

5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

4.3.4 Impact Analysis

BIO-1 The proposed Program may result in a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

With the programmatic nature of this EIR, a precise, project-level analysis of the specific effects of individual broadband projects on special-status species is not possible at this time; therefore, this analysis is maintained at the program level. As individual broadband projects would be located primarily within previously disturbed and/or developed areas (e.g., in ROW or public utility easement), it is unlikely that the proposed Program would result in a substantial adverse effect on special-status species or their associated habitats, including USFWS designated critical habitats and/or NMFS essential fish habitat. However, individual broadband projects would be required to prepare a biological resources assessment (BRA) that would assess the potential for occurrence and impacts to special-status species on the individual project site, as outlined in Mitigation Measure BIO-1. If it is determined in the BRA that there is the potential for impacts to special-status species, applicable mitigation and/or avoidance measures detailed in Mitigation Measures BIO-2 through BIO-10 shall be included in the project-specific BRA as required by Mitigation Measure BIO-1 below. Therefore, the impact to special-status species would be less than significant with mitigation incorporated.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure BIO-1: Prepare a Site-Specific Biological Resources Assessment

Prior to approval of an individual broadband project, the project applicant shall retain a qualified biologist to prepare a project-specific Biological Resources Assessment (BRA). The project-specific BRA shall consist of a data review and reconnaissance-level surveys prior to project implementation. The data reviewed will include the applicable biological resources setting, species and sensitive natural communities tables, and habitat information from Section 4.3, Biological Resources, of the Program EIR for where the project will occur. It will also include review of the best available current data for the area, including vegetation mapping data, species' distribution/range information, CNDDB, CNPS Inventory of Rare and Endangered Plants of California, relevant BIOS queries, USFWS and NMFS database queries, and relevant general and regional plans. Reconnaissance-level biological surveys will include general surveys and habitat assessments of project areas and appropriate survey buffers for sensitive and special-status biological resources. The qualified surveyor will 1) identify and document sensitive resources, such as riparian communities, wetlands, oak woodlands, or other sensitive habitats or designated sensitive natural communities or wildlife nursery sites or habitat, and 2) assess the suitability of habitat within the project area to support special-status plant and animal species. The surveyor will also record any incidental wildlife observations.

The project-specific BRA shall also include an analysis of potential impacts on biological resources, and if it is determined that special-status species are present within or adjacent to the project area or have the potential to occur within a project area, then the appropriate mitigation measures described below in Mitigation Measures BIO-2 through BIO-10 shall be included in the document to avoid and/or reduce potential impacts as applicable. Potential measures for special-status species may include, but are not limited to, protocol-level surveys, nesting bird surveys, worker awareness trainings, and other focused pre-construction surveys as well as onsite biological monitoring during construction in sensitive habitats or habitats that could support special-status plants or wildlife.

If it is determined that the project has potential to impact USFWS-designated critical habitat and/or NMFS essential fish habitat, then the project applicant shall coordinate with the USFWS, as necessary, to determine mitigation and/or avoidance measures to reduce potential impacts to a level that would be less than significant. Depending on site-specific conditions, agency involvement may be triggered through the regulatory permitting process or direct agency consultation.

Mitigation Measure BIO-2: Conduct Worker Awareness Training for Applicable Special-Status Species

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that any special-status species have the potential to occur within a project area or be affected by project construction, then a qualified biologist shall provide environmental awareness training to all project-related personnel before the initiation of work. The training shall include the identification methods for the relevant potentially occurring special-status species, required best management practices to implement before the start of and during construction, general measures that are being implemented to protect the species as they relate to the project, penalties for non-compliance, and boundaries of the permitted disturbance zones. Upon completion of the training, all construction personnel will sign a form stating that they have attended the training and understand all the measures. Proof of this instruction shall be kept on file with the biologist on-site and the project applicant.

Mitigation Measure BIO-3: Implement Mitigation Measures for Special-Status Plant Species

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that special-status plant species have the potential to occur within a project area or be affected by project construction, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts to special-status plants.

- Focused special-status plant surveys shall be conducted by a qualified biologist during the appropriate identification (blooming) periods before any ground disturbing activities in suitable habitat. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If no special-status plants are observed, then a letter report documenting the survey results shall be prepared and submitted to the project applicant and the County, and no further measures are recommended.
- If special-status plants are observed within the project area, the location of the special-status plants shall be marked with pin flags or other highly visible markers and recorded with GPS equipment. The project applicant shall determine if the special-status plant(s) on-site can be avoided by project design or utilize construction techniques to avoid impacts to the special-status plant species. All special-status plants to be avoided shall have exclusion fencing or other highly visible material marking the avoidance area, and the avoidance area shall remain in place throughout the entire construction period. Avoidance areas shall also be marked on project plans.

If special-status plants are found within the project area and cannot be avoided, the project applicant shall consult with CDFW and/or USFWS, as appropriate, to determine appropriate measures to mitigate for the loss of special-status plant populations. These measures may include gathering seed from impacted populations for planting within nearby appropriate habitat or within the project footprint after construction, topsoil salvage and replacement, preserving or enhancing existing off-site populations of the plant species affected by the project, or restoring suitable habitat for special-status plant species habitat as directed by the regulatory agencies.

Mitigation Measure BIO-4: Implement Mitigation Measures for Special-Status Vernal Pool Invertebrates

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that suitable habitat for special-status vernal pool invertebrates (fairy shrimp) is present within a project area, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts to special-status vernal pool invertebrates:

- To the extent feasible, projects should be designed to avoid all direct and indirect impacts to potentially suitable wetland habitat. Any wetland habitat designated for avoidance shall be marked with pin flags or other highly visible markers and recorded by GPS equipment. Wetland areas to be avoided shall have exclusion fencing or other highly visible material marking the avoidance area, and the avoidance area shall remain in place throughout the entire construction period. Avoidance areas shall also be marked on project plans.

- If it is determined that suitable habitat for special-status vernal pool invertebrates cannot be avoided, the project applicant may enlist a qualified biologist to perform protocol surveys for vernal pool invertebrates according to the 2017 *USFWS Survey Guidelines for the Listed Large Branchiopods* (https://www.fws.gov/sites/default/files/documents/survey-guidelines-for-large-branchiopods.pdf). If the surveys are negative for special-status vernal pool invertebrates and the USFWS accepts the survey results, it is assumed that the features can be impacted after appropriate environmental permits are acquired for dredge and fill of the features (see Mitigation Measure BIO-11).

- If special-status vernal pool invertebrates are found to be present or assumed to be present and will be impacted by the proposed project, the project applicant shall be required to mitigate for impacts to the species. If mitigation for vernal pool invertebrates is required and the project has a federal nexus (e.g., is pursuant to a USACE permit, is federally funded, or occurs on federal land), impacts can be addressed through Section 7 consultation with the USFWS. If the project does not have a federal nexus, the project applicant, through coordination with the USFWS, can prepare a Habitat Conservation Plan under Section 10 of FESA. Possible mitigation opportunities include off-site preservation of occupied off-site habitat or the purchase of habitat credits at a qualified mitigation bank as agreed to by the USFWS.

Mitigation Measure BIO-5: Implement Mitigation Measures for Valley Elderberry Longhorn Beetle

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that suitable habitat for valley elderberry longhorn beetle (elderberry shrubs) is present within a project area, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts to valley elderberry longhorn beetle:

- To the extent feasible, projects should be designed to avoid all direct and indirect impacts to elderberry shrubs within or adjacent to the project footprint. If elderberry shrubs are found on or adjacent to the site, a 100-foot wide avoidance buffer (measured from the dripline of the plant) will be established around all elderberry shrubs with stems greater than one-inch diameter at ground level and will be clearly identified in the field by staking, flagging, or fencing, consistent with the *USFWS 2017 Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle* (*Desmocerus californicus dimorphus*) (https://www.fws.gov/sites/default/files/documents/survey-guidelines-for-valley-elderberry-longhorn-beetle.pdf). No construction activities involving mechanized equipment will occur within the buffer areas. Human access may be permitted in the buffer, provided that it does not cause disturbance to the shrubs. Avoidance areas shall also be marked on project plans.

- If it is determined that suitable habitat for valley elderberry longhorn beetle cannot be avoided, the project applicant will be required to mitigate for impacts to elderberry shrubs consistent with USFWS guidelines. If mitigation for valley elderberry longhorn beetle is required and the project has a federal nexus (e.g., is pursuant to a USACE permit, is federally funded, or occurs on federal land), impacts can be addressed through Section 7 consultation with the USFWS. If the project does not have a federal nexus, the project applicant, through coordination with the USFWS, can prepare a Habitat Conservation Plan under Section 10 of FESA. Possible mitigation may include transplanting of the affected shrubs to a USFWS-approved offsite location

according to USFWS transplant guidance and/or purchase of USFWS-approved mitigation bank credits at a level specified by the USFWS.

Mitigation Measure BIO-6: Implement Mitigation Measures for Western Bumble Bee

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that suitable habitat for western bumble bee is present within a project area, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts to western bumble bee:

- To the extent feasible, projects should be designed to avoid all direct and indirect impacts to suitable habitat for western bumble bee within or adjacent to the project footprint. Areas designated for avoidance shall be marked with pin flags or other highly visible markers and recorded by GPS equipment. Areas to be avoided shall have exclusion fencing or other highly visible material marking the avoidance area, and the avoidance area shall remain in place throughout the entire construction period. Avoidance areas shall also be marked on project plans.

- If suitable habitat for western bumble bee cannot be avoided by project construction, a qualified biologist familiar with California bumble bee species shall conduct pre-construction surveys to confirm the presence or absence of western bumble bee before the implementation of project-related activities. Surveys shall be conducted during the Colony Active Period (April to August) and when floral resources are present, ideally during peak bloom. Before project implementation, at least three onsite surveys should take place, and each survey should ideally be spaced two to four weeks apart during the Colony Active Period (April to August). Surveys should occur during the day (at least one hour after sunrise and at least two hours before sunset, though ideally between 9:00 AM and 1:00 PM) on warm but not hot, sunny days (65 to 90 degrees Fahrenheit), with low wind (less than 8 miles per hour). Survey methodology should remain consistent with CDFW's Survey Considerations for CESA Candidate Bumble Species (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline). If surveys from a particular project site failed to detect bumble bees one year, the project applicant shall perform a full round of surveys in each year that project construction will occur within suitable habitat or assume presence. If western bumble bee is not found during the multiple rounds of focused surveys within suitable nesting, foraging, and/or overwintering habitat, it is assumed that western bumble bee is not present and no further action is required.

- If a western bumble bee individual or colony is identified within the project site or within 25 feet of the project site during pre-construction surveys, the project applicant may propose site-specific measures to avoid take (such as work-exclusion buffers) or consult with CDFW to obtain an Incidental Take Permit (ITP) if take of CESA-protected bumble bees may occur and be impacted by project activities. The project applicant shall follow all measures in the ITP during project construction and operation.

Mitigation Measure BIO-7: Implement Mitigation Measures for Special-Status Aquatic Species

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that special-status aquatic species (green sturgeon [southern DPS], steelhead [Central Valley DPS], Chinook salmon [Central Valley spring-run ESU], southern long-toed salamander, Foothill yellow-legged

frog [north Sierra DPS], California red-legged frog, Sierra Nevada yellow-legged frog, northwestern pond turtle, or Giant garter snake) have the potential to occur within a project area or be impacted by construction, then the following measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.

- Project applicants shall consult with the qualified biologist during the project design phase to ensure that project designs make every attempt to avoid impacts to aquatic resources through project alignment shifts, work area restrictions, construction methods, or other means.
- A qualified biologist shall map aquatic resources with a sub-meter GPS and delineate suitable aquatic habitats as described in Mitigation Measure BIO-11. These aquatic features shall have wildlife exclusion fencing installed around them prior to the start of construction. Wetland avoidance areas shall be depicted in project work plans. Fencing shall be solid fencing and not include a mesh design that could trap wildlife. Fencing shall be trenched into the soil at least six inches, and the soil must be carefully compacted against both sides of the fence for its entire length to prevent animals from entering the construction area. Exclusion fencing will be inspected daily for the duration of construction to ensure it remains intact, and any holes, tears, or gaps will be repaired immediately. Fencing will be removed upon construction completion.
- Focused surveys for special-status aquatic species (green sturgeon [southern DPS], steelhead [Central Valley DPS], Chinook salmon [Central Valley spring-run ESU], southern long-toed salamander, Foothill yellow-legged frog [north Sierra DPS], California red-legged frog, Sierra Nevada yellow-legged frog, northwestern pond turtle, or giant garter snake) shall be conducted by a qualified biologist according to the most current agency protocols (https://wildlife.ca.gov/Conservation/Survey-Protocols) before any ground disturbing activities in suitable habitat. If no special-status aquatic species are detected, then a letter report documenting the survey results should be prepared and submitted to the project applicant, and no further measures are recommended.
- A qualified biologist shall conduct a pre-construction survey for special-status aquatic species within 24 hours before the start of grading or land-disturbing activities. If the survey shows that there is no evidence of these species, then a letter report shall be prepared to document the survey and provided to the project applicant and the County, and no additional measures are recommended. If development does not commence within 24 hours of the survey, or halts for more than seven days, then an additional survey is required before starting or resuming work.
    - If any of these species are observed during the survey, no work shall occur within a 250-foot buffer of the species' occurrence until consulting with the appropriate wildlife agencies to determine if additional mitigation and avoidance measures are required.

A qualified biologist shall monitor construction and be present during all ground disturbance activities within suitable habitat for special-status species. If any of these special-status species are observed within the project area, all work shall immediately halt in the vicinity of the special-status aquatic species to allow the species to leave the area of its own will. If the special-status aquatic species is in immediate danger, the qualified biologist shall relocate the species outside of the construction zone, at a safe distance from all construction-related activities, and within suitable habitat as approved by the wildlife agencies. No one other than the qualified biologist shall handle, take, or otherwise harass the aquatic species. No work within a 250-foot buffer of the species occurrence shall resume until the aquatic species has left the project area or been relocated from areas of potential disturbance.

Mitigation Measure BIO-8: Implement Mitigation Measures for Special-Status Bird Species and Other Nesting Birds

Active nests are protected by the California Fish and Game Code Section 3503.5 and the MBTA. Construction activities could result in disturbance of nest sites through temporary increases in ambient noise levels and increased human activity. In addition, vegetation clearing operations, including pruning or the removal of trees and shrubs, could impact nesting birds if these activities occur during the nesting season (February 1 to August 31). All vegetation clearing, including removal of trees and shrubs, shall be completed between September 1 and January 31, if feasible. If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1, that special-status bird species and other nesting birds have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.

- If construction activities are proposed to begin during the non-breeding season (September 1 through January 31), a survey is not required, and no further studies are necessary.

- If vegetation removal and grading activities begin during the nesting season (February 1 to August 31), the project applicant shall require that a qualified biologist conduct a pre-construction survey of the project area for active nests. Additionally, the surrounding 500 feet should be surveyed for active raptor nests, where accessible. The pre-construction survey should be conducted within 7 days before the commencement of ground-disturbing activities. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If the pre-construction survey shows that there is no evidence of active nests, a letter report shall be prepared to document the survey, and no additional measures are recommended. If construction does not commence within 7 days of the pre-construction survey, or halts for more than 7 days, an additional survey is required before starting work.

If nests are found during construction activities and considered to be active, the qualified biologist shall establish buffer zones to prohibit construction activities and minimize nest disturbance until the young have successfully fledged. Buffer width will be determined by the qualified biologist and will depend on the species in question, surrounding existing disturbances, and specific site characteristics, but may range from 20 feet for some songbirds to 250 feet for most raptors. If active nests are found within any trees slated for removal, then an appropriate buffer shall be established around the trees and the trees will not be removed until the qualified biologist determines that the nestlings have successfully fledged.

Mitigation Measure BIO-9: Implement Mitigation Measures for Western Red Bat

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1 that Western red bats have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP to avoid and/or reduce potential impacts.

- The project applicant shall require that a qualified biologist conduct a pre-construction survey within 7 days before clearing or grading operations. Surveys shall be conducted as specified in this measure or according to the most current agency guidelines. If no bats are observed, a letter report should be prepared and submitted to the project applicant and the County to document the survey, and no additional measures are recommended. If construction does not

commence within 7 days of the pre-construction survey, or halts for more than 7 days, an additional survey shall be completed before starting work.

- If bats are present and roosting on or within 100 feet of the project area, then the qualified biologist shall establish an appropriate buffer around the roost site. At minimum, no trees or structures shall be removed until the biologist has determined that the bat is no longer roosting in the tree or structure. Additional mitigation measures for bat species, such as the installation of bat boxes or alternate roost structures, would be recommended if special-status bat species are found to be roosting within the project area.

Mitigation Measure BIO-10: Implement Mitigation Measures for Fishers

If it is determined during the preparation of the project-specific BRA prescribed in Mitigation Measure BIO-1, that fishers (*Pekania pennanti)* have the potential to occur within a project area or be impacted by construction, then the following mitigation measures shall be included in the project-specific BRA, relevant CEQA documents, and the associated MMRP, to avoid and/or reduce potential impacts.

- Focused surveys for fishers shall be conducted by a qualified biologist as appropriate and following the most recent agency protocol (https://wildlife.ca.gov/Conservation/Survey-Protocols#377281285-mammals) before any ground disturbing activities in suitable habitat. Focused survey methods may include camera trapping or the use of track plates over extended periods of time. If no fishers are detected, then a letter report documenting the survey results shall be prepared and submitted to the project applicant, and no further measures are recommended.
- A qualified biologist shall conduct a pre-construction survey for fishers no more than 7 days prior to the beginning of ground disturbance related to construction activities, or any other project activity likely to impact them (such as staging, mowing, vegetation clearing), to determine if there are any mammal dens on the project site. If there are no fisher dens on the project site, no further mitigation is necessary. If dens are located within the work area and cannot be avoided, a qualified biologist shall determine if the dens are occupied. If unoccupied, the dens shall be collapsed under the supervision of the biologist. If occupied, the biologist shall determine if it is a natal/pupping den or a solitary fisher den. Dens of solitary individuals may be collapsed under the supervision of the biologist once the animal has vacated the den. Natal/pupping dens shall be avoided by establishment of an exclusion zone around the den, the size of the exclusion zone shall be determined by the qualified biologist on site, until the young are old enough to leave the den and survive on their own.

Significance with Mitigation: Less than significant impact.

BIO-2 The proposed Program may result in a substantial adverse effect on a sensitive natural community.

Sensitive natural communities may include, but are not limited to, aquatic resources under federal and/or State jurisdiction, riparian habitats, and oak woodlands. It is anticipated that individual broadband projects would be primarily located within previously disturbed and/or developed areas (e.g., in ROW or public utility easement), and it is unlikely that the proposed Program would result in a substantial adverse effect on sensitive natural communities. However, if sensitive natural communities would be impacted by implementation of individual broadband projects, then the impact would be

potentially significant. With the implementation of Mitigation Measure BIO-11, potential impacts to jurisdictional waters, wetlands, and/or sensitive natural communities that may occur within the Program area would be reduced to less than significant. With the implementation of Mitigation Measure BIO-12, potential impacts to oak resources that may occur within the Program area would be reduced to less than significant.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure BIO-11: Jurisdictional Delineation and Regulatory Permitting

If it is determined that impacts to jurisdictional waters or other sensitive natural communities cannot be avoided, then the applicant of an individual broadband project shall apply for any necessary permits from the USACE, CDFW, and RWQCB (e.g., Section 401/404 permits, CDFW Lake and Streambed Alteration Agreement, etc.) prior to approval. If necessary, a formal delineation of wetlands and "other waters" of the U.S. shall be prepared in accordance with the USACE *Corps of Engineers Wetlands Delineation Manual* and appropriate regional supplements to determine the extent of aquatic resources and quantify impacts. Impacts to jurisdictional waters and/or sensitive natural habitat shall be mitigated in accordance with agency requirements.

Mitigation Measure BIO-12: Oak Resources Inventory

If it is determined during the project-specific BRA that an individual broadband project will result in impacts to oak resources, then the County may require mitigation for impacts to oak resources or regulated individual oak trees. Prior to project approval, the Community Development and Services Agency may require an inventory of prematurely removed trees or canopy cover to determine the extent of the loss. The inventory shall be prepared by a resource professional with expertise in oak woodlands ecology who is on the list of qualified consultants maintained by the Community Development and Services Agency. Resource professionals may include botanists, ecologists, wildlife biologists, and foresters.

Significance with Mitigation: Less than significant impact.

BIO-3 The proposed Program may result in a substantial adverse effect on State or federally protected wetlands (including, but not limited to marsh, vernal pool, coastal, etc.) or other waters of the U.S. or State through direct removal, filling, hydrological interruption, or other means.

Potential impacts to State or federally protected wetlands or other waters of the U.S. or State are currently unknown given the programmatic nature of this EIR. As individual broadband projects would be located within previously disturbed and/or developed areas (e.g., in ROW or public utility easement), it is unlikely that the proposed Program would result in a substantial adverse effect on State or federally protected aquatic resources. However, potential impacts to State or federally protected aquatic resources would be addressed by avoidance and/or mitigation measures stipulated by regulatory permits as required by Mitigation Measure BIO-11. With implementation of Mitigation Measure BIO-11, the impact would be less than significant.

Significance without Mitigation: Potentially significant impact.

See Impact BIO-2 for Mitigation Measure BIO-11.

Significance with Mitigation: Less than significant impact.

BIO-4 The proposed Program may interfere substantially with the movement of native resident wildlife species or with established native resident or migratory wildlife corridors.

Some areas along the northern and eastern boundary of the County are mapped as ECAs by the California Essential Habitat Connectivity Project. However, Yuba County is a rural county that currently provides extensive open, dispersal habitat for wildlife movement in the program area. Additionally, the proposed Program would install fiber optic conduit underground, aboveground on overhead pole lines, or a combination of both, which would minimize impacts to wildlife corridors. Implementation of the proposed Program is unlikely to substantially interfere with the movement of wildlife corridors; however, potential impacts to the movement of native resident wildlife species or wildlife corridors would be addressed in the project-specific BRA to be prepared as required by Mitigation Measure BIO-1 and in the species-specific avoidance measures described in Mitigation Measures BIO-2 through BIO-10. With implementation of Mitigation Measures BIO-1 through BIO-10, the impact would be less than significant.

Significance without Mitigation: Potentially significant impact.

See Impact BIO-1 for Mitigation Measures BIO-1 through BIO-10.

Significance without Mitigation: Less than significant impact.

BIO-5 The proposed Program may conflict with local policies or ordinances protecting biological resources.

As discussed in Impact BIO-2, if it is determined during the biological resources assessment that a project will result in impacts to oak resources, then the County may require mitigation for impacts to oak resources or regulated individual oak trees. While some individual oak trees could be damaged by projected development under the proposed Program, the scope of premature removals cannot be anticipated based on the programmatic level of analysis of this EIR. Individual broadband projects that would result in impacts to oak resources may be required to conduct an oak tree inventory to determine if mitigation is needed. With implementation of Mitigation Measure BIO-1 and Mitigation Measure BIO-12, the impact would be less than significant.

Significance without Mitigation: Potentially significant impact.

See Impact BIO-1 for Mitigation Measure BIO-1 and see Impact BIO-2 for Mitigation Measure BIO-12.

Significance without Mitigation: Less than significant impact.

BIO-6 The proposed Program would 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 HCP, NCCP, or other local, regional, or State habitat conservation plan has been adopted or approved in the County. Therefore, the Program would not conflict with any provisions of an adopted HCP, NCCP, or other approved local, regional, or State habitat conservation plan. No impact would occur.

Significance without Mitigation: No impact.

4.3.5 Cumulative Impacts

BIO-7 The proposed Program would not result in a significant cumulative impact with respect to biological resources.

Cumulative impacts would occur when the proposed Program, in combination with other projects and plans/projections in Yuba County, would directly or indirectly result in an adverse impact(s) to a special-status species, on a sensitive natural community, to jurisdictional aquatic resources, wildlife movement corridors and nursery sites, or conflict with local policies/ordinances protecting biological resources or an HCP/NCCP. Although impacts to biological resources are site specific, project-specific impacts contribute to a continued loss of biological resources throughout the range of the species or other biological resource being impacted. The cumulative context for biological resources is based on projects located within Yuba County that would impact vegetation communities and species similar to those impacted by the proposed Program, as listed in Table 4-1, Yuba County Cumulative Projects List, in Chapter 4.0, Environmental Impact Analysis. The cumulative impacts analysis is based on a combination of the list and regional growth projections incorporated into the County's General Plan.

The proposed broadband infrastructure is anticipated to be implemented within previously disturbed and/or developed areas (e.g., in ROW or public utility easements). However, given that the exact alignment of the future broadband infrastructure is currently unknown, there is the potential that some of the locations for future program components may support sensitive biological resources. In general, a project's potential impacts related to sensitive biological resources depend on the specific project site and whether it supports sensitive natural communities, special-status species, and/or aquatic resources. As discussed above, the proposed Program would have potential impacts to special-status species, sensitive natural communities, or State or federally protected aquatic resources and/or conflict with local policies, which would be reduced to a level of less than significant with implementation of Mitigation Measures BIO-1 through BIO-12.

Additionally, projects in the County listed as part of this cumulative analysis that would be subject to CEQA review would be required to comply with any mitigation measures identified, as necessary, to reduce potentially significant impacts to biological resources. Therefore, the Program is not expected to make a cumulatively considerable contribution to losses of sensitive biological resources in Yuba County.

Significance without Mitigation: Potentially significant impact.

See Impact BIO-1 for Mitigation Measures BIO-1 through BIO-10 and see Impact BIO-2 for Mitigation Measures BIO-11 and BIO-12.

Significance with Mitigation: Less than significant impact.

4.3.6 References

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4.4 CULTURAL RESOURCES

This section describes the regulatory framework and existing conditions related to cultural resources, evaluates the potential impacts that could occur as a result of implementation of the proposed Program, and details mitigation measures needed to reduce significant impacts, as necessary. The potential effects on cultural resources were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance. No issues were identified or raised during scoping that pertain to cultural resources.

4.4.1 Environmental Setting

4.4.1.1 Cultural Resources Overview

Cultural resources encompass archaeological, Native American, traditional, and built environment resources, including but not necessarily limited to buildings, structures, objects, districts, and sites. Cultural resources can be categorized into pre- and post-contact resources. Precontact resources represent the remains of human occupation associated with indigenous, non-Euroamerican populations, generally prior to contact with people of European descent. Historic, or post-contact, resources include structures, features, artifacts, and sites that date from Euroamerican settlement of the region.

Potential impacts to tribal cultural resources in Yuba County (County) are discussed and evaluated in Section 4.12, *Tribal Cultural Resources*, of this Program Environmental Impact Report (EIR).

4.4.1.2 Regulatory Framework

This section describes federal, State, regional, and local environmental laws and policies that are relevant to the CEQA review process for cultural resources. These policies provide context for the impact discussion related to the proposed Program's consistency with the applicable regulatory conditions.

Federal Regulations

National Historic Preservation Act (54 United States Code 300101 et seq.)

The National Historic Preservation Act (NHPA) establishes the federal government policy on historic preservation and the programs, including the National Register of Historic Places (NRHP), through which this policy is implemented. Under the NHPA, significant cultural resources, referred to as historic properties, include any precontact-era or historic-era district, site, building, structure, object, or landscape included in, or determined eligible for inclusion in, the NRHP. Historic properties also include resources determined to be a National Historic Landmark. National Historic Landmarks are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting United States heritage. A property is considered historically significant if it meets one or more of the NRHP criteria and retains sufficient historic integrity to convey its significance. This act also established the Advisory Council on Historic Preservation (ACHP), an independent agency that promotes the preservation, enhancement, and productive use of our nation's historic resources, and advises the President and Congress on national historic preservation policies. The ACHP also provides guidance on implementing Section 106 of the NHPA by developing procedures to protect cultural resources included in, or eligible for inclusion in, the NRHP. Regulations are published in 36 Code of Federal Regulations (CFR) Parts 60, 63, 800.

Section 106 of the NHPA (codified as 36 CFR Part 800) requires that effects on historic properties be taken into consideration in any federal undertaking. The process generally has five steps: (1) initiating Section 106 of the NHPA process, (2) identifying historic properties, (3) assessing adverse effects, (4) resolving adverse effects, and (5) implementing stipulations in an agreement document.

Section 106 of the NHPA affords the ACHP and the State Historic Preservation Officer (SHPO), as well as other consulting parties, a reasonable opportunity to comment on any undertaking that would adversely affect historic properties. State Historic Preservation Officers administer the national historic preservation program at the state level, review NRHP nominations, maintain data on historic properties that have been identified but not yet nominated, and consult with federal agencies during Section 106 review.

The NRHP eligibility criteria (36 CFR Section 60.4) is used to evaluate significance of potential historic properties. Properties meeting any of the following criteria are considered eligible for listing in the NRHP if they retain integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

a. Associated with events that have made a significant contribution to the broad patterns of our history.

b. Associated with the lives of persons significant to our past.

c. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master; or that possess high artistic values; or that represent a significant and distinguishable entity whose components may lack individual distinction.

d. Have yielded, or may be likely to yield, information important in prehistory or history.

Section 101(d)(6)(A) of the NHPA allows properties of traditional religious and cultural importance to a Native American tribe to be determined eligible for NRHP inclusion. In addition, a broader range of Traditional Cultural Properties are also considered and may be determined eligible for or listed in the NRHP. Traditional Cultural Properties are places associated with the cultural practices or beliefs of a living community that are rooted in that community's history and that may be eligible because of their association with cultural practices or beliefs of living communities that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community. In the NRHP programs, "culture" is understood to mean the traditions, beliefs, practices, lifeways, arts, crafts, and social institutions of any community, be it an Indian tribe, a local ethnic group, or the nation as a whole.

California State Office of Historic Preservation

The California State Office of Historic Preservation (OHP) is responsible for administering federally and state-mandated historic preservation programs to further the identification, evaluation, registration, and protection of California's irreplaceable archaeological and historical resources under the direction of the SHPO, a gubernatorial appointee, and the State Historical Resources Commission.

OHP's responsibilities include:

- Identifying, evaluating, and registering historic properties;

- Ensuring compliance with federal and state regulatory obligations;
- Encouraging the adoption of economic incentives programs designed to benefit property owners; and
- Encouraging economic revitalization by promoting a historic preservation ethic through preservation education and public awareness and, most significantly, by demonstrating leadership and stewardship for historic preservation in California.

State Regulations

California Environmental Quality Act of 1970

CEQA Guidelines establishes a process for the issuing of discretionary permits by all California public agencies. The process includes full public disclosure and analysis of a project's potential effects on the human environment, open public comment period(s), and written responses by agencies to public comments. CEQA also requires agencies to consider project alternatives that reduce environmental impacts, and to ensure that environmental impacts are fully mitigated if mitigation is practicable. The human environment considered under CEQA includes agriculture, air quality, biological resources, geology and soils, greenhouse gases, hazards, historical and archaeological resources, land use and planning policies, mineral resources, noise, paleontological resources, population growth and housing, public services, recreation, traffic, tribal cultural resources, water quality, utilities, and visual resources.

Historical and archaeological resources are afforded consideration and protection by CEQA (California Public Resources (PRC) §21083.2, CEQA Guidelines §15064). The CEQA Guidelines define significant cultural resources under two regulatory designations: historical resources and unique archaeological resources. An historical resource is defined as a "resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (CRHR)"; or "a resource listed in a local register of historical resources or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the [PRC]"; or "any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the agency's determination is supported by substantial evidence in light of the whole record" (CEQA Guidelines §15064.5[a][3]). Historical resources that are automatically listed in the California Register of Historical Resources (CRHR) include California historical resources listed in or formally determined eligible for the NRHP and California Registered Historical Landmarks from No. 770 onward (PRC §5024.1[d]). Locally listed resources are entitled to a presumption of significance unless a preponderance of evidence in the record indicates otherwise.

Under CEQA, a resource is generally considered historically significant if it meets the criteria for listing in the CRHR. A resource must meet at least one of the following four criteria (PRC §5024.1; CEQA Guidelines §15064.5[a][3]):

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage. Title 14, CCR §4852(b)(1) adds "is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States."
- Is associated with the lives of persons important in our past. Title 14, CCR §4852(b)(2) adds, "is associated with the lives of persons important to local, California, or national history."

- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values. Title 14, CCR §4852(b)(3) allows a resource to be CRHR eligible if it represents the work of a master.
- Has yielded, or may be likely to yield, information important in prehistory or history. Title 14, CCR §4852(b)(4) specifies that importance in prehistory or history can be defined at the scale of "the local area, California, or the nation."

Historical resources must also possess integrity of location, design, setting, materials, workmanship, feeling, and association (14 CCR §4852[c]).

An archaeological artifact, object, or site can meet CEQA's definition of a unique archaeological resource, even if it does not qualify as a historical resource (14 CCR §15064.5[c][3]). An archaeological artifact, object, or site is considered a unique archaeological resource if "it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria (PRC §21083.2[g]):

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person."

Within California state law, cultural resources are defined as buildings, sites, structures, or objects, each of which may have historical, architectural, archaeological, cultural, and/or scientific importance. All resources nominated for listing in the CRHR must have integrity; the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Therefore, resources must retain enough of their historical character or appearance to convey the reasons for their significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and/or association. It must also be judged with reference to the particular criteria under which a resource is proposed for nomination (PRC §5024.1).

CEQA Guidelines, California Code of Regulations Title 14, §15064.5

When an initial study identifies the existence of, or the probable likelihood of, Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission (NAHC). A project proponent may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans identified as the most likely descendant by the NAHC.

Assembly Bill 52

Assembly Bill (AB) 52 adds consultation with Native American tribes to the approval process for all projects requiring discretionary permits and subject to CEQA (see below). Tribes inform local agencies

that they wish to be informed of proposed actions, and agencies are required to consult with those tribes before taking actions that may affect tribal cultural resources.

California Senate Bill 18 (California Government Code, §65352.3)

Pursuant to Senate Bill 18, local governments are required to consult with California Native American tribes identified by the NAHC for the purpose of protecting and/or mitigating impacts to cultural places. Senate Bill 18 requires formal consultation with Native American tribes as part of a project that enacts or amends a general plan or a specific plan.

California Health and Safety Code §7050.5

Section 7050.5 of the California Health and Safety Code states that 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 remains are discovered has determined if the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the NAHC within 24 hours of this identification.

Public Resources Code §5024 *et seq.*

PRC §5024 requires that each state agency develop policies for the preservation and maintenance of all state-owned historical resources under its jurisdiction listed in, or potentially eligible for, inclusion in the NRHP, or registered or eligible for registration as a state historical landmark. Each State agency is required to submit updates to their inventory of all state-owned structures over 50 years of age under its jurisdiction listed in or which may be eligible for inclusion in the NRHP or registered or which may be eligible for registration as a state historical landmark. These inventories are used to create a master list maintained by the OHP. The SHPO must be consulted by state agencies if any action would alter or affect any resources on this master list (PRC §5024(f)). Additionally, §5024.1 establishes the CRHR as an authoritative guide for identifying which cultural resources are to be protected, to the extent prudent and feasible, from substantial adverse change. The CRHR eligibility criteria provide one of the bases for determining a cultural resource to be significant under CEQA.

Public Resources Code §5097.9 *et seq.*

PRC §5097.9 establishes that both public agencies and private entities using, occupying, or operating on state property under public permit, shall not interfere with the free expression or exercise of Native American religion and shall not cause severe or irreparable damage to Native American sacred sites, except under special, determined circumstances of public interest and necessity. This section also creates the Governor-appointed nine-member NAHC, charged with identifying and cataloging places of special religious or social significance to Native Americans, identifying and cataloging known graves and cemeteries on private lands, and performing other duties regarding the preservation and accessibility of sacred sites and burials and the disposition of Native American human remains and burial items.

Under PRC §5097.5, all state and local agencies must cooperate with the NAHC by providing copies of appropriate sections of all CEQA environmental impact reports relating to property of special significance to Native Americans. The NAHC is required to investigate the effect of proposed actions by a public agency if these actions may either cause severe or irreparable damage to a Native American sacred site located on state property or inhibit access to that site.

The NAHC is authorized to recommend mitigation measures if it finds, after a public hearing, that a proposed action would result in that damage or interference and to request action from the Attorney General if these mitigation measures are not addressed. This section also includes requirements for landowners to limit further development activity on property where Native American human remains are found until that landowner confers with NAHC-identified most likely descendants to consider treatment options. It further enables those descendants, within 48 hours of notification by the NAHC, to inspect the discovery site and recommend to the landowner or the person responsible for the excavation the means to treat or dispose of the human remains and any associate grave goods with dignity. In the absence of a most likely descendant, or of a treatment acceptable to all parties, the landowner is required to reinter the remains elsewhere on the property in a location that will not be disturbed. Finally, this section makes it a felony to remove Native American artifacts or human remains from a Native American grave or cairn, as well as to acquire, possess, sell, or dissect Native American remains, funerary objects, or artifacts from a Native American grave or cairn and establishes the repatriation of these remains, funerary objects, and associated grave artifacts as state policy (PRC §5097.9, *et seq*.).

California Health and Safety Code §8010-8011: California Native American Graves Protection and Repatriation Act (2001)

This section establishes a state policy that is partially consistent with the federal Native American Graves Protection and Repatriation Act (NAGPRA). It attempts to ensure that all Native American human remains, and cultural items are treated with dignity and respect. It encourages the voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California and requires that the State provide tribes with the mechanisms necessary to file and follow up with repatriation claims (California Health and Safety Code §8010 8011, *et seq*.).

California Government Code §§65560 and 65562.5: Consultation with Native Americans on Open Space (2005)

This section identifies the protection of Native American cultural places as acceptable designations of open space. It further requires local governments to conduct meaningful consultation with California Native American tribes on the contact lists maintained by the NAHC for purposes of protecting cultural places located on open space (California Government Code §65560, 65562.5, *et seq*.).

Local Regulations

Yuba County General Plan

Cultural resources are addressed within the *Community Development Element* and *Natural Resources Element* of the Yuba County General Plan (Yuba County 2011a).

The *Community Development Element* contains the following goals, policies, and implementation programs that address cultural resources within the County:

- **Goal CD9: Rural Areas.** Preserve and enhance the rural character through development and conservation in Yuba County's Rural Communities and open space areas.
    - **Policy CD9.2**: Rural development should be located and designed to preserve and provide buffers around native oak trees and other healthy and attractive native

vegetation, cultural resources, biological features, mineral deposits, active agricultural operations, unique landforms, historic structures and landscapes, and other natural resources

- **Goal CD15: Smart Infrastructure, Facilities, Services.** Cost-effective, efficient, and environmentally responsible public infrastructure, facilities, and services.
    - **Policy CD15.1**: Infrastructure and facilities constructed to meet demand within unincorporated County areas should be located and designed to minimize adverse impacts related to habitats for special-status species, floodplains, farmlands, cultural resources, and watershed areas.

The *Natural Resources Element* contains the following goals, policies, and implementation programs that address cultural resources within the County:

- **Goal NR6: Cultural Resources.** Identify, protect, and preserve Yuba County's important prehistoric and historic resources.
    - **Policy NR6.1**: The County will require environmental assessment and mitigation to reduce or avoid impacts to significant cultural resources, as feasible, per state and federal legislation and regulations.
    - **Policy NR6.2**: If potential paleontological or prehistoric resources are detected during construction, work shall stop and consultation is required to avoid further impacts.
    - **Policy NR6.3**: New developments, roads, water and sewer lines, and stormwater infrastructure should be located to avoid impacts to significant cultural resources.
    - **Policy NR6.4:** The County will encourage adaptive reuse of historic structures in a way that maintains the character defining elements of the historic structure.
    - **Policy NR6.5:** Priority investment should go to preserving or rehabilitating historic structures that are grouped in close proximity, are particularly good examples of a specific architectural style, or are associated with important people or events in the County's history.
    - **Policy NR6.6:** The County will disseminate information to property owners regarding tax incentives and other federal and state programs that support the rehabilitation of historic structures.
- **Action NR6.1: Environmental Review and Mitigation.** Building on the analysis in the General Plan Program EIR, new development projects that could have significant adverse impacts to prehistoric or historic resources will be required to assess impacts and provide mitigation. The following steps, or those deemed equally effective by the County, will be followed:

- Request information from the Native American Heritage Commission regarding Native American groups that may have important sites in areas that could be affected by project development.

- Involve the local Native American community in determining the appropriate mitigation of impacts to significant prehistoric sites.

- Consult the County's historic and cultural resources database and updated information from the North Central Information Center regarding cultural resource sites, structures, or landscapes that could be affected by project activities.

- Based upon the sensitivity of the subject proposed project area, additional technical work may be required. Where a cultural resources survey has not been performed:

    - a pedestrian survey may be required in areas of low sensitivity;

    - a pedestrian survey will be required in areas of moderate and high sensitivity; and

- Based on findings of the pedestrian survey, additional technical studies may be required, such as geoarchaeological sensitivity analysis, Native American consultation, ethnographic studies, or other analysis scaled according to the nature of the individual project.

- For new developments that would alter historic structures (structures 50 years old or older), a qualified architectural historian shall conduct a record search and assess the potential for the project to result in significant impacts to historical resources that occur as part of the existing built environment.

- Determination of impacts, significance, and mitigation (i.e., site monitors, avoidance, and/or other measures) shall be made by a qualified professional archaeologist or architectural historian, as appropriate.

- If impacts cannot be avoided through project design, appropriate and feasible treatment measures are required. Such measures may consist of, but are not limited to actions such as data recovery excavations, photographic documentation, or preparation of design drawings documenting the resource subject to significant impacts.

- Provide the North Central Information Center with appropriate California Department of Parks and Recreation site record forms and cultural resources reports documenting resources that may be identified through technical work performed to review projects accommodated under the 2030 General Plan.

- If human remains are discovered during construction of projects occurring under General Plan buildout, the project proponent and landowner shall comply with

California Health and Safety Code §7050.5 and California Public Resources Code §7050.5.

4.4.1.3 Cultural Resources Setting

Precontact Background

As is the case for archaeological research in many areas of the State, the various classification schemes and chronologies used by researchers when addressing the prehistory of Northern California and the Sierra foothills often conflict with one another. Most recently, Rosenthal (2011) has framed an overview of past research in the area by incorporating data from radiocarbon and obsidian hydration dates, projectile point types, and shell and glass bead types to delineate five temporal periods that account for the span of human occupation in the area (Table 4.4-1, Temporal Periods and Chronological Sequence). The following summary of local cultural history is based on this revised chronological framework.

Table 4.4-1
TEMPORAL PERIODS AND CHRONOLOGICAL SEQUENCE

Temporal Period	Chronological Sequence	Date Range
Late Pleistocene	Paleo-Indian Period	~13,500 to 11,500 BP
Early Holocene	Early Archaic Period	11,500 to 7000 BP
Middle Holocene	Middle Archaic Period	7000 to 3000 BP
Late Holocene	Late Archaic Period	3000 to 1100 BP
Late Holocene	Recent Prehistoric I and II	1100 to 100 BP

Paleo-Indian Period (~13,500 to 10,500 Years Before Present [BP])

There is little evidence of Late Pleistocene occupation in the immediate region, although the southern portion of the Central Valley shows evidence in the form of isolated, basally thinned and fluted projectile points found on the surface of remnant Pleistocene landscape features. With few exceptions, these points have been found as isolates in undatable surface contexts and therefore have been associated with the Paleo-Indian period solely on the basis of their morphological similarity to securely dated Clovis projectile points from the Great Plains and Southwest regions (Dillon 2002:115). Potential Paleo-Indian finds from northern California include a fluted point found in the lower component of the Skyrocket Site (CA-CAL-629/630), located west of New Melones Reservoir. The point was found in context with other artifacts that are typically associated with both the Paleo-Indian and Early Archaic periods, leading Bieling et al. (1996) to suggest that the component represents the transition between mobile big-game hunters and a more sedentary population that had a greater reliance on plant resources. Most local archaeological deposits associated with the late Pleistocene, if they exist, were likely destroyed or buried by a significant period of alluvial deposition that began about 9050 cal BP (Rosenthal et al. 2007).

Early Archaic Period (10,500 to 7000 BP)

The Early Archaic Period in the region has been mainly represented by isolated finds, including heavy stemmed dart or spear points that are often found in association with groundstone tools. Flaked stone artifacts were generally manufactured from local toolstone, although imported obsidian was also used. The few Northern California sites with relatively diverse and abundant Early Archaic assemblages include the Skyrocket Site and the Clarks Flat site (CA-CAL-342), located on the Stanislaus River near Salt Springs

Reservoir at the edge of the Central Valley. Early Archaic deposits have also appeared south of Yuba County at CA-TUO-4557, partially in the form of flake tools and percussion debitage in buried late Pleistocene soils. The period was marked by high residential mobility, although the density of groundstone and expedient cobble-core tools at some sites suggest that they represent frequently visited camps in a settlement system structured around repetitive seasonal movement (Rosenthal et al. 2007). In contrast to the common interpretation that large game hunting was the focus of Early Archaic economies, this seasonal round appears to have targeted grassland-savanna resources, particularly acorns and wild cucumbers. Seeds and nuts were processed with millingslabs and handstones. Obsidian from Lower Archaic period sites has been sourced to both the North Coast Ranges and Eastern Sierra sources, suggesting that regional interaction spheres were well established by this time (Rosenthal et al. 2007).

Middle Archaic Period (7000 to 3000 BP)

The beginning of the Middle Holocene saw a substantial shift to warmer, drier conditions, and subsistence increasingly emphasized upland plant resources. In contrast to earlier occupations, deposits dating to the Middle Archaic are relatively common throughout the region, although they also tend to be buried beneath more recent alluvial deposits. Assemblages are generally varied, diverse, and increasingly specialized, and are characterized by high numbers of expedient cobble tools, handstones, and millingstones, although mortars and pestles appeared as early as 4050 cal B.C. Projectile points associated with the Middle Archaic period include notched, stemmed, thick-leaf, and narrow concave base dart forms manufactured from locally available cryptocrystalline silicate (CCS), metavolcanic greenstones, and igneous materials including obsidian from the North Coast Ranges and, more often, the Eastern Sierra (Rosenthal et al. 2007; Rosenthal 2011). A few shell ornaments and beads recovered from burials suggest that social stratification began to develop during this period.

The latter half of the Middle Archaic represented “the end of generalized, and often highly mobile, Early Holocene lifeways and the beginning of more specialized and intensive California hunter-gatherer-fishers known from ethnographic times” (Stevens et al. 2009:1). Middle Archaic populations inhabited substantial residential sites below snowline during the winter when underground granaries were used to store fall-ripening nut crops of acorns and gray pines and moved to higher elevations in the spring to take advantage of spring- and summer-ripening seeds, berries, and fruits. This decrease in residential mobility and increase of base camp-type settlements implies a shift from a “forager” strategy, where populations are highly mobile and make frequent residential moves to opportunistically exploit a series of localized resource patches, to a logistically organized “collector” strategy where logistically organized food procurement parties travel from a central base camp to harvest and process specific resources (Binford 1980). The specialized tool assemblages, nonutilitarian objects, trade goods, and types of plant and animal remains that appear during the Middle Archaic period point to the longer-term residential settlements associated with collector strategies (Rosenthal et al. 2007).

Late Archaic Period (3000 to 1100 BP)

The climate of the precontact late Holocene approximated that of today, with cooler and moister conditions than the middle Holocene but drier than the early Holocene.

The Upper Archaic period was essentially a continuation of late Middle Archaic lifeways and settlement patterns, including decreased residential mobility and the establishment of fixed, permanent or semi-permanent villages. Bedrock milling stations appear in the archaeological record by at least 1,300 BP,

although at the Central Valley margins and Sierra foothills handstones and millingslabs were commonly used to process acorns and pine nuts (Rosenthal et al. 2007). Bone tools, wands, tubes, and ornaments are common in sites dating to this period, as are manufactured goods such as saucer- and saddle-shaped *Olivella* beads and *Haliotis* ornaments. The uniformity of these manufactured goods suggests some level of standardized or mass production, and imply an increased reliance on exchange relationships (Rosenthal et al. 2007). The prevalence of Bodie Hills obsidian in assemblages dated to this period underscores the importance of trade with Eastern Sierra groups.

Recent Prehistoric I and II (1100 to 100 BP)

The stable climate that began during the Upper Archaic continued through the Recent Prehistoric I (1,100 to 610 BP) and II (610 to 100 BP) periods. The most significant technological advancement during this period was the adoption of the bow and arrow, which replaced the atlatl and dart between about A.D. 1000 and 1300. Territorial boundaries became well established, and increased social complexity is suggested by a wider variation in burial types and furnishings. Cremation, which was reserved for high-status individuals during the beginning of the period, eventually became widespread in the Central Valley and adjacent foothills (Rosenthal et al. 2007). Human bones, often in great numbers, have also been found in limestone caverns throughout the foothill region (Moratto 1984).

The use of the acorn came to prevail over gray pine as a major dietary component, and significant increases in thin-shelled pine nuts are also apparent. These subsistence changes, coupled with an increase in sedentism marked by numerous year-round residential hamlets, indicate resource intensification that likely made necessary because of increased population, although seasonal migration that spanned foothill woodlands and montane forests to 6,000 feet in elevation continued. The Recent Prehistoric II period is also represented by an expanded artifact assemblage that included bone awls, drills, and other tool-making tools; evidence of basketry in specialized sites; incised tablets, bone whistles, shell and glass beads; and other specialized or non-utilitarian artifacts.

Ethnographic Background

At the time of European contact, the area that would become Yuba County was occupied by the Nisenan tribe (alternatively known as the Southern Maidu). Maiduan groups are identified primarily by their language, which is a subgroup of the California Penutian linguistic family; these groups are divided, mainly on dialectic grounds, into the Nisenan, or Southern Maidu (living within the American River drainage plus parts of the Bear, Cosumnes, and Yuba rivers), the Northeastern Maidu (on the upper reaches of the North and Middle Forks of Feather River), and the Northwestern Maidu (below the Sierra foothills where the south, middle, north, and west branches of Feather River converge and on upper Butte and Chico creeks as well as parts of the Sacramento Valley). Nisenan villages ranged in population from 15 to 25 people, with the tribal centers averaging more than 500 people. Large settlements consisted of one major village with associated smaller, seasonal camps. Villages were typically located on ridges above major streams and rivers and were inhabited mainly in the winter months. During the hot summer months, the Nisenan moved to cooler temporary camps in higher elevations.

The local environment provided abundant food sources with seasonal gathering conducted mainly by women and children. Hunting and fishing, primarily conducted by the men, were year-round pursuits but were most successful in the late summer and early fall. The Nisenan had few contacts outside their immediate tribal territory and those contacts were limited to warfare, trade, and ceremonial gatherings. Villages were led by a headman or advisors, but each extended family had a leader who assisted the

village headman. Some of the headsman's duties included advising the people in general, preventing them from trespassing, directing ceremonies and festivities, arbitrating disputes, and leading the village in times of warfare. Typically, the dead were cremated along with their property, and their dwelling was either moved or destroyed.

Maidu groups practiced a religion called the "Kuksu," which was widespread among California Native Americans and appeared in various forms. Ceremonies were typically conducted in the semi–subterranean dance houses that were centrally located within each village. A ceremony celebrated annually in the fall was the mourning ceremony that honored ancient ancestors as well as the individuals that had died during the year.

Early contact with the Spanish was limited to the southern edge of Nisenan territory, with most early accounts resulting from early penetrations of the Spanish into Plains Miwok territory. During the late 18th century, systematic removal of the missions and resistance by the Plains Miwok occurred along the border shared with the Nisenan. The Nisenan also received missionized Native Americans into their territory, as well as Miwok villagers displaced by the Spanish (Wilson and Towne 1978:387–97).

In 1833, a massive epidemic, believed to have been malaria, swept through the Sacramento valley (Cook 1955). The exact number of casualties is unknown, but it is estimated that 75 percent of the Maidu population were killed, leaving only a fraction of the original number to face the intruding miners and settlers that arrived when gold was discovered in Coloma in 1848.

Historical Background

Portions of this section were adapted from the Yuba County 2030 General Plan EIR (County 2011b).

Early Settlement

Europeans first explored the area that is now Yuba County in 1808, when Spanish explorer Gabriel Moraga led an expedition from Mission San Jose to the northern Sacramento Valley (Hoover et al. 1990; Gordon 1988).

With the declaration of Mexican independence in 1821, Spanish control of Alta California ended, although political change did not take place until mission secularization in 1834 when Native Americans were released from missionary control and the mission lands were granted to private individuals. Shoup and Milliken (1999) state that mission secularization removed the social protection and support on which Native Americans had come to rely. In addition, it exposed them to further exploitation by outside interests, often forcing them into a marginal existence as laborers for large ranchos.

Following mission secularization, the Mexican population grew as the native population continued to decline. European-American settlers began to arrive in Alta California during this period and often married into Mexican families in order to become Mexican citizens who were eligible to receive land grants. John A. Sutter obtained the first such grant in the region in 1841. Sutter's New Helvetia Rancho encompassed lands on the east bank of the Feather River, including portions of Yuba County, while William Johnson's Rancho was located along the north side of Bear River, and encompassed the present-day cite of Wheatland (Beck and Haase 1974; Hoover et al. 1990). In 1846, on the eve of the U.S.-Mexican War (1846 to 1848), the estimated population of Alta California was 8,000 non-natives and 10,000 natives. However, these estimates have been debated -- Cook (1976) suggests the Native

American population was 100,000 in 1850, while the U.S. Census of 1880 reported the Native American population as 20,385.

Agriculture and Flood Control

Agriculture and ranching originated on the New Helvetia and Johnson's ranchos in the early 1840s and became the primary industries of the Yuba County region during the early historic era. The Gold Rush of 1848 accelerated the growth in agriculture and ranching as both ranchers and farmers realized handsome returns from supplying food and other goods to local miners (Fryman 1996). Frequent floods, however, plagued the residents of the Yuba-Feather-Bear River floodplain and posed a significant threat to the viability of agricultural interests and further settlement in Yuba County.

Initial efforts at flood control were usually uncoordinated and consisted of small levees and drains constructed by individual landowners. These features proved insufficient to protect cultivated land, and much land east of the Feather River remained marshland that was unsuitable for agriculture. In 1861, the California Legislature created the State Board of Swampland Commissioners to affect reclamation of swamp and overflow lands. The Board established 32 districts that attempted to enclose large areas prone to flooding with natural levees, but lack of cooperation among the landowners in the districts led to chronic financial crises. When the California Legislature terminated the State Board of Swampland Commissioners in 1866, responsibility for swamps and overflowed land fell to the individual counties. Many counties offered incentives to landowners for reclaiming agriculturally unproductive land – if a landowner could certify that he or she had spent at least 2 dollars per acre in reclamation, the county would refund the purchase price of the property to the owner. Speculators took advantage of this program and a period of opportunistic and often irrational levee building followed (McGowan 1961; Thompson 1958).

In response to the flood of 1907, citizens of Yuba County formed Reclamation District 784 (RD 784). At the time of its formation, RD 784 encompassed 22,762 acres of land, much of which was owned by the Farm Land Investment Company. RD 784 built substantial levee and drainage systems to restrain floodwaters from the Bear and Feather rivers and incorporated levees built by the Farm Land Investment Company and other landowners.

In 1911, the California Legislature established the State of California Reclamation Board to exercise jurisdiction over reclamation districts and levee plans. That year, the state approved and began implementation of the Sacramento River Flood Control Project. The ambitious project included the construction of levees, weirs, and bypasses along the river to channel floodwaters away from population centers. Under the Sacramento River Flood Control Project, new reclamation districts were created and existing districts, such as RD 784, were placed under the jurisdiction of the Reclamation Board.

In 1920, RD 784 voters approved a plan to improve levees along the Yuba, Bear, and Feather Rivers and to improve drainage near Messick Lake, Plumas Lake, and other backwater marshes along the Feather River. The U.S. Army Corps of Engineers assisted RD 784 with the construction of a levee system at the eastern boundary of the district. Reclamation efforts in RD 784 promoted settlement and development of the land between Rio Oso and Marysville.

The Gold Rush

In 1848, James W. Marshall discovered gold at Coloma in modern-day El Dorado County, which started a gold rush into the region that forever altered the course of California's history. The arrival of thousands

of gold seekers in the territory contributed to the exploration and settlement of the entire state. By late 1848, approximately four out of five men in California were gold miners.

Jonas Spect is thought to have been the first person to find gold in Yuba County in June 1848 at Rose's Bar on the Yuba River (Yuba County 1994). Mining communities quickly sprang up along the river above Marysville, many of which are now buried beneath hydraulic mine waste. As mining spread, mining techniques changed. Initially, miners relied on gold panning in a shallow pan until the heavier gold-bearing materials fell to the bottom, while the water and lighter sand spilled out over the rim. This technique was displaced by simple mining machines like the wooden "rocker" into which pails of water were emptied and processed at one time. The gold in and around stream beds was soon exhausted, and hard-rock mining took over as miners dug shafts up to 40 feet deep in search of subterranean veins of gold-bearing quartz.

Eventually, hydraulic mining was used on local hillsides, and streams and rivers were diverted from their original courses to provide water for primitive high-pressure hoses that blasted gold-bearing gravel from hillsides for further processing. As a result, in a short time the bed of the Sacramento River was raised several feet by tons of debris coming down from the hills, drinking water was polluted, and the danger of flooding increased substantially. In 1884, the Sacramento courts banned hydraulic mining, thus saving the city.

In 1905, the Yuba Consolidated Goldfields began operations 9 miles east of Marysville, in the Hammonton Gold District. Besides Hammonton, the Browns Valley, Brownsville, Camptonville, Clipper Mills, Dobbins, and Smartsville mining districts were all established in the County. These towns, established during the Gold Rush, survive today.

4.4.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed Program would have a significant impact associated with cultural resources if the project would:

1. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5;

2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; or,

3. Disturb any human remains, including those interred outside of formal cemeteries.

4.4.3 Impact Analysis

For the purposes of this analysis, four potential impact scenarios are presented. The first addresses built-environment cultural resources that meet the CEQA definition of historical resources; the second involves archaeological cultural resources that quality as historical or unique archaeological resources under CEQA; the third comprises the accidental discovery of archaeological cultural resources during construction; and the fourth involves discovery of human remains during construction. Each impact scenario is addressed below.

CUL-1 The proposed Program would not cause a substantial adverse change in the significance of a built-environment cultural resource that qualifies as a historical resource pursuant to §15064.5.

The proposed Program would require the aerial installation of fiber optic line on utility poles in instances where constraints prevent the installation of subsurface conduit. The aerial installation of such fiber optic lines would entail the use of existing or newly constructed utility poles within existing County maintained road ROWs, public utility easements, and/or overhead public utility easements of record throughout the County. Such installations may introduce new visual elements to areas with concentrations of historical built-environment cultural resources such as buildings and structures that comprise historic districts. Historic districts derive much of their significance from their ability to visually convey a sense of time and place from their architecture, street furniture, and streetscape corridor appearance.

The use of existing or newly constructed utility poles for the collocation of fiber optic cable could change the visual signature of the poles and their vicinity. However, these collocations and new installations would be relatively minor additions to existing utility corridors in the County already populated with other utility infrastructure, including in and near historic districts and historical resources. The installation of these fiber optic lines, as proposed, would not diminish a built-environment resource's ability to convey its significance or justify the reasons for its qualification as a historical resource, two of the criteria of material impairment in the definition of a substantial adverse change in the significance of a historical resource. As a result of these factors, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

CUL-2 The proposed Program may cause a substantial adverse change in the significance of an archaeological cultural resource that qualifies as a historical resource or unique archaeological resource pursuant to §15064.5.

CEQA applies to archaeological sites, and during impact assessment, archaeological sites are first considered as potential historical resources (CEQA Guidelines §15064.5 (c)(1)). Yuba County has a rich archaeological record with expressions of material culture in almost every environmental setting. Examples of these archaeological cultural resources can range from precontact-era settlement and resource procurement areas to historic-era mining-related features such as adits and tailings, or archaeological features sealed beneath the hardscape of the County's urbanized areas. Their significance can lie in their ability to contain information important in prehistory or history, but also in their value to descendant communities as expressions of their cultural heritage and patrimony.

Because archaeological cultural resources are non-renewable, project-related disturbance can impede or destroy their ability to convey their significance, which can embody scientific and/or traditional cultural value. Should that occur, a significant effect on the environment could result.

Implementation of Mitigation Measure CUL-1, which contains measures that would identify potential archaeological resource impact scenarios, would seek to avoid impacts to such resources if feasible, and would mitigate those impacts that cannot be avoided through project design. Avoidance would prevent the loss of scientific and/or heritage values of the resource, and archaeological mitigation would offset the loss of scientifically consequential data through a program of excavation, analysis, and documentation of information.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure CUL-1: Archaeological Cultural Resources Investigations

Preconstruction Screening Identification

Prior to each phase of individual broadband projects, including installation and/or use of appurtenant structures, unpaved staging areas, and fiber optic line, Yuba County shall request a records search for all project footprints for construction activities that require ground disturbance in areas that have not been previously subject to such disturbance. For those areas of native, unpaved soil that have not been adequately surveyed for archaeological cultural resources in the past, the County shall require a pedestrian field survey by a qualified professional archaeologist. If archaeological cultural resources are identified as a result of that survey, the County shall implement the recommendations of the consulting archaeologist to avoid or substantially reduce the severity of impacts on such resources. For those areas that have been surveyed previously, the County shall abide by the recommendations of the professional archaeologist who conducted the original survey.

Known Resource Conflicts

In the event that the records search described above identifies archaeological resources that would be subject to project-related impacts, the County shall evaluate the status of the resource under CEQA. The archaeological resource shall be assessed for significance through the implementation of a Phase II investigation by a qualified archaeologist. This may require some or all of the following measures to be implemented:

- Development of a research design that guides assessments of site significance and scientific potential.
- Mapping and systematic collection of a representative sample of surface artifacts.
- Subsurface investigation through shovel test pits, surface scrapes, or 1- by 1-meter excavation units; a combination of such methods; or equivalent methods.
- Analysis of recovered material to determine significance pursuant to the CEQA Guidelines.
- Preparation of a report, including an evaluation of site significance and recommendations for mitigation, if appropriate.
- Appropriate curation of collected artifacts.

If the resource is precontact in nature, the Phase II investigation shall be coordinated with descendant tribal communities.

If the Phase II evaluation concludes that the archaeological resource does not qualify as a historical resource (PRC §21084.1) or unique archaeological resource (PRC §21083.2), then no further study or protection of the resource is necessary. If the resource does qualify as a historical or unique archaeological resource, then the County shall require the implementation of the Phase III approach described below.

A Phase III data recovery effort, in accordance with CEQA Guidelines, shall be implemented by the consulting archaeologist for those sites that are shown by the Phase II efforts to qualify as significant under CEQA. The City shall ensure that data recovery conducted to the level that reduces impacts to below the level of significance has been completed prior to project implementation. The Phase III data recovery program shall include all or a combination of the following methods:

- Development of a research design to identify important research questions that may be answered through a systematic study of the resource.
- Mapping and systematic collection of surface artifacts, possibly complete data recovered depending on site size.
- Subsurface investigation through methods such as controlled hand-excavation units, machine excavations, deep testing, or a combination of methods. When applicable, other techniques, such as geophysical testing, may be warranted.
- Analysis of recovered material through visual inspection and chemical analysis when applicable.
- Preparation of a report.
- Appropriate curation of collected artifacts.

If the resource is precontact in nature, the Phase III investigation shall be coordinated with descendant tribal communities.

Significance with Mitigation: Less than significant impact.

CUL-3 The proposed Program may cause a substantial adverse change in the significance of archaeological resources that are accidentally discovered during project construction.

Archaeological cultural resources encountered during individual project construction may qualify as significant under CEQA for their ability to contain historically important information, or for their value to descendant communities as expressions of their cultural heritage and patrimony. Because archaeological cultural resources are non-renewable, their disturbance by individual project implementation can impede or destroy their ability to convey their significance, which can be embodied as scientific and/or traditional cultural value. Should that occur, a significant effect on the environment could result.

Implementation of Mitigation Measure CUL-2, which contains measures that would identify potential archaeological resource impact scenarios, seek to avoid impacts to such resources if feasible, and mitigate those impacts that cannot be avoided through individual project redesign. Avoidance would prevent the loss of scientific and/or heritage values of the resource, and archaeological mitigation would offset the loss of scientifically consequential data through a program of excavation, analysis, and documentation of information would otherwise be lost.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure CUL-2 Inadvertent Discovery of Archaeological Cultural Resources

In the event that cultural resources are exposed during ground-disturbing activities during construction of individual broadband projects, construction activities shall be halted within 100 feet of the discovery. Cultural resources could consist of but are not limited to stone, bone, wood, or shell artifacts, or features, including hearths, structural remains, or historic dumpsites. If the resources cannot be avoided during the remainder of construction, a consulting archaeologist who meets the Secretary of the Interior's *Professional Qualifications Standards* for archaeology shall assess the resource and provide appropriate management recommendations. The County shall implement those recommendations to avoid or substantially reduce the severity of impacts on significant resources.

Significance with Mitigation: Less than significant impact.

CUL-4 The proposed Program would not disturb human remains, including those interred outside of formal cemeteries

There is the potential to encounter human remains in almost any environmental context that occurs in Yuba County. Therefore, implementation of the proposed Program has the potential to expose human remains during ground-disturbing activities. Should that occur, a significant effect on the environment could result.

The County is required to comply with CEQA Guidelines §15064.5, California Health and Safety Code §7050.5, and PRC §5097.9 *et seq.* to avoid or substantially reduce the severity of impacts on human remains. As outlined in these regulations, the severity of impacts would be reduced by minimizing additional ground disturbance in the vicinity of the remains, and by development and implementation of a plan for respectful treatment of the remains in consultation with descendant communities who place religious and cultural significance in such remains. Further mitigation measures are unnecessary because compliance with the regulations listed above would avoid or substantially reduce the severity of impacts on human remains. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

4.4.4 Cumulative Impacts

CUL-5 The proposed Program may result in cumulative impacts on cultural resources.

Cumulatively considerable cultural resource impacts may occur when a series of actions lead to the loss of historically or archaeologically significant type of site, building, deposit, or tribal cultural resource. For example, while the loss of a single historic building may not be significant to the character of a neighborhood or streetscape, continued loss of such historical resources on a project-by-project basis could amount to a significant cumulative effect. As discussed above under Impact CUL-1 through CUL-4, implementation of the proposed Program would result in a less than significant impact on cultural resources with implementation of Mitigation Measure CUL-1 and Mitigation Measure CUL-2.

The analysis of cumulative impacts is based on impacts of the proposed Program in combination with other projects and plans/projections in the County as listed in Table 4-1, Yuba County Cumulative Projects List, and in Chapter 4.0, Environmental Impact Analysis. Each project in the County that would be subject to CEQA would be required to assess its potential impact on cultural resources. Additionally, mitigation measures conducted for each individual broadband project would ensure that impacts on

cultural resources are minimized to the maximum extent feasible. Therefore, with implementation of Mitigation Measures CUL-1 and Mitigation Measure CUL-2, and the requirement for the other cumulative projects subject to CEQA to adopt similar measures, no cumulatively considerable impact on cultural resources would occur with approval of the proposed Program.

Significance without Mitigation: Potentially significant impact.

See Impact CUL-2 for Mitigation Measure CUL-1 and see Impact CUL-3 for Mitigation Measure CUL-2.

Significance with Mitigation: Less than significant impact.

4.4.5 References

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4.5 GEOLOGY AND SOILS

This section describes the regulatory framework and existing conditions related to geology and soils, evaluates the potential impacts that could occur as a result of implementation of the proposed Program, and details mitigation measures needed to reduce significant impacts, as necessary. The potential effects on geology and soils were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance. No issues were identified or raised during scoping that pertain to geology or soils.

4.5.1 Environmental Setting

4.5.1.1 Regulatory Framework

Implementation of the proposed Program would be subject to a number of regulatory requirements and industry standards related to potential geologic hazards. These requirements and standards typically involve measures to evaluate risk and mitigate potential hazards through design and construction techniques. Specific guidelines encompassing geologic criteria that may be applicable to the design and construction of the proposed Program include are discussed below.

State Regulations

Alquist-Priolo Earthquake Fault Zoning Act

California's Alquist-Priolo Act (Public Resources Code [PRC] Section 2621 et seq.) is intended to reduce risks to life and property from surface fault rupture during earthquakes. The Alquist-Priolo Act prohibits the location of most types of structures intended for human occupancy across traces of active faults and strictly regulates construction in the corridors along active faults capable of surface rupture or fault creep (earthquake fault zones). Generally, the required setback for a structure is 50 feet from an active fault trace. The act also defines criteria for identifying active faults and establishes a process for reviewing building proposals in and adjacent to earthquake fault zones.

The Alquist-Priolo Act establishes earthquake fault zones and strictly regulates construction along or across zones that are sufficiently active and well defined. A fault is considered sufficiently active if one or more of its segments or strands show evidence of surface displacement during Holocene time (defined for the purposes of the Act as referring to approximately the last 11,700 years). A fault is considered well-defined if its trace can be identified clearly by a trained geologist at the ground surface, or in the shallow subsurface using standard professional techniques, criteria, and judgment (DOC 2018).

Seismic Hazards Mapping Act

Like the Alquist-Priolo Act, the Seismic Hazards Mapping Act of 1990 (PRC Sections 2690-2699.6) is intended to reduce damage resulting from earthquakes. While the Alquist-Priolo Act addresses surface fault rupture, the Seismic Hazards Mapping Act addresses other earthquake-related hazards, including strong ground shaking, liquefaction, and seismically induced landslides. The Mapping Act's provisions are similar in concept to those of the Alquist-Priolo Act – the State is charged with identifying and mapping areas at risk of strong ground shaking, liquefaction, landslides, and other corollary hazards; and cities and counties are required to regulate development within mapped seismic hazard zones.

Under the Seismic Hazards Mapping Act, permit review is the primary mechanism for local regulation of development. Specifically, cities and counties are prohibited from issuing development permits for sites situated within seismic hazard zones until appropriate site-specific geologic and/or geotechnical investigations have been carried out and measures to reduce potential damage have been incorporated into the development plans. Geotechnical investigations conducted within seismic hazard zones must incorporate standards specified by California Geological Survey Special Publication 117a, Guidelines for Evaluating and Mitigating Seismic Hazards in California (DOC 2008).

California Building Standards Code

The California Building Standards Code (CBSC; 24 California Code of Regulations) provides the minimum standards for structural design and construction. The CBSC is based on the previously discussed International Building Code (IBC), which is used widely throughout the United States (generally adopted on a state-by-state or district-by-district basis) and has been modified for California conditions with numerous, more detailed, or more stringent regulations. The CBSC requires that "classification of the soil at each building site will be determined when required by the building official" and that "the classification will be based on observation and any necessary test of the materials disclosed by borings or excavations". In addition, the CBSC states that "the soil classification and design-bearing capacity will be shown on the (building) plans, unless the foundation conforms to specified requirements." The CBSC provides standards for various aspects of construction including, but not limited to, excavation, grading, and earthwork construction; fills and embankments; expansive soils; foundation investigations; and liquefaction potential and soil strength loss. In accordance with California law, certain aspects of the project would be required to comply with all provisions of the CBSC. The CBSC requires extensive geotechnical analysis and engineering for grading, foundations, retaining walls, and other structures, including criteria for seismic design.

California Public Resources Code

Several PRC sections protect paleontological resources. Section 5097.5 prohibits "knowing and willful" excavation, removal, destruction, injury, and defacement of any paleontological feature on public lands (lands under State, county, city, district, or public authority jurisdiction, or the jurisdiction of a public corporation), except where the agency with jurisdiction has granted express permission. Section 30244 requires reasonable mitigation for impacts on paleontological resources that result from development on public lands.

Local Regulations

Yuba County Code of Ordinances

Chapter 7.07, *Sewage Disposal*, includes regulations related to community wastewater treatment and disposal systems, as well as septic systems. Permitting requirements of the County Environmental Health Department are described. This chapter is designed to protect the public and environmental health through guidance on soil testing for septic suitability, setback from streams, size and slope of parcels for septic disposal, inspections, and related topics.

Chapter 11.23, *Grading, Drainage, and Erosion Control*, provides regulations related to grading and excavations. The chapter sets forth means for controlling soil erosion and potential problems associated with grading, drainage, and other earthwork activities. The provisions provided in this chapter apply to the unincorporated areas of Yuba County.

Yuba County General Plan

Geology and soils are addressed within the *Public Health and Safety Element* and *Natural Resources Element* of the County General Plan (County 2011a).

The *Public Health and Safety Element* contains the following goals, policies, and implementation action that address geology and soils within the County:

- **Goal HS3: Water Quality.** Preserve, protect, and improve the quality of regional water supplies.
    - **Policy HS3.8:** New developments in areas with moderate, severe, and very severe erosion potential shall provide technical documentation, to the satisfaction of the County, that adequate measures have been taken in site planning, design, and/or mitigation to avoid erosion and sediment loss.
- **Goal HS8: Geology and Soils.** Reduce risk to people and property from geologic hazards and soil limitations.
    - **Policy HS8.3:** A grading permit from the County is required for movement of dirt, soil, rock, debris or other material on over one acre of land and construction of retaining walls, bridges, and fill operations exceeding four feet, unless the activity is listed in the County Code as exempt from grading requirements.
    - **Policy HS8.4:** Grading permits generally require submittal of grading plans and drainage study for review and approval by the Community Development and Services Agency, and where requested, a revegetation and winterization plan, and geotechnical investigation report.
    - **Policy HS8.5:** An erosion and sediment control plan meeting County standards for preventing to increased discharge of sediment is required for:
        - Projects that propose to grade more than 10,000 square feet of area having a slope greater than ten percent;
        - Clearing and grubbing areas of one acre or more regardless of slope;
        - Projects where more than 2,500 square feet will be inadequately protected from erosion during any portion of the rainy season;
        - Projects that involve grading will occur within 50 feet of any watercourse; or
        - Where the County determines that the grading will or may pose a significant erosion, or sediment discharge hazard for any reason.
    - **Policy HS8.6:** Project applicants may be required to show evidence of coverage, or application for coverage, under an NPDES general construction permit and a Storm Water Pollution Prevention Plan (SWPPP) with a State issued W.D.I.D. number, if applicable. Grading activities shall be located and designed to avoid contributing to the violation of provisions of any applicable NPDES stormwater discharge permit.

- **Policy HS8.7:** Grading activities shall be designed, per County standards, to avoid obstructing or impeding the natural flow of stormwaters, causing accelerated erosion, or aggravating any existing flooding condition.

- **Policy HS8.8:** For engineered grading, the peak off-site storm water discharge from the project site shall not exceed pre-construction conditions unless the applicant demonstrates that downstream storm water conveyance systems have sufficient capacity to handle the increased flow rate without exceeding established design standards, subject to County approval.

- **Policy HS8.9:** Grading activity and land disturbance shall be conducted such that the smallest practicable area of erodible land is exposed at any one time.

- **Policy HS8.10:** Grading activities shall preserve natural features, including vegetation, terrain, watercourses and similar resources, wherever feasible.

- **Policy HS8.11**: Grading activities within 400 feet of a landside levee toe shall require a registered geotechnical engineer to submit a stamped report demonstrating that the proposed action will not have an adverse impact on the integrity of the levee system. Agricultural practices are generally exempt from setback requirements except for the storage of agricultural waste.

- **Policy HS8.13:** Grading permittees shall be responsible for the prevention of damage to any adjacent public utilities or services and adjacent properties. No person(s) shall excavate or fill close to the property line without supporting and protecting such property from damage which may result. It shall be the responsibility of the permittee to control discharge of sediment and hazardous materials to any watercourse, drainage system, or adjacent property.

- **Policy HS8.14:** New developments that would involve earth disturbance of areas with slopes exceeding 5 percent shall prepare and implement an erosion control plan, subject to County approval.

- **Action HS8.1: Grading Permits, Erosion Control Plans, Drainage Studies, and Geotechnical Evaluations.** The County will update and maintain standards designed to avoid geologic hazards, mitigate for soils related constraints, reduce impacts to hydrological and drainage conditions, and minimize erosion resulting from site grading and preparation, construction, and ongoing operations. Projects will be conditioned to include measures to avoid geologic and soils related impacts, as necessary.

  The County will require a geotechnical evaluation prior to construction of buildings meant for public occupancy in areas with potential risk related to geologic condition or soil limitations, as identified on maps maintained by the County. The geotechnical evaluation shall evaluate all relevant risks, which may include but are not limited to liquefaction, erosion, landslide, expansive soils, subsidence, and seismic activity. Recommendations from the geotechnical evaluation shall be incorporated into the subject project or plan in order to reduce risk to levels acceptable to the County. The County will also incorporate geotechnical evaluations and recommendations into its own public investments, as appropriate. [Goal HS3 and Goal HS8]

4.5.1.2 Existing Conditions

Regional Geology

Yuba County is located within the Central Valley Geomorphic Province, which encompasses the Sacramento and San Joaquin valleys. This province is an alluvial plain approximately 50 miles wide and 400 miles long, stretching from Redding to just south of Bakersfield. Yuba County's landscape varies from the Feather River valley to the west upward through the rolling foothills region in the central part of the County, into the Sierra Nevada in the eastern third of the County. Elevation in the County ranges from about 30 feet above mean sea level along the Feather River to approximately 4,800 feet above sea level in the northeastern corner of the County.

Major rivers and streams in Yuba County include: Feather River, along the western boundary of the County; Bear River along the southern boundary of the County; South Honcut Creek along the northern boundary of the County; and Yuba River, which flows westward across the central portion of the County, joining the Feather River at the City of Marysville. Major deposits of aggregate resources and gold deposits occur in the valley along the Yuba River. Geologic units within Yuba County, as mapped by the California Geologic Survey (CGS), are separated into three categories: Tertiary and Quaternary alluvial deposits; the Smartsville Complex; and the Central Belt of the Sierra Nevada. These categories roughly correspond with the valley, foothills, and mountain regions of the County, proceeding from west to east (County 2011b).

The majority of the western, valley portion of the County is underlain by Tertiary and Quaternary alluvium, including artificial till, dredge, or mine tailings, natural levee and channel deposits, basin deposits, landslide deposits, lake, fan, and terrace deposits. This alluvial material includes poorly sorted stream and basin deposits ranging from clay to boulder sized. Named units include Pleistocene-aged deposits of the Modesto and Riverbank formations, which are alluvial terrace and fan deposits of gravel, sand, silt, and clay. Older alluvial deposits include Pliocene-aged Laguna formation deposits of interbedded alluvial gravel, sand, and silt; as well as Eocene-aged auriferous (gold-bearing) gravels along the Yuba River. Aquifers in the North and South Yuba basins are comprised of these continental alluvial deposits. The cumulative thickness of the aquifer units increases from a few hundred feet near the Sierra Nevada foothills to over 1,400 feet along the western margin of the basin. The base of the aquifer system overlies the Pretertiary metamorphosed igneous and sedimentary rocks of the Sierra Nevada block (County 2011b).

The Smartsville Complex is located in the foothills area in the central portion of the County. The Smartsville Complex consists of a volcanic arc assemblage of sedimentary, volcanic, and plutonic rocks. This material includes marine sandstone, conglomerate, slate, siltstone, and Jurassic-aged volcanic rocks. Other rocks of the Smartsville Complex include volcanic diorite and tonalite, mafic and felsic dikes, gabbro, diabase, and ultramafic rocks. The ultramafic rocks of the Smartsville Complex are partly to completely serpentinized and potentially contain asbestos. The Central Belt of the Sierra Nevada includes plutonic rocks (granite and granitic rocks) of Jurassic and Cretaceous age, as well as a complex assemblage of metamorphic rocks of Paleozoic and Mesozoic (Triassic and Jurassic) age. The metamorphic rocks include metasedimentary and metavolcanic rocks, and potentially asbestos-bearing ultramafic rocks (County 2011b).

Faults and Seismic Hazards

Yuba County is located within an area of California with relatively low seismic activity, where damaging earthquakes are rare. Faults in Yuba County include primarily inactive faults of the Foothills Fault System, which is a complex, braided system of individual fault segments that extends for approximately 200 miles from Mariposa in the south to Lake Almanor in the north. Within Yuba County, the Foothills Fault System runs south-southeastward across the central portion of the County near Loma Rica, Browns Valley, and Smartsville. Most of the faults within the Foothill System have moved between 700,000 and 10,000 years ago (County 2011b).

Several faults that have experienced displacement within the past 10,000 years are located within a 60-mile radius of the County, including the Cleveland Hill Fault in south Butte County near Oroville Dam in 1975, the Dog Valley Fault northeast of Truckee in 1966, and the Warm Springs Valley Fault between Doyle and Calneva in 1950. Other faults with movement during the Holocene (less than 10,000 years ago) include the Dunnigan Hills Fault between Dunnigan and Zamora, the Hunting Creek Fault (north of Lake Berryessa), faults on the south end of Clear Lake, the Indian Valley Fault southeast of Lake Almanor, and the North Tahoe Fault in Lake Tahoe (County 2011b).

According to the Department of Conservation (DOC) – California Geological Survey's Earthquake Zones of Required Investigation, Yuba County is not within a mapped Alquist-Priolo Fault Zone. Further, the County is not mapped in a State-designated area where strong seismic ground shaking, or secondary seismic events such as liquefaction, landslides, or seiche are likely to occur (DOC 2024).

Soils and Soil Hazards

Soil properties influence the development of building sites, including the site selection, structure design, construction, performance after construction, and site and structure maintenance. Soils located around rivers, ponds, and lakes are typically those with limitations related to ponding, saturation, and flooding. These limitations can affect the capacity of a soil type to support a load.

Erosion

Soils located in areas of steep topography are prone to erosion when they are disturbed. A direct correlation exists between slope and erosion hazard. Areas with less topographic differences are not as prone to erosion hazards. Highly erosive soils can damage roads, bridges, buildings, and other structures. Erosion hazards of disturbed soil are described as slight, moderate, severe, or very severe:

- Slight: Erosion is unlikely under ordinary climatic conditions.
- Moderate: Some erosion is likely and erosion control measures may be needed.
- Severe: Erosion is very likely and erosion control measures such as revegetation of bare areas may be needed.
- Very severe: Significant erosion is expected, loss of soil productivity and off-site damage are likely, and erosion control measures are costly and generally impractical (County 2011b).

The County consists primarily of areas of slight erosion hazard, which are concentrated in the western portion of the County. Areas that have erosion hazards with moderate to very severe potential are

located in the foothill and mountain areas in the central and eastern part of the County. Areas with the most severe erosion hazards include the Yuba River and North Yuba River valleys upstream from Smartsville (County 2011b).

Shrink-Swell Potential

Expansive or shrink-swell soils contain significant amounts of clay minerals that swell when wet and shrink when dry. These clays tend to swell despite the heavy loads imposed by large structures. Damage such as cracking of foundations results from differential movement and from the repetition of the shrink-swell cycle. The majority of the soils in the County have a low shrink-swell potential. Soils that have high shrink-swell potential are more common on the western end of the County, with some soils having moderate shrink-swell potential also located in valleys in the easternmost part of the County (County 2011b).

Hazardous Minerals

CGS monitors minerals related to environmental and public health issues such as asbestos and mercury. In cooperation with the California Air Resources Board (CARB), CGS provides geologic information on natural asbestos occurrences in California to state and local government agencies, as well as to the general public (County 2011b). Hazardous minerals in Yuba County are discussed below.

Naturally Occurring Asbestos

Asbestos is a naturally occurring mineral in California. Asbestos occurrences are most commonly associated with the mineral serpentinite and partially serpentinized ultramafic rocks. Asbestos is a known carcinogen and inhalation of asbestos fibers may result in the development of lung cancer, mesothelioma, and gastrointestinal cancer. Yuba County is known to contain serpentine or ultramafic rock that is common to foothill areas of the region. According to the California Geologic Survey, naturally occurring asbestos may be present in the northeastern portion of Yuba County (County 2011b).

Construction within Yuba County must identify if it is operating in serpentine, or ultramafic rock and must comply with requirements outlined in the CARB Asbestos Air Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations or for Surfacing Applications. This measure is designed to reduce potential exposure to naturally occurring asbestos (County 2011b).

Radon

Radon gas forms during the decay of uranium, which is naturally found in rock, water, and soil. Radon migrates to the surface via cracks or fractures in the earth's crust and is sometimes carried through overlying substrate by other soil gases such as methane, ethane, propane, carbon dioxide, and helium. Radon-222 is the isotope of most concern to public health because it has a much longer half-life (3.8 days) than other radon isotopes (radon-219 at 4 seconds and radon 220 at 55.3 seconds). The longer half-life allows radon-222 to migrate farther through soil, making more radon-222 available to enter buildings than any of the other radon isotopes (County 2011b).

Mercury

Past gold mining activities utilized mercury for ore extraction in Yuba County, and the Yuba River is considered a major source of mercury loading in the Sacramento River watershed. The potential health

risks associated with mercury include neurological dysfunction, particularly in children. Mercury is ingested by humans mainly through fish and food consumption (County 2011b).

Potential impacts from hazardous minerals as a result of implementation of the proposed Program are addressed in Section 4.7, *Hazards and Hazardous Materials.*

Paleontological Resources

A paleontologically important rock unit is one that has a high potential paleontological productivity rating and is known to have produced unique, scientifically important fossils. The potential paleontological productivity rating of a rock unit exposed at a site refers to the abundance/densities of fossil specimens and/or previously recorded fossil sites in exposures of the unit in and near an area to be developed. Exposure of a specific rock unit at a site is most likely to yield fossil remains representing particular species in quantities or densities similar to those previously recorded from the unit in the surrounding area.

There are no recorded vertebrate fossil sites within Yuba County; however, Pleistocene-age vertebrate fossils have been recorded west of Yuba County in several localities within Sutter County, including the Sutter Buttes, and several localities in Yolo County and the City of Sacramento have yielded Rancholabrean-age fossils (County 2011b).

4.5.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed Program would have a significant impact associated with geology, soils, mineral resources, or paleontological resources if the Program would:

1. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (i) rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; (ii) strong seismic ground shaking; (iii) seismic-related ground failure, including liquefaction; or (iv) landslides;

2. Result in substantial soil erosion or the loss of topsoil;

3. 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 the on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;

4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property;

5. 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;

6. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

4.5.3 Impact Analysis

GEO-1 The proposed Program would not directly or indirectly cause potential substantial adverse effects involving rupture of a known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction or landslides.

Yuba County is located within an area of California with relatively low seismic activity, where damaging earthquakes are rare. Faults in Yuba County include primarily inactive faults of the Foothills Fault System. Within Yuba County, the Foothills Fault System runs south-southeastward across the central portion of the County near Loma Rica, Browns Valley, and Smartsville. Most of the faults within the Foothill System have moved between 700,000 and 10,000 years ago. There are no Alquist-Priolo Earthquake Fault Zones located in Yuba County. Secondary seismic hazards are seismically induced landslides, soil liquefaction, and related types of ground failure events, such as differential settlement and lateral spread. However, as the County is not located within a highly active fault zone and the risk of strong ground shaking is low, secondary seismic events including soil liquefaction and landslides are also low. Additionally, development in the County is restricted in areas with steep slopes, which are more susceptible to hazards related to unstable soils (County 2011b).

New development within the County would be required by law to conform to the CBC. The Yuba County Building Department ensures that all new construction complies with current codes and ordinances regarding earthquake safety. Proper engineering, including compliance with the CBC, would minimize the risk to life and property. The proposed broadband infrastructure would be installed primarily within existing County-maintained roads and ROW, public utility easements, and/or existing overhead public utility easements of record throughout the County. As fiber optic lines and/or utility poles would be located primarily in road shoulders, the risk of localized ground failure is assumed to have already been minimized through previous grading, compaction, and use of engineered fills. Further, design and construction of individual broadband projects would be required to comply with the CBC and other applicable engineering specifications and grading regulations that would further reduce the potential for adverse effects due to seismic events or landslides. Therefore, this impact would be less than significant.

Significance without Mitigation: Less than significant impact.

GEO-2 The proposed Program would not result in substantial soil erosion or loss of topsoil.

Areas of slight erosion hazard are concentrated in the western portion of Yuba County. Areas that have erosion hazards with moderate to very severe potential are located in the foothill and mountain areas in the central and eastern part of the County. Areas with the most severe erosion hazards include the Yuba River and North Yuba River valleys upstream from Smartsville. However, there are numerous State and local regulations in place that limit the potential for development to substantially increase erosion.

Construction of individual broadband projects under the proposed Program would require ground disturbance, including vegetation clearing, trenching, directional drilling, fill placement, pole placement excavation, and staging. The disturbed soil could be exposed to wind and water erosion and loss of topsoil. Any projects that disturb over one acre of soil would be required to comply with the California Construction General Permit Order 2009-0009-DWQ (as amended by 2010-0014-DWQ and 2012-0006-DWQ), which requires implementation of a SWPPP and specific best management practices (BMPs) to

prevent erosion. Typical erosion-prevention measures such as silt fences, stakes straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover would be used to minimize erosion impacts. As individual broadband projects implemented under the proposed Program would be required to adhere to relevant County code provisions as well as the Construction General Permit, the Program's impact on erosion and loss of topsoil would be less than significant.

If an individual broadband project would disturb more than one acre of soil, a SWPPP with project specific BMP would be required. Additionally, adherence to relevant policies and implementation programs, as well as other State and County regulatory programs, would adequately address the potential effects on unstable slopes and erosion. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

GEO-3 The proposed Program would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Program, and potentially result in the on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

As noted under Impact GEO-1, there is a low probability of secondary seismic events in the County. New development within the County would be required by law to conform to the CBC. Since landslides and liquefaction would be most likely to occur during or following an earthquake and as severe earthquake risk is deemed to be low, the risk and danger of liquefaction occurring within the County is also low. Subsidence potential is also known to be minimal throughout the County and most likely to occur in areas where substantial underground mining activity has occurred.

Hazards associated with unstable soils or geologic units are dependent on site-specific conditions, as well as the specific nature of the individual broadband project. With adherence to CBC requirements, including seismic design criteria as required by the CBC and local building code requirements, broadband infrastructure would be designed to minimize potential risks related to unstable soils and geologic units. Additionally, prior to construction of individual broadband projects, a preliminary soils report would be prepared. If the preliminary soils report indicates soil problems that would lead to structural defects, a soils investigation of each individual broadband project area would be required. Adherence to the Yuba County Code of Ordinances, policies and implementation programs, and other State regulations, as well as preparation of a soil report, would adequately address the potential risks of unstable soils. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

GEO-4 The proposed Program would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) and would not create substantial direct or indirect risks to life or property.

Soils that contain high proportions of clay are referred to as expansive soils, due to the high shrink-swell potential of clay. The shrink-swell potential is based primarily on the moisture content of the clay. Soils with a high clay content occur in the County; therefore, development of the proposed Program has the potential to occur on expansive soils. Roads and building foundations built on clay soils may be affected by changes in soil volumes over time as the soils go through wet/dry cycles. In general, most of the areas

in Yuba County with the greatest limitations related to shrink-swell potential are located in the floodplains of the Feather River along the western edge of the County.

Individual broadband projects would be subject to the CBC Section 1808.6, which requires design features for foundations of buildings and structures in areas subject to expansive soils. Prior to construction of broadband infrastructure, a preliminary soils report would be required to be prepared and the potential for expansive soil to occur on the project site would be analyzed. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems that would lead to structural defects, a soils investigation of each individual broadband project area would be required. Preparation of a preliminary soils report prior to construction of broadband infrastructure and adherence to CBC requirements would adequately address the potential effects on expansive soils. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

GEO-5 The proposed Program would not require the use of septic tanks or an alternative wastewater disposal system.

The proposed Program would install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. Implementation of the proposed Program would not require the use of a septic or alternative water disposal system. Therefore, no impact would occur.

Significance without Mitigation: No impact.

GEO-6 The proposed Program would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

While there are no known vertebrate fossils reported in Yuba County, vertebrate fossil sites may occur in Yuba County where surveys have not been previously conducted. Pleistocene alluvial deposits in the valley portion of the County could harbor previously unknown paleontological resources. Construction in these areas could result in the loss or disturbance of fossils or other paleontological resources.

Individual broadband projects would primarily be constructed in disturbed public roadways that have been previously graded, compacted, and filled to construct the roads. These previously disturbed portions of the County would not contain paleontological resources. Where individual broadband projects would require drilling through rock or excavation into paleontological soil, it is possible that intact, unique paleontological resources could be present within paleontologically sensitive rock formations and could be affected by the proposed Program. Specifically, those resources could be damaged or destroyed during installation of fiber optic line. As the Program would primarily be implemented in previously disturbed and/or developed areas, and as the County is not considered sensitive for paleontological resources, impacts to paleontological resources would be less than significant.

Significance without Mitigation: Less than significant impact.

4.5.4 Cumulative Impacts

GEO-7 The proposed Program would not result in a significant cumulative impact with respect to geology and soils.

Cumulative impacts would occur when the proposed Program, in combination with other projects and plans/projections in Yuba County, would directly or indirectly cause adverse effects involving fault rupture, strong seismic ground shaking, seismic-related ground failure, or landslides; result in soil erosion or the loss of topsoil; be located on unstable soil that could result in landslide, lateral spreading, subsidence, liquefaction, or collapse; be located on expansive soil; have soils incapable of adequately supporting septic tanks; or directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. The context for analyzing cumulative impacts to geological and soils resources is limited to the immediate area of geologic constraint, with the exception of some geologic impacts that are regional such as earthquake risk. As discussed above under Impact GEO-1 through GEO-6, the proposed Program would result in a less than significant impact on geology and soils

The analysis of cumulative impacts is based on impacts of the proposed Program and the other projects in the County as listed in Table 4-1, Yuba County Cumulative Projects List, in Chapter 4.0, Environmental Impact Analysis. The analysis is based on a combination of the list and plans/projections approaches, which includes various road maintenance and rehabilitation, road system management and operations, and bike and pedestrian infrastructure improvement projects. Individual broadband projects under the proposed Program could be constructed concurrently with, and in proximity to, other transportation projects in El Dorado County. While geotechnical impacts may be associated with other developments in proximity to the proposed Program, several potential impacts (e.g., unstable soils, expansive soils, liquefaction, soil erosion, and paleontological resources) are site specific, and would be addressed on a project-specific basis. Seismically induced geologic hazards and unstable soil hazards are site-specific and depend on local conditions as well as the characteristics of the overlying improvements.

Seismic impacts are a regional issue and are addressed through compliance with applicable codes and design standards. Thus, individual projects (of the type included in Table 4-1) do not increase the potential for seismic events, as the effects would be based on site-specific underlying conditions and proximity to the source of the seismic event. Therefore, implementation of the proposed Program would not contribute to a greater cumulative impact to seismic ground shaking or fault rupture.

Implementation of site-specific SWPPPs would reduce the potential for erosion hazards from construction of broadband infrastructure as a result of the Program. Impacts from erosion or loss of topsoil for other cumulative projects may require site-specific analysis to determine the soil's permeability, slope, angle and length, extent of groundcover, and human influence on the sites; however, all projects in the cumulative setting would be required to adhere to similar erosion control requirements. Construction of the proposed Program, and other cumulative projects in the area, would be required to adhere to all federal, State, and local programs, requirements, and policies pertaining to building safety and construction permitting. Paleontology is an area of research and concern generally not applicable to the County. Given the geology of the County and that individual broadband projects would be constructed on previously disturbed and/or developed areas, the potential impacts to paleontological resources from construction of the proposed Program would be less than cumulatively considerable. Therefore, the proposed project would not result in a cumulatively considerable impact with respect to geology and soils, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

4.5.5 References

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4.6 GREENHOUSE GAS EMISSIONS

This section describes the regulatory framework and existing conditions related to greenhouse gas (GHG), evaluates the potential GHG emissions impacts that could occur as a result of implementation of the proposed Program, and details mitigation measures needed to reduce significant impacts, as necessary. The potential effects on GHG emissions were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance. No issues were identified or raised during scoping that pertained to GHGs.

4.6.1 Environmental Setting

4.6.1.1 Climate Change Overview

Global climate change refers to changes in average climatic conditions on Earth including temperature, wind patterns, precipitation, and storms. Global temperatures are moderated by atmospheric gases. These gases are commonly referred to as GHGs because they function like a greenhouse by letting sunlight in but preventing heat from escaping, thus warming the Earth's atmosphere.

GHGs are emitted by natural processes and human (anthropogenic) activities. Anthropogenic GHG emissions are primarily associated with: (1) the burning of fossil fuels during motorized transport, electricity generation, natural gas consumption, industrial activity, manufacturing, and other activities; (2) deforestation; (3) agricultural activity; and, (4) solid waste decomposition.

The GHGs defined under California's Assembly Bill (AB) 32, described below, include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF_6). Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. Estimates of GHG emissions are commonly presented in carbon dioxide equivalents (CO_2e), which weigh each gas by its global warming potential (GWP). Expressing GHG emissions in CO_2e takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO_2 were being emitted. GHG emissions quantities in this analysis are presented in metric tons (MT) of CO_2e.

4.6.1.2 Greenhouse Gases

The GHGs defined under California's AB 32 include CO_2, CH_4, N_2O, HFC, PFC, and SF_6.

Carbon Dioxide. CO_2 is the most important and common anthropogenic GHG. CO_2 is an odorless, colorless GHG. Natural sources include the decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungi; evaporation from oceans; and volcanic outgassing. Anthropogenic sources of CO_2 include burning fuels, such as coal, oil, natural gas, and wood. Data from ice cores indicate that CO_2 concentrations remained steady prior to the current period for approximately 10,000 years. The atmospheric CO_2 concentration in 2010 was 390 ppm, 39 percent above the concentration at the start of the Industrial Revolution (about 280 ppm in 1750). As of February 2025, the CO_2 concentration exceeded 423.64 ppm, a 52 percent increase since 1750 (National Oceanic and Atmospheric Administration [NOAA] 2025).

Methane. CH_4 is the main component of natural gas used in homes. A natural source of methane is from the decay of organic matter. Geological deposits known as natural gas fields contain methane, which is

extracted for fuel. Other sources are from decay of organic material in landfills, fermentation of manure, and cattle digestion.

Nitrous Oxide. N_2O is produced by both natural and human-related sources. N_2O is emitted during agricultural and industrial activities, as well as during the combustion of fossil fuels and solid waste. Primary human-related sources of N_2O are agricultural soil management, animal manure management, sewage treatment, mobile and stationary combustion of fossil fuel, adipic (fatty) acid production, and nitric acid production.

Hydrofluorocarbons. Fluorocarbons are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. Chlorofluorocarbons (CFC) are nontoxic, nonflammable, insoluble, and chemically nonreactive in the troposphere (the level of air at Earth's surface). CFCs were first synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. They destroy stratospheric ozone; therefore, their production was stopped as required by the 1989 Montreal Protocol.

Sulfur Hexafluoride. SF_6 is an inorganic, odorless, colorless, nontoxic, nonflammable gas. SF_6 is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semi-conductor manufacturing, and as a tracer gas for leak detection.

GHGs have long atmospheric lifetimes that range from one year to several thousand years. Long atmospheric lifetimes allow for GHG emissions to disperse around the globe. Because GHG emissions vary widely in the power of their climatic effects, climate scientists have established a unit called global warming potential (GWP). The GWP of a gas is a measure of both potency and lifespan in the atmosphere as compared to CO_2. For example, a gas with a GWP of 10 is 10 times more potent than CO_2 over 100 years. CO_2e is a quantity that enables all GHG emissions to be considered as a group despite their varying GWP. The GWP of each GHG is multiplied by the prevalence of that gas to produce CO_2e.

Historically, GHG emission inventories have been calculated using the GWPs from the IPCC's Second Assessment Report (AR2). In 2007, IPCC updated the GWP values based on the latest science at the time in its Fourth Assessment Report (AR4). In 2013, IPCC again updated the GWP values based on the latest science at the time in its Fifth Assessment Report (AR5) (IPCC 2013). In 2021, IPCC again updated the GWP values based on the latest science in the Sixth Assessment Report (IPCC 2021). However, the United Nations Framework Convention on Climate Change (UNFCCC) reporting guidelines for national inventories require the use of GWP values from the AR5. To comply with international reporting standards under the UNFCCC, official emission estimates for California and the U.S. are reported using AR5 GWP values, as Statewide and national GHG inventories have not yet updated their GWP values to the AR6 values. GHG emissions in this analysis are reported using the AR5 GWP values.

By applying the GWP ratios, CO_2e emissions can be tabulated in MT per year. Typically, the GWP ratio corresponding to the warming potential of CO_2 over a 100-year period is used as a baseline. The atmospheric lifetime and GWP of selected GHGs are summarized in Table 4.6-1, Global Warming Potentials and Atmospheric Lifetimes.

Table 1.6-1
GLOBAL WARMING POTENTIALS AND ATMOSPHERIC LIFETIMES

Greenhouse Gas	Atmospheric Lifetime (years)	IPCC SAR GWP	IPCC AR4 GWP	IPCC AR5 GWP	IPCC AR6 GWP
Carbon Dioxide (CO_2)	50-200	1	1	1	1
Methane (CH_4)	12	21	25	28	27
Nitrous Oxide (N_2O)	114	310	298	265	273
HFC-134a	14	1,300	1,430	1,300	1,530
PFC: Tetrafluoromethane (CF_4)	50,000	6,500	7,390	6,630	7,380
PFC: Hexafluoroethane (C_2F_6)	10,000	9,200	12,200	11,100	12,400
Sulfur Hexafluoride (SF_6)	3,200	23,900	22,800	23,500	24,300

Source: IPCC 2021
IPCC = Intergovernmental Panel on Climate Change; GWP = global warming potential; HFC = hydrofluorocarbon; PFC = perfluorocarbon

4.6.1.3 Regulatory Framework

This section describes federal, State, regional, and local environmental laws and policies that are relevant to the California Environmental Quality Act (CEQA) review process for GHG. These policies provide context for the impact discussion related to the proposed Program's consistency with the applicable regulatory conditions.

Federal Regulations

4.6.1.3.1.1 Federal Clean Air Act

The U.S. Supreme Court ruled on April 2, 2007, in *Massachusetts v. U.S. Environmental Protection Agency* that CO_2 is an air pollutant, as defined under the CAA, and that the USEPA has the authority to regulate emissions of GHGs. The USEPA announced that GHGs (including CO_2, CH_4, N_2O, HFC, PFC, and SF_6) threaten the public health and welfare of the American people (USEPA 2021).

State Regulations

There are numerous State plans, policies, regulations, and laws related to GHG emissions and global climate change. Following is a discussion of some of these plans, policies, and regulations that (1) establish overall State policies and GHG emission reduction targets; (2) require State or local actions that result in direct or indirect GHG emission reductions for the proposed Program; and, (3) require CEQA analysis of GHG emissions. The following plans, policies, and regulations may be applicable to the Program.

4.6.1.3.1.2 Executive Order S-3-05

On June 1, 2005, Executive Order (EO) S-3-05 proclaimed that California is vulnerable to climate change impacts. It declared that increased temperatures could reduce snowpack in the Sierra Nevada, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To avoid or reduce climate change impacts, EO S-3-05 calls for a reduction in GHG emissions to the year 2000 level by 2010, to year 1990 levels by 2020, and to 80 percent below 1990 levels by 2050. Executive Orders are not laws and can only provide the governor's direction to State agencies to act within their authority to reinforce existing laws.

4.6.1.3.1.3 Assembly Bill 32 – Global Warming Solution Act of 2006

The California Global Warming Solutions Act of 2006, widely known as AB 32, requires that CARB develop and enforce regulations for the reporting and verification of Statewide GHG emissions. CARB is directed by AB 32 to set a GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill requires CARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG emission reductions.

4.6.1.3.1.4 Executive Order B-30-15

On April 29, 2015, EO B-30-15 established a California GHG emission reduction target of 40 percent below 1990 levels by 2030. The EO aligns California's GHG emission reduction targets with those of leading international governments, including the 28 nation European Union. California is on track to meet or exceed the target of reducing GHGs emissions to 1990 levels by 2020, as established in AB 32. California's new emission reduction target of 40 percent below 1990 levels by 2030 will make it possible to reach the goal established by EO S-3-05 of reducing emissions 80 percent under 1990 levels by 2050.

4.6.1.3.1.5 Senate Bill 32

Senate Bill (SB) 32 (Amendments to the California Global Warming Solutions Action of 2006) extends California's GHG reduction programs beyond 2020. SB 32 amended the Health and Safety Code to include Section 38566, which contains language to authorize CARB to achieve a Statewide GHG emission reduction of at least 40 percent below 1990 levels by no later than December 31, 2030. SB 32 codified the targets established by EO B-30-15 for 2030, which set the next interim step in the State's continuing efforts to pursue the long-term target expressed in EO B-30-15 of 80 percent below 1990 emissions levels by 2050.

4.6.1.3.1.6 Assembly Bill 197

A condition of approval for SB 32 was the passage of AB 197. AB 197 requires that CARB consider the social costs of GHG emissions and prioritize direct reductions in GHG emissions at mobile sources and large stationary sources. AB 197 also gives the California legislature more oversight over CARB through the addition of two legislatively appointed members to the CARB Board and the establishment a legislative committee to make recommendations about CARB programs to the legislature.

4.6.1.3.1.7 Senate Bill 375

SB 375, the Sustainable Communities and Climate Protection Act of 2008, supports the State's climate action goals to reduce GHG emissions through coordinated transportation and land use planning with the goal of more sustainable communities.

Under the Sustainable Communities Act, CARB sets regional targets for GHG emissions reductions from passenger vehicle use. In 2010, CARB established these targets for 2020 and 2035 for each region covered by one of the State's metropolitan planning organizations (MPOs). CARB periodically reviews and updates the targets, as needed.

Each of California's MPOs must prepare a Sustainable Communities Strategy (SCS) as an integral part of its regional transportation plan (RTP). The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its GHG emission reduction targets. Once adopted

by the MPO, the RTP/SCS guides the transportation policies and investments for the region. CARB must review the adopted SCS to confirm and accept the MPO's determination that the SCS, if implemented, would meet the regional GHG targets. If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate alternative planning strategy (APS) to meet the targets. The APS is not a part of the RTP. Qualified projects consistent with an approved SCS or Alternative Planning Strategy categorized as "transit priority projects" would receive incentives to streamline CEQA processing.

4.6.1.3.1.8 Executive Order N-79-20

EO N-79-20, signed by Governor Newsom on September 23, 2020, establishes three goals for the implementation of zero emissions vehicles in California: first, 100 percent of in-State sales of new passenger cars and trucks will be zero-emissions by 2035; second, 100 percent of medium- and heavy-duty vehicles in the State will be zero-emissions vehicles by 2045 for all operations where feasible, and by 2035 for drayage trucks; and third, 100 percent of off-road vehicles and equipment will be zero emissions by 2035 where feasible.

4.6.1.3.1.9 Assembly Bill 1279

Approved by Governor Newsom on September 16, 2022, AB 1279, the California Climate Crisis Act, declares the policy of the State to achieve net zero GHG emissions as soon as possible, but no later than 2045, and achieve and maintain net negative GHG emissions thereafter, and to ensure that by 2045, Statewide anthropogenic GHG emissions are reduced to at least 85 percent below the 1990 levels. AB 1279 anticipates achieving these policies through direct GHG emissions reductions, removal of CO_2 from the atmosphere (carbon capture), and an almost complete transition away from fossil fuels.

4.6.1.3.1.10 Senate Bill 905

Approved by Governor Newsom on September 16, 2022, SB 905, Carbon Sequestration: Carbon Capture, Removal, Utilization, and Storage Program, requires CARB to establish a Carbon Capture, Removal, Utilization, and Storage Program to evaluate the efficacy, safety, and viability of carbon capture, utilization, or storage technologies and CO_2 removal technologies and facilitate the capture and sequestration of CO_2 from those technologies, where appropriate. SB 905 is an integral part of achieving the State policies mandated in AB 1279.

4.6.1.3.1.11 California Air Resources Board Scoping Plan

The Scoping Plan is a strategy CARB develops and updates at least once every five years, as required by AB 32. It lays out the transformations needed across our society and economy to reduce emissions and reach our climate targets. The current 2022 Scoping Plan is the third update to the original plan that was adopted in 2008. The initial 2008 Scoping Plan laid out a path to achieve the AB 32 mandate of returning to 1990 levels of GHG emissions by 2020, a reduction of approximately 15 percent below business as usual. The 2008 Scoping Plan included a mix of incentives, regulations, and carbon pricing, laying out the portfolio approach to addressing climate change and clearly making the case for using multiple tools to meet California's GHG targets. The 2013 Scoping Plan assessed progress toward achieving the 2020 mandate and made the case for addressing short-lived climate pollutants (SLCPs). The 2017 Scoping Plan also assessed progress toward achieving the 2020 limit and provided a technologically feasible and cost-effective path to achieving the SB 32 mandate of reducing GHGs by at least 40 percent below 1990 levels by 2030.

On December 15, 2022, CARB approved the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan). The 2022 Scoping Plan lays out a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels no later than 2045, as directed by AB 1279. The actions and outcomes in the plan will achieve significant reductions in fossil fuel combustion by deploying clean technologies and fuels; further reductions in SLCPs; support for sustainable development; increased action on natural and working lands to reduce emissions and sequester carbon; and the capture and storage of carbon (CARB 2022).

Local Regulations and Plans

4.6.1.3.1.12 Feather River Air Quality Management District

Currently the Feather River Air Quality Management District (FRAQMD) has not established thresholds of significance for GHG emissions, nor has it published any goals, implementation measures, or guidance regarding GHG. Instead, FRAQMD recommends local lead agencies refer to a paper entitled *CEQA and Climate Change* prepared by the California Air Pollution Control Officers Association (CAPCOA 2008).

4.6.1.3.1.13 Yuba County General Plan

Greenhouse gas emissions are addressed within the *Public Health and Safety Element* of the County General Plan (County 2011a).

The *Public Health and Safety Element* contains the following goal and policies that address greenhouse gases within the County:

- **Goal HS5: Greenhouse Gas Emissions & Climate Change.** Provide greenhouse gas-efficient development patterns and successfully adapt to future changes in Yuba County's climate.
    - **Policy HS5.1:** The County will guide land use change, direct investments, and apply its fees and programs to encourage more GHG-efficient development patterns, as feasible.
    - **Policy HS5.2:** The County's regulations, investments, and fee programs should be structured to reduce net GHG emissions for new development in the unincorporated County consistent with the level of emissions needed per-capita or per service population to achieve the County's fair share of the State's emissions mandate.
    - **Policy HS5.3:** Since transportation is the largest sector contributing to GHG emissions both locally and at the Statewide level, the County will prioritize land use/transportation projects that manage travel demand by increasing housing/employment density, placing homes in closer proximity with destinations, increasing accessibility to transit, or otherwise decreasing vehicle miles traveled (per household, per capita, and/ or per employee).
    - **Policy HS5.4:** The County will use an efficiency-based threshold (net emissions per-capita + employee) to evaluate proposed urban land uses, such as homes, retail, office, and other uses where the location, density, and mix of uses in the project area is important to the level of greenhouse gas generation.

- **Policy HS5.6:** The County relies, in part, on infrastructure planning and funding controlled by regional, State, and other local agencies, and will work cooperatively with these agencies to provide infrastructure and public facilities needed to support GHG-efficient development patterns.

- **Policy HS5.7:** The County will work collaboratively with State agencies and public/private utility providers charged with regulating building efficiency, mobile-source emissions controls, energy sources and uses, and other components of GHG emissions to create the opportunity for more GHG-efficient local development.

4.6.1.4 Existing Conditions

State GHG Inventories

CARB performs Statewide GHG inventories. The inventory is divided into six broad sectors: agriculture and forestry, commercial, electricity generation, industrial, residential, and transportation. Emissions are quantified in MMT CO_2e. Table 4.6-2, California GHG Emissions by Sector, shows the estimated Statewide GHG emissions for the years 1990, 2000, 2020, and 2022.

Table 4.6-2
CALIFORNIA GHG EMISSIONS BY SECTOR

Sector	Emissions (MMT CO_2e)			
	1990	**2000**	**2020**	**2022**
Agriculture and Forestry	18.9 (4%)	30.8 (7%)	31.4 (9%)	29.8 (8%)
Commercial and Residential	44.1 (10%)	44.3 (10%)	39.0 (11%)	39.5 (11%)
Electricity Generation	110.5 (26%)	104.7 (22%)	59.5 (16%)	59.8 (16%)
High Global Warming Potential	-	6.6 (1%)	21.3 (6%)	21.3 (6%)
Industrial	105.3 (24%)	92.8 (20%)	73.6 (20%)	72.7 (20%)
Recycling and Waste	-	7.0 (2%)	8.5 (2%)	8.2 (2%)
Transportation	150.6 (35%)	176.7 (38%)	135.2 (37%)	139.9 (38%)
Unspecified Remaining	1.3 (<1%)	0.0 (0%)	0.0 (0%)	0.0 (0%)
Total	**430.7**	**462.9**	**368.5**	**371.1**

Source: CARB 2007 and CARB 2025

As shown in Table 4.6-2, Statewide GHG emissions totaled approximately 463 MMT CO_2e in 2000, 369 MMT CO_2e in 2020, and 371 MMT CO_2e in 2022. Transportation-related emissions consistently contribute the most GHG emissions, followed by electricity generation and industrial emissions.

4.6.1.5 Methodology

GHG emissions that would result from the construction of the proposed Program were calculated using CalEEMod, Version 2022.1, as described in Section 4.2, *Air Quality*. CalEEMod output files for the proposed Program are included in Appendix F to this Program Environmental Impact Report (EIR).

4.6.1.6 Construction Emissions

The CalEEMod input and assumptions for modeling construction emissions are described in Section 4.2, *Air Quality*.

4.6.1.7 Operation Emissions

Operation of the individual broadband projects under the proposed Program would not result in a population increase and would not generate new vehicle trips beyond occasional maintenance activities. Individual broadband projects would produce negligible operational emissions due to the limited number of maintenance trips and therefore operational GHG emissions were not calculated.

4.6.2 Significance Thresholds

According to Appendix G of the CEQA Guidelines, the following criteria may be considered in establishing the significance of GHG emissions:

1. Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; and

2. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.

The determination of significance is governed by CEQA Guidelines 15064.4, entitled "Determining the Significance of Impacts from Greenhouse Gas Emissions." CEQA Guidelines Section 15064.4(a) states, "[t]he determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in Section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to … [use a quantitative model or qualitative model]" (emphasis added). In turn, CEQA Guidelines Section 15064.4(b) clarifies that a lead agency should consider "Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project." Therefore, consistent with CEQA Guidelines Section 15064.4, the GHG emissions analysis for the project appropriately relies upon a threshold based on the exercise of careful judgement and believed to be appropriate in the context of this project.

The FRAQMD has not established GHG thresholds of significance or other guidance for determining the significance of a land use development project's GHG impacts. The Sacramento Metropolitan Air Quality Management District (SMAQMD) has adopted GHG emissions thresholds which consider a development project's fair share contribution to the State's post 2030 GHG reduction goals, including the 2045 net zero GHG emission goal mandated by AB 1279. For short-term construction GHG emissions, the guidance and threshold of significance from the SMAQMD were used. The SMAQMD recommends a bright line threshold of 1,100 MT CO_2e per year to determine the significance of a project's construction GHG emissions (SMAQMD 2020).

4.6.3 Impact Analysis

GHG-1 Implementation of the proposed Program would not generate GHG emissions that may have a significant impact on the environment.

4.6.3.1.1.1 Construction Emissions

The proposed Program's temporary construction method emissions were estimated using CalEEMod as described in Section 4.6.1.5 *Methodology*. The proposed Program's construction period GHG emissions,

assuming construction at up to 10 individual broadband project construction sites, are compared to SMAQMD's construction GHG emission threshold in Table 4.6-3, Construction GHG Emissions. The complete CalEEMod output is provided in Appendix F to this Program EIR.

Table 4.6-3
CONSTRUCTION GHG EMISSIONS

Year of Emissions	2025 Emissions (MT CO_2e)
2025 (10 Sites)	30.04
SMAQMD Threshold	1,100
Exceed Threshold?	**No**

Source: CalEEMod (Output data is provided in Appendix F)

As shown in Table 4.6-3, the annual proposed Program construction emissions would not exceed SMAQMD's construction GHG emission threshold, and the impact would be less than significant.

Additionally, construction emissions would be short-term and temporary and would not result in long-term emissions. Therefore, impacts related to construction would be less than significant.

4.6.3.1.1.2 Operation Emissions

Operation of the individual broadband projects under the proposed Program would not result in a population increase and would not generate new vehicle trips beyond occasional maintenance activities. An emergency backup generator may be used at some of the individual broadband sites in the event of a power outage or for routine testing. Monthly routine testing is assumed to last 15 minutes at one time. As routine use of backup generators would be limited, individual broadband projects would produce minimal operational emissions. Therefore, the individual broadband projects would produce negligible operational GHG emissions.

Impact Conclusion

The proposed Program's emissions would not exceed SMAQMD's GHG construction emission threshold. Once operational, the individual broadband projects would produce negligible GHG emissions. Therefore, implementation of the proposed Program would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

GHG-2 Implementation of the proposed Program would not conflict with or obstruct implementation of applicable GHG reduction plans, policies, or regulations.

There are numerous State plans, policies, and regulations adopted for the purpose of reducing GHG emissions. The original overall State plan and policy was AB 32, the California Global Warming Solutions Act of 2006. The quantitative goal of AB 32 was to reduce GHG emissions to 1990 levels by 2020. Senate Bill (SB) 32 extended the requirements of AB 32 by requiring further reductions of 40 percent below 1990 levels by 2030. AB 1279, the California Climate Crisis Act, was approved on September 16, 2022, and declares the policy of the State to achieve net zero GHG emissions as soon as possible, but no later than 2045, and achieve and maintain net negative GHG emissions thereafter, and to ensure that by 2045, Statewide anthropogenic GHG emissions are reduced to at least 85 percent below the 1990 levels.

The 2022 CARB Scoping Plan lays out a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels no later than 2045, as directed by AB 1279. Statewide plans and regulations such as GHG emissions standards for vehicles (AB 1493), the LCFS, and regulations requiring an increasing fraction of electricity to be generated from renewable sources are being implemented at the Statewide level; as such, compliance at the Program level is not addressed. Therefore, the proposed Program would not conflict with those plans and regulations.

GHG emissions are addressed within the *Public Health and Safety Element* of the County General Plan (County 2011a). As discussed under Impact GHG-1, above, the annual Program construction emissions would not exceed SMAQMD's construction GHG threshold. Additionally, once operational, the individual broadband projects would produce negligible GHG emissions. Therefore, the proposed Program would be consistent with the County General Plan and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. The impact would be less than significant.

Significance without Mitigation: Less than significant impact.

4.6.4 Cumulative Impact

GHG-3 The proposed Program would not contribute to a significant cumulative impact to regional and State GHG emissions.

This analysis of cumulative impacts is based on the impacts of the proposed Program and other cumulative projects and plans/projections in the County. As shown in Table 4-1, Yuba County Cumulative Projects List, in Chapter 4.0, Environmental Impact Analysis, numerous projects are planned within the County. As noted above, climate change impacts are cumulative. Given the relatively small levels of emissions generated by the proposed Program in relationship to the total amount of GHG emissions generated on a national or global basis, individual broadband projects are not expected to result in significant, direct impacts with respect to climate change. However, given the magnitude of the impact of GHG emissions on the global climate, GHG emissions from new development could result in significant, cumulative impacts with respect to climate change. As demonstrated in Impacts GHG-1 and GHG-2 above, the proposed Program would not result in a cumulatively considerable contribution to significant cumulative GHG emissions and would not conflict with or obstruct applicable plans related to GHG emission reductions. Therefore, the proposed Program's contribution to regional and State GHG emissions would not be cumulatively considerable, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

4.6.5 References

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4.7 HAZARDS AND HAZARDOUS MATERIALS

This section describes the regulatory framework and existing conditions related to hazards and hazardous materials, evaluates the potential impacts that could occur as a result of implementation of the proposed Program, and details mitigation measures needed to reduce significant impacts, as necessary. The potential effects on hazards and hazardous materials were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance. No issues were identified or raised during scoping that pertain to hazards and hazardous materials.

4.7.1 Environmental Setting

4.7.1.1 Overview of Hazards and Hazardous Materials

For purposes of this section, the term "hazardous materials" refers to both hazardous substances and hazardous wastes. A "hazardous material" is defined in the Code of Federal Regulations (CFR) as "a substance or material that … is capable of posing an unreasonable risk to health, safety, and property when transported in commerce" (49 CFR 171.8). California Health and Safety Code Section 25501 defines a hazardous material as follows:

> "Hazardous material" means any material that, because of its quantity, concentration, or physical, or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.

"Hazardous wastes" are defined in California Health and Safety Code Section 25141(b) as wastes that:

… because of their quantity, concentration, or physical, chemical, or infectious characteristics, [may either] cause, or significantly contribute to an increase in mortality or an increase in serious illness [or] pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

4.7.1.2 Regulatory Framework

Development of the proposed Program is subject to numerous regulatory requirements and industry standards related to the storage, transport, and use of hazardous materials. Most regulations originate at the State and federal levels, with enforcement by local agencies.

Federal Regulations

Resource Conservation and Recovery Act of 1976

Federal hazardous waste laws are largely promulgated under the Resource Conservation and Recovery Act (RCRA) (40 CFR, Part 260), as amended by the Hazardous and Solid Waste Amendments of 1984 (which are primarily intended to prevent releases from leaking underground storage tanks). These laws provide for the "cradle to grave" regulation of hazardous wastes. Specifically, under RCRA any business,

institution, or other entity that generates hazardous waste is required to identify and track it from the point of generation until it is recycled, reused, or disposed of. The U.S. Environmental Protection Agency (USEPA) has the primary responsibility for implementing RCRA, although individual states are encouraged to seek authorization to implement some or all RCRA provisions.

Comprehensive Environmental Response, Compensation, and Liability Act

The 1980 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, provides federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Federal actions related to the Superfund are limited to sites on the National Priorities List for cleanup activities, with the listings based on the USEPA Hazard Ranking System which is a numerical ranking system used to screen potential sites based on criteria such as the likelihood and nature of hazardous material release, and the potential to affect people or environmental resources. The Superfund was amended by the Superfund Amendments and Reauthorization Act (SARA) in 1986 as outlined below.

Superfund Amendments and Reauthorization Act

SARA is intended primarily to address the emergency management of accidental releases, and to establish state and local emergency planning committees responsible for collecting hazardous material inventory, handling, and transportation data. Specifically, under Title III of SARA, a nationwide emergency planning and response program established reporting requirements for businesses that store, handle or produce significant quantities of hazardous or acutely toxic substances as defined under federal laws. Title III of SARA also requires each state to implement a comprehensive system to inform federal authorities, local agencies and the public when significant quantities of hazardous or acutely toxic substances are stored or handled at a facility. These data are made available to the community at large under the “right-to-know” provision, with SARA also requiring annual reporting of continuous emissions and accidental releases of specified compounds.

Federal Aviation Regulations

Federal Aviation Regulations (FAR) Title 14 Part 77 (FAR Part 77) addresses the safe, efficient use, and preservation of navigable airspace. The purpose of the FAR Part 77 is to establish the following:

- The requirements to provide notice to the Federal Aviation Administration (FAA) of certain proposed construction, or the alteration of existing structures;
- The standards used to determine obstructions to air navigation, and navigational and communication facilities;
- The process for aeronautical studies of obstructions to air navigation or navigational facilities to determine the effect on the safe and efficient use of navigable airspace, air navigation facilities or equipment; and
- The process to petition the FAA for discretionary review of determinations, revisions, and extensions of determinations.

Section 77.9 of FAR Part 77 lists the types of construction or alterations that require filing notice with the FAA, including any construction or alteration more than 200 feet above ground level at its site.

State Regulations

California hazardous materials and waste regulations are equally or more stringent than federal regulations. The USEPA has granted the State primary oversight responsibility to administer and enforce hazardous waste management programs. State regulations require planning and management to ensure that hazardous materials are handled, stored, and disposed of properly to reduce risks to human health and the environment. Several important State laws pertaining to hazardous materials and wastes are discussed below.

Hazardous Material Transportation Act

The U.S. Department of Transportation (DOT) regulates hazardous materials transportation under Title 49 of the Code of Federal Regulations (CFR), which requires the U.S. DOT's Office of Hazardous Materials Safety to generate regulations for the safe transportation of hazardous materials. The California Highway Patrol (CHP) and California Department of Transportation (Caltrans) are the State agencies with primary responsibility for enforcing federal and State regulations and responding to hazardous materials transportation emergencies. These agencies also govern permitting for hazardous materials transportation within the State.

Caltrans has the discretionary authority to issue special permits for the movement of vehicles/loads exceeding statutory limitations on the size, weight, and loading of vehicles contained in Division 15 of the California Vehicle Code. Requests for such special permits require the completion and application for a Transportation Permit.

California Environmental Protection Agency

The California Environmental Protection Agency (CalEPA) was created in 1991, unifying California's environmental authority in a single cabinet-level agency and bringing the California Air Resources Board, State Water Resources Control Board (SWRCB), Regional Water Quality Control Boards (RWQCB), California Department of Resources Recycling and Recovery (formerly the Integrated Waste Management Board), Department of Toxic Substances Control (DTSC), Office of Environmental Health Hazard Assessment, and Department of Pesticide Regulation under one agency. These agencies were placed within the CalEPA as the "umbrella" for the protection of human health and the environment and to ensure the coordinated deployment of State resources. Its mission is to restore, protect, and enhance the environment, to ensure public health, environmental quality, and economic vitality.

California Department of Toxic Substances Control

The DTSC, which is a department of the CalEPA, is authorized to carry out the federal hazardous waste program in California to protect people from exposure to hazardous wastes. The department regulates hazardous waste, cleans up existing contamination, and looks for ways to control and reduce the hazardous waste produced in California. Permitting, inspection, compliance, and corrective action programs ensure that people who manage hazardous waste follow federal and State requirements and other laws that affect hazardous waste specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning.

California Division of Occupational Safety and Health

Occupational safety standards exist in federal and State laws to minimize worker safety risks from both physical and chemical hazards in the workplace. The California Division of Occupational Safety and Health (Cal/OSHA) and the federal Occupational Safety and Health Administration (OSHA) are the agencies responsible for assuring worker safety in the workplace.

Cal/OSHA assumes primary responsibility for developing and enforcing standards for safe workplaces and work practices within the State. At sites known to be contaminated, a site safety plan must be prepared to protect workers. The site safety plan establishes policies and procedures to protect workers and the public from exposure to potential hazards to the contaminated site.

Airport Land Use Compatibility Plans

In 1967, the State of California amended the State Aeronautics Act (Pub. Util. Code, § 21670 et seq.) by adding a requirement for the establishment of airport land use commissions (ALUCs) in counties with one or more airports serving the general public. In 1970, the legislature further amended the State Aeronautics Act requiring each ALUC to develop airport land use compatibility plans (ALUCPs) for areas around public-use and military airports in their jurisdiction. ALUCs are charged with assisting local agencies in ensuring compatible land uses in the vicinity of all new airports or heliports and existing airports or heliports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses (Pub. Util. Code, § 21674). ALUCs are also charged with coordinating planning at the State, regional and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare (Pub. Util. Code, § 21674(b)); to prepare and adopt airport land use plans; and to review and make recommendations concerning specified plans, regulations and other actions of local agencies and airport operators.

Although standards established by the FAA form the basis of the safety and noise restrictions, each ALUC is responsible for adopting and tailoring these standards to the specific airport and for enforcing them. The ALUCP is the primary document used by an ALUC to promote compatibility between an airport and the surrounding area. More specifically, the ALUCP is regulatory in nature and should act as a guide for the ALUC and local jurisdictions in safeguarding the general welfare of the public as the airport and the area surrounding the airport grows. The ALUCP also serves as a tool for the ALUC in fulfilling its duty to review airport and land use development proposals within the airport influence area. The ALUCP is the key to implementation of ALUC policies related to proposed land development in the vicinity of the airport. The ALUCP provides the standards, criteria, and policies on which the compatibility of proposed local land use policy actions are determined. The ALUCP also establishes the planning boundaries around airports that define noise, safety, airspace protection, and overflight notification, for policy implementation.

California Building Code

The State of California provided a minimum standard for building design through the California Building Code (CBC), which is located in Part 2 of Title 24 of the California Code of Regulations (CCR). The CBC is based on the 2015 International Building Code (IBC) but has been modified for California conditions. The CBC is updated every three years, and the current 2022 CBC went into effect January 1, 2023. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan-checked by local county building officials for compliance with the typical fire safety requirements of the CBC, including the installation of sprinklers in

all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas.

California Fire Code

The California Fire Code (CFC) is Part 9 of CCR Title 24, Building Standards Code. The CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, fire hydrant locations and distribution, and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas. Chapter 49 of the CFC contains requirements for Wildland-Urban Interface (WUI) areas and prescribes construction materials and methods in fire hazard severity zones (FHSZ); requirements generally parallel CBC Chapter 7A. The CFC is updated on a three-year cycle; the current 2022 CFC took effect on January 1, 2023.

California Public Resources Code

California Public Resources Code (PRC) Sections 4291 *et seq*. require that brush, flammable vegetation, or combustible growth within 100 feet of buildings be removed. Vegetation that is more than 30 feet from the building, less than 18 inches high, and important for soil stability, may be maintained; as may single specimens of trees or other vegetation that are maintained so as to manage fuels and not form a means of rapid fire transmission from other nearby vegetation to a structure. Requirements regarding hazardous vegetation and fuel management are also contained in Sections 4906 and 4907 of the CFC.

State Responsibility Areas (SRA) are defined by PRC Section 4102 as areas of the State in which the California Board of Forestry and Fire Protection has determined that the financial responsibility for preventing and suppressing fires lies with the State of California. SRAs are lands in California where the California Department of Forestry and Fire Protection (CAL FIRE) has legal and financial responsibility for wildfire protection. SRA lands typically are unincorporated areas of a county, are not federally owned, have wildland vegetation cover, have housing densities lower than three units per acre, and have watershed or range/forage value. In practice, some local government agencies (in this case, local volunteer fire districts), may also provide first response in some SRAs, in coordination with their local CAL FIRE unit. PRC Sections 4201-4204 directs CAL FIRE to map fire hazards within SRAs based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified by the department as a major cause of wildfire spread. These FHSZ classify a wildland zone as Moderate, High, or Very High fire hazard based on the average hazard across the area included in the zone.

Federal Responsibility Areas (FRA) are lands owned and managed by the federal government, which bears regulatory and financial responsibility for wildfire prevention and suppression on those lands.

Local Responsibility Areas (LRA) include lands that do not meet criteria for SRAs or FRAs, or are lands in incorporated areas, cultivated agricultural lands, and nonflammable areas in the unincorporated parts of a county. LRAs can include flammable vegetation and wildland-urban interface areas. LRA fire protection is provided by city or local fire departments, fire protection districts, county fire departments, or by contract with CAL FIRE.

PRC Section 4290 requires the California Board of Forestry and Fire Protection to adopt regulations implementing minimum fire safety standards for defensible space that would be applicable to lands within SRAs and lands within Very High Fire Hazard Severity Zones (VHFHSZ) of LRAs.

California Emergency Management Agency

The California Emergency Management Agency adopted the State Hazard Mitigation Plan (SHMP) in 2007. This plan is the official statement of California's Statewide hazard mitigation goals, strategies, and priorities. Hazard mitigation can be defined as any action taken to reduce or eliminate long-term risk to life and property by natural and human caused disasters. The plan, required under federal law, includes chapters on hazard assessment, local hazard mitigation planning, and mitigation strategy. The current SHMP was updated in 2023 and will expire on August 29, 2028.

California Department of Forestry and Fire Protection

The California Department of Forestry and Fire Protection has mapped fire threat potential throughout California. The CAL FIRE ranks fire threat based on the availability of fuel and the likelihood of an area burning (based on topography, fire history, and climate). The rankings include no fire threat, moderate, high, and very high fire threat. Additionally, CAL FIRE produced the *2018 Strategic Fire Plan for California*, discussed below, which contains goals, objectives, and policies to prepare for and mitigate for the effects of fire on California's natural and built environments.

2018 California Strategic Fire Plan

The Board of Forestry and Fire Protection's Strategic Fire Plan provides an overall vision for a built and natural environment that is more fire resilient through coordination and partnerships of local, State, federal, tribal, and private entities. First developed in the 1930s, the Strategic Fire Plan is periodically updated; the current plan was prepared in 2018. The Plan analyzes and addresses the effects of climate change, overly dense forests, prolonged drought, tree mortality, and increased severity of wildland fires through goals and strategies. The primary goals of the 2018 Strategic Fire Plan are to do the following.

- Improve the availability and use of consistent, shared information on hazard and risk assessment.
- Promote the role of local planning processes, including general plans, new development, and existing developments, and recognize individual landowner/homeowner responsibilities.
- Foster a shared vision among communities and the multiple fire protection jurisdictions, including county-based plans and community-based plans such as Community Wildfire Protection Plans.
- Increase awareness and actions to improve fire resistance of man-made assets at risk and fire resilience of wildland environments through natural resource management.
- Integrate implementation of fire and vegetative fuels management practices consistent with the priorities of landowners or managers.
- Determine and seek the needed level of resources for fire prevention, natural resource management, fire suppression and related services.

- Implement needed assessments and actions for post-fire protection and recovery (CAL FIRE 2018).

Regional Regulations

2021 Strategic Fire Plan – CAL FIRE Nevada-Yuba-Placer Unit

Yuba County (County) is located within the jurisdiction of CAL FIRE's Nevada-Yuba-Placer Unit (NEU). The 2021 Strategic Fire Plan for the NEU incorporates and develops goals from the Statewide 2019 CAL FIRE Strategic Plan to reduce the risks to citizens and emergency responders from wildland fire. The plan serves to assist local government in developing standards, policies, and plans, and implements local and landscape level projects and programs that decrease fire risk and increase the potential for success on initial attack (CAL FIRE 2021).

Regional Water Quality Control Board

The Porter-Cologne Water Quality Act established the State Water Resources Control Board and divided the State into nine regional basins, each under the jurisdiction of a Regional Water Quality Control Basin. The Central Valley Regional Water Quality Control Board (CVRWQCB) is responsible for establishing water quality standards in Yuba County and has the authority to require groundwater investigations when the quality of groundwater or surface waters of the State is threatened and to require remediation actions, if necessary.

Local Regulations

Yuba County Office of Emergency Services

The Yuba County Office of Emergency Servies (OES) coordinates all emergency management between public safety and service providers during larger-scale or complex events-- your local law enforcement/fire department handles day-to-day calls. To help prepare the County and other organizations for emergency response, OES also provides planning and training services. During an emergency, the County uses the Standardized Emergency Management System (SEMS) and the Incident Command System (ICS) to ensure close coordination between police, fire, military personnel, medical service providers, FEMA, and other agencies. Additionally, the County OES created an Emergency Operations Plan to advise how to evacuate in the event of a wildland fire (County 2015).

Yuba County Evacuation Plan

With advance warning, evacuation can be effective in reducing life loss and injury during a catastrophic event. The main transportation corridors that can serve as evacuation routes for Yuba County are State Routes (SR) 20, SR 70, and SR 65 in the lower half of the County and Marysville Road, a two-lane road traversing the northern half of the County from east to west. Marysville Road initiates at SR 20 in the west end and terminates in the east at SR 49. Marysville Road is fed by Frenchtown Road from the north and Rice's Crossing from the south. The northernmost portion of the County is serviced by the La Porte–Quincy Road (County 2011a).

In the event of an emergency, the Yuba County Sheriff's Office and the OES use the CodeRED platform to broadcast evacuation instructions. Additionally, the OES update evacuation zones during emergencies via the Zonehaven platform.

2021 Local Hazard Mitigation Plan Update

The 2021 update of the Yuba County Local Hazard Mitigation Plan (LHMP) serves to update the 2015 FEMA-approved Yuba County LHMP. The purpose of the LHMP is to guide and assist Yuba County in the implementation of effective hazard mitigation strategies, projects, and measures to protect lives and reduce damage to property and the environment. The LHMP is a multi-jurisdictional plan and has been approved by all jurisdictions within the County. The LHMP provides a forum and a process for collaboration and commitment among governmental agencies, establishing community partnerships throughout the County (County 2021).

Yuba County Emergency Operations Plan

The County of Yuba Emergency Operations Plan (EOP) describes the County's emergency management organization, the Standardized Emergency Management Systems (SEMS), the National Incident Management System (NIMS), roles, responsibilities, and administrative practices. Included in the plan are standard operating procedures (SOPs), memorandums of understanding (MOUs), resource manuals, and agreements that support the plan. The plan is used as a functional guide and strategic planning resource for both the County and its incorporated cities. It is meant to reflect the most recent advances in emergency operations at the local, State, and federal levels. The most significant change to date has been the adoption of the NIMS at all levels of government, and the plan has been updated accordingly.

Yuba County Department of Environmental Health

The Yuba County Department of Environmental Health of the Community Development and Services Agency is tasked with the permitting, inspection, and regulation of County food facilities, septic systems, wells, hotels, public water systems, solid waste facilities, swimming pools, spas, Underground Storage Tanks (USTs), above ground storage tanks, and hazardous materials business plans, as well as the enforcement of federal, State, and local laws pertaining to hazardous materials and wastes. The Department also administers the County's Certified Unified Program Agency (CUPA) to ensure public and environmental safety. Under Senate Bill 1082, the CUPA consolidates, coordinates, and makes consistent the regulatory activities of several hazardous materials and hazardous waste programs through implementation at the local level.

Yuba County Hazardous Materials Area Plan

There are numerous businesses in Yuba County that manufacture, store, sell, use and dispose of hazardous materials. Additionally, large volumes of hazardous materials are transported through the County on various transportation corridors such as railway and highways. The Yuba County Hazardous Materials Area Plan, also referred to as the Area Plan, is an emergency response plan that protects the public, environment, and properties from an accidental release involving chemicals.

This Area Plan fulfills the CUPA regulatory program requirements per State law. The Area Plan describes the County's pre-incident planning and preparedness for hazardous materials releases, and defines the roles and responsibilities of federal, State, and local agencies during a hazardous materials incident. It describes the County's hazardous materials incident response program, training, communications and post-incident recovery procedures.

Yuba County Airport Land Use Compatibility Plan

The Yuba County Airport Land Use Compatibility Plan (ALUCP) is one of a series of compatibility plans adopted by the Sacramento Area Council of Governments (SACOG) acting in its capacity as the Airport Land Use Commission (ALUC) for Sacramento, Sutter, Yolo, and Yuba counties. The basic function of the plan is to promote compatibility between Yuba County Airport and the land uses surrounding it to the extent that these areas have not already been devoted to incompatible uses. The plan accomplishes this function through establishment of a set of compatibility criteria applicable to new development around the airport (SACOG 2011).

Brownsville Aeropines Airport Comprehensive Land Use Plan

The Brownsville Aeropines Airport Comprehensive Land Use Plan (CLUP) is one of a series of compatibility plans adopted by SACOG acting in its capacity as the ALUC for Sacramento, Sutter, Yolo, and Yuba counties. The CLUP provides the land use compatibility guidelines on which compatibility of land uses are determined. It also establishes the planning boundaries around the airport. Planning boundaries are established for height, noise, and safety (SACOG 1990).

Beale Air Force Base Land Use Compatibility Plan

This Beale Air Force Base Land Use Compatibility Plan is one of a series of compatibility plans adopted by SACOG acting in its capacity as the ALUC for Sacramento, Sutter, Yolo, and Yuba Counties. The basic function of the plan is to promote compatibility between Beale Air Force Base (AFB) and the land uses surrounding it to the extent that these areas have not already been devoted to incompatible uses. The plan accomplishes this function through establishment of a set of compatibility criteria applicable to new development around the airport (SACOG 2010).

Yuba County Code of Ordinances

Section 7.05.340 requires that materials which are chemically hazardous or radioactive shall be collected or disposed of in compliance with State law.

Chapter 9.50, *Encroachments on County Roads,* stipulates traffic control, routing, and protective measures for construction work within County road ROW.

Chapter 10.15, *Firebreaks,* enforces measures to protect property owners' new buildings or structures from fire and provide a safe area for firefighters, for the preservation of public peace, health and safety.

Chapter 10.30, *Floodplain Management Ordinance*, includes minimizing public and private losses due to flood conditions within flood prone, mudslide or flood related erosion areas. In order to accomplish its purposes, this ordinance includes regulations to:

- restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;
- require that uses vulnerable to flood, including facilities which serve such uses, be protected against flood damage at the time of initial construction, and mitigated to prevent future losses for existing structure;

- control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

- control filling, grading, dredging, and other development which may increase flood damage; and

- prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

Section 11.26.110 applies to discharge to water or sewers and solid wastes. This section states that liquids and solids of any kind shall not be discharged, whether directly or indirectly, into a public or private body of water, sewage system, storm water system, watercourse, or into the ground, except in compliance with applicable regulations of the CVRWQCB. Additionally, solid wastes shall be handled and stored so as to prevent nuisances, health, safety and fire hazards, and to facilitate recycling.

Section 11.26.120 applies to fire and explosive hazards, and requires that all activities, processes and uses involving the use of, or storage of, flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion. Firefighting and fire suppression equipment and devices standard in industry shall be approved by local fire district. With the exception of waste allowed by the fire authority and air quality management district, all incineration is prohibited with the exception of those substances such as, but not limited to, chemicals, insecticides, hospital materials and waste products, required by law to be disposed of by burning, and those instances wherein the fire authority deems it a practical necessity.

Section 11.26.130 applies to hazardous and extremely hazardous materials. The use, handling, storage and transportation of hazardous and extremely hazardous materials shall comply with the provisions of the California Hazardous Materials Regulations and the CFC and CBC, as well as the laws and regulations of the DTSC and the County Environmental Health Agency. Activities, processes, and uses shall not generate or emit any fissionable or radioactive materials into the atmosphere, a sewage system or onto the ground.

Yuba County General Plan

Hazards and hazardous materials are addressed within the *Public Health and Safety Element* of the County General Plan (County 2011b).

The *Public Health and Safety Element* contains the following goal and policy that address hazards and hazardous materials within the County:

- **Goal HS1: Flood Protection.** Reduce flood risk for the County's people and property.

    - **Policy HS1.3:** The County may allow non-residential improvements within the 100-year floodplain so long as the proposed improvements do not:

        - Increase flood heights or velocities;

        - Inhibit emergency access;

        - Create excessive costs in providing governmental services during or after flooding;

- Interfere with the existing waterflow capacity of the floodway;
- Substantially increase erosion and/or sedimentation; or
- Contribute to the deterioration of any watercourse or the quality of water in any body of water.

- **Goal HS2: Fire Risk**. Protect people and property from wildland and urban fire risk and create more fire- resilient communities.
    - **Policy HS2.1:** Prior to approval, new developments proposed in areas of Very High, High, or Moderate fire hazard, as designated on maps maintained by CAL FIRE, shall demonstrate compliance with Fire Safety Regulations and local regulations for defensible space, ignition-resistant construction materials, property maintenance to reduce fuels, natural hazards disclosure requirements, emergency access and multiple access points, availability of water for fire suppression, and other relevant building and development standards.
    - **Policy HS2.2:** The County will communicate with appropriate local, State, and federal fire protection personnel during the development review process and will condition projects considering input from these agencies to require defensible space, fire-wise landscaping, fuel breaks, emergency access, fire flow, hydrants, sprinkler systems, fire stations and other improvements and conditions, as appropriate.
    - **Policy HS2.4:** All community water systems serving new development projects are required to meet or exceed County minimum standards for provision of water for fire flows.
    - **Policy HS2.5:** Road and building construction on slopes of more than 15 percent is strongly discouraged and will only be approved if consistent with County standards and the Yuba County Wildfire Safety Plan.
    - **Policy HS2.6:** The County will seek funding for, and cooperate with efforts to protect watersheds, reforest areas, and restore ecosystems affected by wildfire.
    - **Policy HS2.7:** The County will use the best available science to evaluate and protect people and property from changes in fire risk attributable to climate change, insects, and disease.
    - **Policy HS2.8:** Communication and electricity infrastructure in areas prone to wildfire should be located and designed to avoid interruptions during periods of fire activity.
    - **Policy HS2.12:** Property owners may manage fuel load on County road easements and rights-of-way adjacent to their properties with prior approval of the County and in compliance with applicable County standards.
- **Action HS2.1 Fire Standards:** The County will maintain a planning and entitlement review process that documents compliance with State and local standards for fire safety. The County will update zoning, development, improvement standards, and building standards, as necessary,

to maintain compliance with relevant fire codes, including those maintained by CAL FIRE. County codes would be anticipated to address such topics as landscaping standards and fire-resistant plant materials, fire resistant building materials for exterior walls and other exterior features of structures, defensible space standards for different topographic conditions, sprinklers, emergency access, water supply and pressure for firefighting, building and road construction in areas prone to fire risk and greater slopes, and other relevant topics. [Goal HS2]

- **Action HS2.2 Yuba County Wildfire Safety Plan:** The County will prepare, adopt, and implement a comprehensive wildfire safety plan for foothills portions of the County with High and Very High wildfire risk. This plan will be designed to reduce fuel loads, ensure emergency access and evacuation routes, and provide incentives for property owners to improve properties in order to reduce wildfire risk and improve fire resiliency for existing developed areas.

  As a part of this planning effort, the County will collaborate with other public agencies and nonprofits to implement fire breaks and fuel reduction projects in areas of high and very high fire risk, including removal of invasive species that increase understory fuel loads. Areas of particular focus could include County roads, ridges surrounding rural communities, and defensible space around existing structures. The County will seek funding from sources, such as the Bureau of Land Management and the U.S. Department of Agriculture for fire fuel reduction projects.

  The County will collaborate with landowners in fire prone areas without adequate secondary access to improve access, add water tanks, or otherwise improve fire safety conditions. The County will seek funding to provide incentives for property owners to retrofit existing structures in high and very high fire risk areas to reduce combustibility.

  Planning for emergency access and evacuation routes will take into account records of historic fire activities affecting foothills portions of the County. Emergency access and evacuation will also take into account fire behavior modeling, including consideration of wildfire driven by winds that could limit the use of existing evacuation routes. The County will analyze and consider planning and fair-share funding of improvements needed to provide for emergency access and evacuation routes generally leading away from the head of a wildfire that has the characteristics of the worst-case predicted wildfire and secondary access allowing egress oriented in a direction of approximately 180 degrees from the previously described route.

  The County would examine fair-share funding approaches and grant funding approaches for improvements needed to provide adequate emergency access and evacuation. [Goal HS2]

- **Goal HS4: Airports.** Avoid land use conflicts with, and reduce exposure of people and property to risks from the County's airports.

  - **Policy HS4.1:** The County will collaborate with the ALUC to update local airport land use compatibility plans and will condition projects, as necessary, to ensure compliance with these plans.

  - **Policy HS4.3:** New construction within the Air Installation Compatibility Use Zone 65 dB Community Noise Equivalent Level (CNEL) noise contours for the existing and potential future missions shall use building materials and construction techniques to mitigate noise impacts.

- **Goal HS7: Hazards and Hazardous Materials.** Protect the community from the harmful effects of hazards and hazardous materials.

    - **Policy HS7.1:** The County will assess risks associated with public investments and other County-initiated actions, and new private developments shall assess and mitigate hazardous materials risks and ensure safe handling, storage, and movement in compliance with local, State, and federal safety standards.

    - **Policy HS7.3:** The County will collaborate with appropriate federal, State, and regional agencies in an effort to identify and remediate soils and groundwater contaminated with toxic materials and to identify and eliminate sources contributing to such contamination.

- **Action HS4.1: Airport Land Use Compatibility Planning.** During General Plan buildout, the County will collaborate with the Airport Land Use Commission and local airports to update compatibility plans. The County will regulate and condition new development according to restrictions of local ALUCPs. [Goal HS4 and Goal HS7]

- **Goal HS9: Emergency Preparedness and Response.** Minimize the loss of life and damage to property from natural and human-caused hazards by ensuring adequate emergency routes and response.

    - **Policy HS9.1:** The County will review development projects, plans, and public investment decisions to ensure consistency with the LHMP.

    - **Policy HS9.2:** The County will provide public access to emergency response procedures in such locations as the Government Center, the County library, and public schools and will otherwise promote awareness of emergency response and evacuation plans.

    - **Policy HS9.3:** The County will coordinate with Caltrans to maintain SRs 20, 70, 49, and 65 in the lower half of the County and the County will maintain Marysville Road, Frenchtown Road, and La Porte–Quincy Road in the upper half of the County as primary emergency access and evacuation routes and improve other roads, as necessary, such as Plumas Arboga Road, to create additional evacuation routes.

- **Action HS9.1: Emergency Access and Evacuation Routes.** The County will seek funding to implement Action Items listed in the Multi-Hazard Mitigation Plan and future revisions to this Plan, including those actions intended to avoid flooding over emergency access routes. The County will consider, as a part of future revisions to the Multi-Hazard Mitigation Plan, whether new growth accommodated under the General Plan will require improvements to circulation or drainage in order to ensure adequate emergency access and evacuation egress, even in the event of a flood. [Goal HS9]

4.7.1.3 Existing Conditions

Hazardous Materials

Hazardous materials in Yuba County are regulated through a combination of federal, State, and local regulations to ensure their safe handling, storage, transportation, and disposal. Several agencies and departments play a role in overseeing and enforcing these regulations, as discussed below.

At the federal level, the USEPA sets standards and regulations for hazardous materials under various laws, such as RCRA and CERCLA. These regulations govern the proper management, storage, and disposal of hazardous materials and address issues related to hazardous waste, contaminated sites, and emergency response.

At the State level, the DTSC has authority over hazardous materials and hazardous waste management. DTSC has established regulations and programs to ensure the safe handling, storage, and disposal of hazardous materials, including requirements for permits, inspections, and reporting.

Within Yuba County, the CUPA, which is administered by the Environmental Health Division of the Community Development and Services Agency, plays a crucial role in regulating hazardous materials. The Environmental Health Division enforces local ordinances and regulations pertaining to hazardous materials storage, handling, and disposal. This includes permitting and inspection of facilities that handle hazardous materials, responding to hazardous materials incidents, and providing guidance and education to businesses and the community on safe practices.

In addition to these regulatory agencies, there are also emergency response teams, such as local fire departments and hazardous materials response teams, that are trained and equipped to handle and mitigate hazardous materials incidents. See Section 4.10, *Public Services*, for further information on local fire departments in Yuba County.

Known Hazardous Materials Sites

The SWRCB regulates spills, leaks, investigation, and cleanup sites and maintains an online database, GeoTracker, to provide access to environmental data. The GeoTracker database tracks regulatory data regarding leaking underground storage tank (LUST) sites, fuel pipelines, and public drinking water supplies and presents it in a geographic information system format. The SWRCB GeoTracker database contains a total of 263 records for Yuba County, including: 113 LUST cleanup sites, 17 Cleanup Program Sites, 16 Land Disposal Sites, one WDR Site, 51 AGLand Domestic Wells, 53 Permitted UST Sites, two Single-Walled UST Sites, six Non-Case Information Sites, and three National Pollutant Discharge Elimination System (NPDES) Sites. Of these sites, 29 cases are currently open. Additionally, the database contains a total of 228 records for the Beale AFB, including 41 cases that are currently open (SWRCB 2024).

DTSC also maintains a list of cleanup sites and hazardous waste permitted facilities on its EnviroStor database. The EnviroStor database has 59 records for Yuba County, three of which are active. The three active records are situated within the Beale AFB (DTSC 2024).

Military Facilities

As mentioned in the section above, there are 228 records listed on the SWRCB's GeoTracker database and three records listed in the DTSC's EnviroStor database associated with past and current military operations of the Beale AFB and Camp Beale, a former Army base located in the southeastern portion of the Yuba County and western Nevada County, adjacent to the existing Beale AFB. Prior to its abandonment in 1947, Camp Beale contained six bombing ranges where ammunition for artillery, bombs, or other large weapons, were tested. Although the U.S. Army swept the grounds following base abandonment to ensure that no unexploded ordnance remained, there may be unknown unexploded ordnance missed by recovery attempts by the Army. The properties are under investigation, as listed in the DTSC EnviroStor database (County 2011a).

Significant hazardous materials contamination has been found within the Beale AFB grounds, and the base was placed on the USEPA National Priorities List in 1989 as a Superfund project. Four Operable Units, including landfills, disposal areas or spill sites, firefighting training areas, tank storage areas, and groundwater contamination and potentially contaminated surface water bodies, have been identified on the base. The primary environmental contaminants found at Beale AFB include solvents, metals, and fuels. Cleanup and mitigation for contamination is ongoing, but public access to the base is limited in order to minimize risk of exposure to the public (County 2011a).

Commercial and Industrial Uses

Hazardous materials sites in Yuba County include sites that use hazardous waste products, such oils, solvents, petroleum products, fertilizers, pesticides, solvents, welding gases, manufacturing/processing chemicals, and products that are flammable, toxic, reactive, or corrosive in significant quantities (County 2011a).

Transportation of Hazardous Materials

Hazards associated with transport of hazardous cargo exist in Yuba County because several major transportation routes pass through the area, including both highways and railroads, and a wide range of hazardous cargo is transported along these routes. Transportation infrastructure in Yuba County consists of SRs 20, 49, 65, and 70, as well as two freight railroads operated by Union Pacific Railroad (UPRR). It is important to note that SR 70 branches off of SR 99 south of Yuba County. These transit corridors receive heavy truck and trailer traffic and are the major arteries for delivery of propane gas and other volatile materials to the area. The State highway transportation corridors provide timber–logging trucks access to the railways and logging mills, increasing the potential for incidents of hazardous materials spills and transportation accidents. Hazardous cargo transported out of, into, and through Yuba County includes flammable liquids, corrosive materials, compressed and/or poisonous gases, explosives, flammable solids, and irritating materials, including underground pipelines adjacent to railroad lines (County 2011a).

Some potential exists for spills of flammable liquids after a highway or railway mishap, subsequent ignition of the liberated contents, and possible human casualties and/or property damage in the path of the burning liquid. Burning spillage can also drain into nearby streams and drainage facilities (e.g., roadside storm drains), spreading fire and increasing the area of contamination. Such an event would pose a major threat to the safety of the public and the environment (County 2011a).

Both the USEPA and the U.S. DOT regulate the overall transportation of hazardous waste and material, including transport via highway and rail. USEPA administers permitting, tracking, reporting, and operations requirements established by the RCRA. The U.S. DOT regulates the transportation of hazardous materials through implementation of the Hazardous Materials Transportation Act. This Act administers container design and labeling and driver training requirements. In addition, these established regulations are intended to track and manage the safe interstate transportation of hazardous materials and waste.

Transportation of hazardous materials on highways falls under federal legislation; however, authority is delegated to various State and local agencies that are focused on specific aspects of hazardous materials and transportation. The Hazardous Waste Control Act establishes the California Department of Health Services as the lead agency in charge of the implementation of the RCRA program. State and local agencies such as CHP, Caltrans, and the local fire departments are responsible for the enforcement of State and federal regulations and responding to hazardous materials transport emergencies. The CHP establishes State and federal hazardous material truck routes and has lead responsibility over hazardous material spills on State highways.

Other Sites of Potential Concern

Lead-Based Paint

Prior to the enactment of federal regulations limiting their use in the late 1970s, lead-based paint (LBP) was often used in residential construction. Lead is a highly toxic metal that was used for many years in products found in and around homes. Lead may cause a range of health effects, from behavioral problems and learning disabilities to seizures and death. The primary source of lead exposure in residences is deteriorating LBP. Lead dust can form when LBP is dry scraped, dry sanded, or heated. Lead dust also forms when painted surfaces bump or rub together. LBP that is in good condition is usually not considered a hazard. Regulations for LBP are contained in the Lead-Based Paint Elimination Final Rule 24 Code of Federal Regulations (CFR) 33, governed by the U.S. Department of Housing and Urban Development, requires sellers and lessors to disclose known LBP and LBP hazards to perspective purchasers and lessees. Additionally, all LBP abatement activities must comply with Cal/OSHA, federal OSHA, and DHS requirements. Only LBP trained and certified abatement personnel are allowed to perform abatement activities. All LBP removed from structures must be hauled and disposed of by a transportation company licensed to transport this type of material. In addition, the lead contaminated material must be taken to a landfill or receiving facility licensed to accept the waste.

Hazardous Minerals

CGS monitors minerals related to environmental and public health issues such as naturally occurring asbestos (NOA) and mercury. In cooperation with the California Air Resources Board (CARB), CGS provides geologic information on natural asbestos occurrences in California to State and local government agencies, as well as to the general public (County 2011a). Hazardous minerals in Yuba County are discussed below.

Naturally Occurring Asbestos

Asbestos is a naturally occurring mineral in California. Asbestos occurrences are most commonly associated with the mineral serpentinite and partially serpentinized ultramafic rocks. Asbestos is a known carcinogen and inhalation of asbestos fibers may result in the development of lung cancer,

mesothelioma, and gastrointestinal cancer. Yuba County is known to contain serpentine or ultramafic rock that is common to foothill areas of the region. According to the California Geologic Survey, NOA may be present in the northeastern portion of Yuba County (County 2011a).

Construction activity within Yuba County must identify if it is operating in serpentine, or ultramafic rock and must comply with requirements outlined in the CARB Asbestos Air Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations or for Surfacing Applications. This measure is designed to reduce potential exposure to NOA (County 2011a).

Radon

Radon gas forms during the decay of uranium, which is naturally found in rock, water, and soil. Radon migrates to the surface via cracks or fractures in the earth's crust and is sometimes carried through overlying substrate by other soil gases such as methane, ethane, propane, carbon dioxide, and helium. Radon-222 is the isotope of most concern to public health because it has a much longer half-life (3.8 days) than other radon isotopes (radon-219 at 4 seconds and radon 220 at 55.3 seconds). The longer half-life allows radon-222 to migrate farther through soil, making more radon-222 available to enter buildings than any of the other radon isotopes (County 2011a).

Mercury

Past gold mining activities utilized mercury for ore extraction in Yuba County, and the Yuba River is considered a major source of mercury loading in the Sacramento River watershed. The potential health risks associated with mercury include neurological dysfunction, particularly in children. Mercury is ingested by humans mainly through fish and food consumption. In addition, Mercury is persistent in the environment and will bioaccumulate (County 2011a).

Wildfire Risk Areas

Fires have the potential to spread rapidly with dry vegetation and rugged topography. The climate in Yuba County provides extensive dry vegetation susceptible to these risks during the dry season, generally summer and early fall. If not contained, these fires can potentially result in loss of life and property (County 2011a).

Fire Hazard Severity Zones

Public Resources Code 4201-4204 directs CAL FIRE to map fire hazard within SRA based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified by the department as a major cause of wildfire spread. These zones, referred to as Fire Hazard Severity Zones, classify a wildland zone as Moderate, High, or Very High fire hazard based on the average hazard across the area included in the zone (CAL FIRE 2023).

The foothills of western Yuba County are primarily located within LRA. The eastern portion of the County is also primarily located within SRA. In 2023, FHSZs in the SRA were mapped as Moderate, 21,366 acres; High, 69,095 acres; and Very High, 119,276 acres. Other areas in Yuba County are located within FRA, including the Beale Airforce Base and land under the jurisdiction of USFS (CAL FIRE 2023).

Fire Protection

Refer to Section 4.10, *Public Services*, of this EIR for additional information on fire protection services in Yuba County.

Airports

There are three airports located in Yuba County: Beale AFB, Yuba County Airport, and Brownsville Aeropines Airport, each governed by an ALUCP. Each ALUCP identifies the decibel-level contours that would affect surrounding land uses during airport operations and designates safety zones in which land uses are restricted to prevent interference with airport operations and ensure the safety of surrounding land uses. As previously explained, although standards established by the FAA form the basis of the safety and noise restrictions, SACOG, the County's established ALUC, is responsible for adopting and tailoring these standards to the specific airport and for enforcing them.

Beale Airforce Base

Beale AFB is located in southern Yuba County, 13 miles east of the City of Marysville, situated on 22,944 acres of federally-owned land. The AFB has buildings for operational use, base housing, and one active concrete runway. Flight paths are integrated to minimize conflict with aircraft operations from neighboring airports. Scheduled missions, practice takeoffs, landings, instrument approaches and run-up activities generally occur during hours and in areas that minimize public annoyance with regard to noise. A buffer zone around immediately adjacent areas is established to restrict sensitive land uses such as schools, daycare centers, senior centers, and other facilities where occupants have reduced effective mobility and are unable to respond to emergency situations.

Beale AFB currently has one active north-south runway, which is 12,000 feet long and 300 feet wide. This runway is capable of handling any U.S. Air Force aircraft. The U.S. Air Force maintains Clear Zones at the each end of the runway of 3,000 feet by 3,000 feet. These zones have the most restrictive regulations relative to land use because they are the areas with the highest potential for hazards such as accidents or crashes. Hazardous materials at Beale AFB include jet fuel, gasoline, and military-related items (SACOG 2010; County 2011a).

Yuba County Airport

The Yuba County Airport is located on 933 acres east of the Feather River and south of the City of Marysville. This airport has a 6,006-foot active north-south runway and a 3,281-foot crosswind runway. The airport is a general aviation facility that is prepared to handle corporate jet traffic. Hazardous materials used on-site include jet fuel, gasoline, and other hydrocarbons. No hazardous materials have been reported to have migrated off-site at this time. Fuel storage and hazardous materials are strictly regulated on-site and are stored only in appropriately designated areas. Land use designations immediately adjacent to the Yuba County Airport are limited to ensure that airport crash hazards are minimized (SACOG 2011; County 2011a).

Brownsville Aeropines Airport

The Brownsville Aeropines Airport is privately owned and is located in the northeastern portion of the County on 25 acres along La Porte Road, approximately 1.5 miles southwest of the unincorporated community of Brownsville. The airport has one single paved runway that handles approximately 8,000

take-offs and landings annually. The Clear Zone and the Approach/Departure Zone extend east and west. There are homes and other buildings within the Clear Zone and Departure Zone to the east. The Overflight Area (the area under the airport's normal traffic pattern) from this airport includes a variety of land uses in this rural community. Hazardous materials used at Brownsville Aeropines Airport are similar to those discussed above for Yuba County Airport (SACOG 1990; County 2011a).

4.7.2 Significance Thresholds

Based on Appendix G of the CEQA Guidelines, a hazards and hazardous materials impact is considered significant if implementation of the proposed Program would:

1. Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials;

2. Create a significant hazard to the public hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;

3. Emit hazardous emissions or require handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;

4. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Section 65962.5 of the California Government Code and, as a result, would create a significant hazard to the public or the environment;

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

6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

4.7.3 Impact Analysis

HAZ-1 The proposed Program would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Construction activities would mainly involve the use of hazardous materials such as fuels, lubricants, and solvents typically associated with construction equipment and vehicles. These materials are commonly used during construction and are not acutely hazardous. Operation of either underground or aboveground fiber optic conduit would not require long-transport, use, or disposal of hazardous materials; however, small quantities of hazardous materials may be used or handled during routine maintenance checks.

Project applicants, builders, and contractors for individual broadband projects would be required to use, store, and transport hazardous materials in accordance with local, State, and federal regulations, including Cal/OSHA and DTSC requirements and manufacturer's instructions, during individual broadband project construction and operation. Title 49 of the CFR, *Hazardous Materials Regulations*, includes requirements for the classification of materials, packaging, hazard communication, transportation, handling, hazardous materials employee training, and incident reporting.

The California Department of Public Health regulates the haulers of hazardous waste. A valid registration issued by DTSC is required, unless specifically exempted, to transport hazardous waste, and the California Department of Motor Vehicles (DMV) requires all hazardous materials transporters to possess a commercial driver's license with a hazardous materials endorsement. Vehicle Code Section 31303 outlines general routing and parking restrictions for hazardous material and hazardous waste shipments, and the CHP publishes a list of restricted or prohibited highways. The Federal Motor Carrier Safety Administration also maintains a Hazmat Route Registry that describes the highway routes that must be utilized for the transport of certain classes of hazardous waste that is monitored and regulated by the administration's field office and the CHP.

As individual broadband projects would be required to implement and comply with hazardous material regulations, the impact related to the creation of significant hazards to the public or environment through the routine transport, use, and disposal of hazardous materials would be less than significant.

Significance without Mitigation: Less than significant impact.

HAZ-2 The proposed Program would not 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.

Radiofrequency Energy

Utility structures, such as a telecommunications utility pole have the potential to emit radiofrequency (RF) energy, a type of electromagnetic energy. According to the Federal Communications Commission (FCC) Office of Engineering & Technology, levels of RF energy routinely encountered by the general public are typically far below levels necessary to produce significant heating and increased body temperature (FCC 1999). There have been no conclusive results that have examined the possibility of a link between RF exposure and cancer, and other studies have failed to find evidence for a causal link to cancer or any related conditions (FCC 1999). As no conclusive or causal evidence of biological effects from RF energy has been determined, there is no evidence to suggest the proposed telecommunications utility poles would cause health problems to the surrounding communities. Due to lack of evidence, the impact regarding RF energy would be less than significant.

Documented or Undocumented Hazardous Materials Site

Although the exact locations where individual broadband projects would be installed are not known at this time, installation and maintenance activities have the potential to occur within the boundaries of a known hazardous waste site or in areas with existing soil or groundwater contamination. Proposed fiber optic lines could be constructed in areas that have existing buried utilities that could contain hazardous waste. Fiber installation projects would also involve ground disturbance in the upper layers of soil along existing roadways in the Program area. Excavation activities for fiber optic line installation or during

operational maintenance activities could result in the accidental release of hazardous materials to the environment. All individual broadband projects would be required to implement and comply with all federal, State, and local regulatory requirements to reduce the potential for exposure to the public or environment to hazards. For any individual broadband project that would disturb an area greater than one acre, a Stormwater Pollution Prevention Plan (SWPPP) with construction and operational Best Management Practices (BMPs), would be required to be prepared and implemented to reduce soil erosion.

Hazardous Materials Spillage

Spills during on-site fueling of equipment during construction or an upset condition could result in a release of fuel or oils into the environment, including sensitive waterways within the vicinity of the proposed activity. In addition, subsurface hazardous materials may be encountered during construction such as hazardous minerals. Procedures regarding spill prevention and response, as well as proper handling and disposal of hazardous materials are established by federal, State, and local regulations and would be implemented as part of individual broadband projects.

Impact Conclusion

Due to the limited area of ground disturbance and short exposure window, the potential for construction activities to encounter hazardous conditions that could affect worker health, or the environment would be limited. However, as the location of individual broadband projects relative to hazardous materials sites is not yet known, there would be some potential for exposure of construction workers and the public to hazardous materials contamination during construction. If encountered, contaminated materials may be classified as hazardous waste, a designated waste, or a special waste, depending on the type and degree of contamination. If it is determined that an individual broadband project may be located near or on a hazardous materials site, a Phase I Environmental Site Assessment (ESA) would be required to be prepared by the project applicant. Therefore, impacts to reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant.

Significance without Mitigation: Less than significant impact.

HAZ-3 The proposed Program would not emit hazardous emissions or require handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

Yuba County has five school districts with 33 schools, as well as one higher learning institution and other alternative and transitional schools. Multiple schools in the County are located near roadways. Although the exact locations of the individual broadband projects are not known at this time, some of these schools may be located within one-quarter mile of proposed fiber optic line installation activities. As discussed under Impacts HAZ-1, HAZ-2, and HAZ-4, the proposed Program would be required to comply with existing federal, State, and local regulations regarding transport, use, disposal, and reasonably foreseeable upset and accident conditions of hazardous materials. However, because the location of individual broadband projects relative to hazardous materials sites is unknown and may be located within one-quarter mile of a school, there would be some potential for exposure of construction workers and the public to hazardous materials contamination during construction. If it is determined that an individual broadband project may be located near or on a hazardous materials site, a Phase I ESA

would be required to be prepared to evaluate and address potential exposure. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

HAZ-4 The proposed Program may be located on a site that is included on a list of hazardous materials compiled pursuant to Section 65962.5 of the California Government Code, but would not create a significant hazard to the public or the environment.

As discussed in Impact HAZ-2, although the exact locations where individual broadband projects would be installed are not known at this time, installation and maintenance activities have the potential to occur within the boundaries of a known hazardous waste site or in areas with existing soil or groundwater contamination. Proposed fiber optic lines could be constructed in areas that have existing buried utilities that could contain hazardous waste. Fiber installation projects would also involve ground disturbance in the upper layers of soil along existing roadways in the Program area. Disturbance of sites with known or previously unknown hazardous material contamination could cause various short-term or long-term adverse health effects in persons exposed to the hazardous substances. If new infrastructure is proposed at or near a documented or suspected hazardous materials site, investigation, remediation, and cleanup of the site would be required before construction could begin. These activities would occur under the supervision of DTSC, the RWQCB, and/or the Yuba County Department of Environmental Health, depending on the particular characteristics of each site. If an unidentified UST were to be uncovered or disturbed during construction activities, it would be sealed and abandoned in place or removed. The extent to which groundwater may be affected depends on the type of contaminant, the amount released, and depth to groundwater at the time of the release. If groundwater contamination is identified, remediation activities would be required by the CVRWQCB.

As mentioned in Section 4.9.1.2, *Existing Conditions,* SWRCB's GeoTracker database contains a total of 263 records for Yuba County, including: 113 LUST cleanup sites, 17 Cleanup Program Sites, 16 Land Disposal Sites, one WDR Site, 51 AGLand Domestic Wells, 53 Permitted UST Sites, two Single-Walled UST Sites, six Non-Case Information Sites, and three NPDES Sites. Of these sites, 29 cases are currently open. Additionally, the database contains a total of 228 records for the Beale AFB, including 41 cases that are currently open. DTSC also maintains a list of cleanup sites and hazardous waste permitted facilities on its EnviroStor database. The EnviroStor database has 59 records for Yuba County, three of which are active. The three active records are within the Beale AFB. Any development of individual broadband projects under the proposed Program would be required to address contamination to prevent the release of hazardous materials in compliance with existing regulations and under the oversight of the applicable regulatory body. If it is determined that an individual broadband project may be located near or on a hazardous materials site, a Phase I ESA would be required to be prepared to evaluate and address potential exposure. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

HAZ-5 The proposed Program may be 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, but would not result in a safety hazard or excessive noise for people residing or working in the project area.

There are three airports located in Yuba County: Beale AFB, Yuba County Airport, and Brownsville Aeropines Airport. Although standards established by the FAA form the basis of the safety and noise restrictions, SACOG, the County's established ALUC, is responsible for adopting and tailoring these standards to the specific airport and for enforcing them. Additionally, the FAA requires runway protection zones and height limits on structures near airports to reduce risks to the public. Each ALUCP identifies the decibel-level contours that would affect surrounding land uses during airport operations and designates safety zones in which land uses are restricted to prevent interference with airport operations and ensure the safety of surrounding land uses.

The proposed Program would install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. The installation of underground or overhead cables would be located primarily within existing County-maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County. The exact alignment of future broadband infrastructure is unknown at this time and would be based on such considerations as construction feasibility, local preference, and locations of sensitive environmental resources; however, it is likely that fiber optic lines may be installed along roadways within two miles of an airport.

The maximum height of an overhead utility pole constructed under an individual broadband project would be 150 feet. ALUCPs for the airports in Yuba County would restrict the construction of aboveground utility lines and poles in areas where these structures could interfere with airport operations and safety. Additionally, the aboveground structures would not be tall enough to interfere with airport operations or require filing notice with the FAA in accordance with FAR Part 77 (i.e., would not exceed 200 feet in height).

As discussed in Section 4.19, *Noise*, construction would be short-term and temporary. Once operational, individual broadband projects would only require occasional short-term maintenance from employees. The project would not result in persons working for extended periods in proximity to Yuba County airports. Compliance with the ALUCPs established by SACOG would substantially limit the potential for exposure of people to aircraft-related hazards. Therefore, the Program would not pose a safety hazard or excessive noise with regard to airport operations. The impact would be less than significant.

Significance without Mitigation: Less than significant impact.

HAZ-6 The proposed Program may impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

As discussed under Impacts HAZ-1 through HAZ-4, each individual broadband project would be required to comply with various federal, State, and local regulations to minimize the potential for emergencies, such as procedures to follow in the event of accidental spills or other releases of hazardous materials into the environment. Compliance with these regulations would ensure that on-site emergencies are addressed quickly and efficiently, and in cooperation with local emergency services providers.

Information on evacuation routes and emergency response plans in Yuba County is contained in the County LHMP. Additionally, the County EOP, Evacuation Plan, and Hazardous Materials Area Plan

provide information on emergency procedures, including preparedness, response, mitigation, and recovery. In the event of an emergency, the Yuba County Sheriff's Office is the responsible entity for declaring and directing evacuations in the case of emergencies. In the event of an emergency, the Yuba County Sheriff's Office and OES would use the CodeRED platform and local media to broadcast evacuation instructions. The entirety of Yuba County is covered by the CodeRED system, however the specific area activated is discretionary and identified by management staff at the County Emergency Operations Center and local public safety officials. The CodeRED interface is a web-based application that allows initiators to gain access anywhere an internet connection is available, eliminates the need for a single designated installation location, and allows County users to utilize GPS coordinates in determining a specific geographic area that receives emergency messages. Additionally, the OES updates evacuation zones during emergencies via the Zonehaven platform.

Construction

Construction of individual broadband projects may require temporary lane closures, which have the potential to impede or interfere with emergency access routes or services. Coordination with local agencies (e.g., CHP and local police and fire departments) for any necessary and temporary road closures would be required, especially for construction within designated emergency access routes or in areas that would impede or otherwise affect evacuation and emergency access or services. Individual broadband projects that would be located in County road ROW would be required to submit an encroachment permit to the County Public Works Department. To minimize or avoid lane closures that could interfere with traffic circulation during emergencies and disrupt access to private properties and roadways, each individual broadband project that would require the issuance of an encroachment permit would be required to develop and implement a Traffic Control Plan as stipulated in Mitigation Measure TRA-1. Standard traffic control measures specified in the Traffic Control Plan would be required for all construction activities along County road ROW, and would be subject to review and approval by the County Public Works Department. With implementation of TRA-1, potentially significant impacts from interference with emergency response or emergency evacuation plans during construction of individual broadband projects along County ROW would be reduced to less than significant.

Operation

Operational activities for individual broadband projects implemented under the proposed Program would be limited to routine maintenance and emergencies. Infrastructure such as circuit cabinets with cooling fans and/or stand-by generators associated with individual broadband projects may be routinely checked, as needed. Operation would not substantially interfere with emergency access. Additionally, implementation of the proposed Program would introduce a wider and more reliable network that would benefit communications to emergency services. The Program would improve public health and safety through enabling faster emergency response, enhanced communication between emergency services, and access to critical information during disasters or emergencies. Therefore, operation of the Program could benefit emergency communications and emergency access in Yuba County, and the impact related to operation would be less than significant.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure TRA-1: Traffic Control Plan

Prior to the issuance of an encroachment permit, a Traffic Control Plan shall be developed for individual broadband projects that require an encroachment permit for construction activities along County road

rights-of-way (ROW) to manage traffic during construction. The applicant shall consult with the Yuba County Public Works Department regarding construction activities that may affect area traffic (such as construction staging necessitating lane closure, trenching, etc.) to ensure that the Traffic Control Plan is prepared in conformance with applicable code and ordinance requirements for emergency access. The construction contractor shall implement appropriate traffic controls identified in the Traffic Control Plan in accordance with the California Vehicle Code and other State and local requirements to avoid or minimize impacts on traffic during construction. The Traffic Control Plan shall be submitted along with the encroachment permit to the Yuba County Public Works Department prior to the commencement of construction activities.

Significance with Mitigation: Less than significant impact.

HAZ-7 The proposed Program would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

Areas in Yuba County at risk for extreme wildfires are designated by CAL FIRE as those lands where dense vegetation with severe burning potential prevails, as well as areas with limited access due to topography or lack of roads. The majority of lands in the foothills and mountainous portions of the County are within higher risk fire zones, as mapped by CAL FIRE. Many of the fire protection agencies in the foothills and mountains of Yuba County contract with CAL FIRE for fire protection services. The USFS also provides fire protection services on federal lands, although new development is not anticipated on federal lands under the 2030 General Plan. Development within the rural communities would be limited under the 2030 General Plan, but any development in these areas would be more susceptible to wildfire risk. However, all new development in these areas would be required to comply with the Fire Code and with State requirements for defensible space surrounding rural properties and water for adequate fire flows (County 2011a). For further evaluation of wildfire risks and response, see Section 4.14, *Wildfire*.

The proposed Program would install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. The installation of underground or overhead cables would be located primarily within existing County maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County. As the proposed Program would install broadband infrastructure, there would be no occupants that would be exposed to wildfire risks. However, broadband infrastructure may pass through existing communities.

Construction

Construction activities that could result in sparks, such as welding or grinding, have a greater likelihood of creating a source of ignition than other construction-related activities. To decrease the wildfire hazards in the County, the 2021 Strategic Fire Plan for the CAL FIRE Nevada-Yuba-Placer Unit was prepared to reduce the risks to citizens and emergency responders from wildland fire. Additionally, adherence to the CBC Chapter 7A, Fire Hazard Severity Zones and Building Standards and Materials, and Public Resource Code 4291, requires property owners to maintain clearance of flammable vegetation of 100 feet from structures in order to reduce the risk of fire. The County LHMP also identifies critical facilities and infrastructure that include emergency operations centers and evacuation shelters. These critical facilities would provide emergency support to residents during potential wildfire events. Additionally, construction workers would be trained in basic firefighting, and the availability of tools and training would allow construction crews to help control or extinguish fires they may come upon.

Therefore, adherence to existing regulations would ensure that the impact related to fire risks from construction would be less than significant.

Operation

The proposed Program would install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. Buried conduits would be located underground and would not exacerbate fire risk. Overhead fiber optic lines would be installed along new or existing utility poles and/or lines. New poles constructed under individual broadband projects would adhere to CBC Chapter 7A, Fire Hazard Severity Zones and Building Standards and Materials, and Public Resource Code 4291 in order to reduce the risk of fire. However, as fiber optic lines do not carry an electrical charge themselves, they would not be a source of heat or fire risk (Fluke Networks 2022). Therefore, underground, or aboveground fiber optic lines would not exacerbate fire risk. The impact related to fire risks from operation would be less than significant.

Significance without Mitigation: Less than significant impact.

4.7.4 Cumulative Impacts

HAZ-8 The proposed Program may contribute to a significant cumulative impact with respect to hazards and hazardous substances.

Cumulative impacts related to hazards and hazardous materials would occur when the proposed Program, combine with the impacts of other projects and plans/projections in Yuba County, would directly or indirectly create a significant hazard through the transport, use, or disposal of hazardous materials; accidental release of hazardous materials; release of hazardous emissions in proximity to a school; be located on a hazardous materials site; result in a safety hazard or excessive noise in proximity to an airport; or impair implementation of or physically interfere with an adopted emergency plan. As discussed above under Impact HAZ-1 through HAZ-7, implementation of the proposed Program would result in a less than significant impact related to hazards and hazardous materials with implementation of Mitigation Measure TRA-1.

The projects and plans/projections included in Table 4-1, Yuba County Cumulative Projects List, in Chapter 4.0, Environmental Impact Analysis, could involve the storage, use, disposal, and transport of hazardous materials to some degree during construction. None of the cumulative projects are associated with the production and manufacturing of hazardous materials other than incidental hazardous materials as a by-product of the site activity. All cumulative projects, including the proposed Program, would not create a cumulatively considerable hazard to the public or environment related to the handling or accidental release of hazardous materials. Implementation of the proposed Program would allow for individual broadband projects to be developed in areas that are prone to wildland fires. Where cumulative projects are constructed in close proximity, the potential for wildfire as a result of these projects may be increased. However, these cumulative projects and the proposed Program would be required to follow the County LHMP and adhere to CBC requirements, which would lessen the potential for wildfires. For these reasons, the proposed Program would not result in a cumulatively considerable impact related to hazards and hazardous materials, and the impact would be less than significant with mitigation.

Significance without Mitigation: Potentially significant impact.

See Impact HAZ-6 for Mitigation Measure TRA-1.

Significance with Mitigation: Less than significant impact.

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4.8 HYDROLOGY AND WATER QUALITY

This section describes the regulatory framework and existing conditions related to hydrology and water quality, evaluates the potential impacts that could occur as a result of implementation of the proposed Program, and details mitigation measures needed to reduce significant impacts, as necessary. The potential effects on hydrology and water quality were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance. No issues were identified or raised during scoping that pertain to hydrology and water quality.

4.8.1 Environmental Setting

4.8.1.1 Regulatory Framework

This section describes federal, State, regional, and local environmental laws and policies that are relevant to the CEQA review process for hydrology and water quality. These policies provide context for the impact discussion related to the proposed Program's consistency with the applicable regulatory conditions.

Federal Regulations

Federal Water Pollution Control Act (Clean Water Act)

The following are potentially applicable sections of the Federal Water Pollution Control Act, also known as the Clean Water Act (CWA; 33 USC 1251-13176).

Sections 303 and 305 - Total Maximum Daily Load Program

The State of California has adopted water quality standards to protect beneficial uses of state waters as required by the CWA 303 Total Maximum Daily Load (TMDL) Program and the State's Porter-Cologne Water Quality Control Act of 1969 (Porter-Cologne Act). CWA 303(d) established the TMDL process to guide the application of state water quality standards (see the discussion of state water quality standards below). To identify candidate water bodies for TMDL analysis, a list of water quality–limited streams is generated. Such streams are considered to be impaired by the presence of pollutants, including sediments, and to have no additional capacity for these pollutants.

In addition to the impaired water body list required by CWA Section 303(d), CWA Section 305(b) requires states to develop a report that assesses statewide surface water quality. Both CWA requirements are addressed through the development of a 303(d)/305(b) Integrated Report, which provides both an update to the 303(d) list and a 305(b) assessment of statewide water quality. The California State Water Resources Control Board (SWRCB) statewide 2014/2016 California Integrated Report was based on Integrated Reports from each of the nine Regional Water Quality Control Boards (RWQCB). After approval of the Section 303(d) list portion of the California Integrated Report by the SWRCB, the complete 2014 and 2016 California Integrated Report was approved by the U.S. Environmental Protection Agency (USEPA) on April 6, 2018.

Section 401 - Water Quality Certification

CWA Section 401 requires that an applicant obtain a water quality certification (or waiver) for pursuing a federal permit to conduct any activity that may result in a discharge of a pollutant to a regulated water

body. Water quality certifications are issued by the RWQCB in California, and the Central Valley Regional Water Quality Control Board (CVRWQCB) is responsible for issuing certifications in the Yuba County area. Under the CWA, the State (as implemented by the relevant RWQCB) must issue or waive a CWA Section 401 water quality certification for a project to be permitted under CWA Section 404. Water quality certification requires the evaluation of water quality considerations associated with dredging or the placement of fill materials into waters of the United States. Construction of the proposed Program would require a CWA 401 certification for the project if CWA Section 404 requirements are triggered.

Section 402 - National Pollutant Discharge Elimination System Program

The 1972 amendments to the Federal Water Pollution Control Act established the National Pollutant Discharge Elimination System Program (NPDES) permit program to control discharges of pollutants from point sources (CWA Section 402). The 1987 amendments to the CWA created a new section of the CWA that is devoted to stormwater permitting (CWA 402[p]). USEPA has granted the State of California primacy in administering and enforcing the provisions of CWA and the NPDES permit program. The NPDES permit program is the primary federal program that regulates point-source and nonpoint-source discharges to waters of the United States.

The SWRCB issues both general and individual permits for certain activities. Although implemented at the State and local level, relevant general and individual NPDES permits are discussed below.

4.8.1.1.1.1.1.1 Construction Activities

Dischargers whose projects disturb one or more acres of soil, or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to file a notice of intent to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-006-DWQ) (Construction General Permit). Construction activities subject to this permit include clearing, grading, and disturbances to the ground such as stockpiling or excavation, but do not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility.

The Construction General Permit requires the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP), which must be completed before construction begins. The SWPPP should contain a site map that shows the construction site perimeter; existing and proposed buildings, lots, roadways, and stormwater collection and discharge points; general topography both before and after construction; and drainage patterns across the project site. The SWPPP must list the Best Management Practices (BMPs) that the discharger will use to manage stormwater runoff and describe the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program, a monitoring program for pollutants that are not visible to be implemented if there is a failure of BMPs, and a pH and turbidity monitoring program if the site discharges to a water body listed on the CWA 303(d) list for sediment. The Construction General Permit describes the elements that must be contained in a SWPPP.

Section 404 - Permits for Fill Placement in Waters and Wetlands

CWA Section 404 regulates the discharge of dredged and fill materials into waters of the United States, which include oceans, bays, rivers, streams, lakes, ponds, and wetlands. Project proponents must obtain a permit from the U.S. Army Corps of Engineers (USACE) for all discharges of dredged or fill material into

waters of the United States before proceeding with a proposed activity. Before any actions are implemented that may affect surface waters, a delineation of jurisdictional waters of the United States must be completed, following USACE protocols, to determine whether the study area contains wetlands or other waters of the United States that qualify for CWA protection. These areas include the following:

- Sections within the ordinary high-water mark of a stream, including non-perennial streams with a defined bed and bank and any stream channel that conveys natural runoff, even if it has been realigned.

- Seasonal and perennial wetlands, including coastal wetlands.

CWA Section 404 permits may be issued for only the least environmentally damaging practical alternative (i.e., authorization of a proposed discharge is prohibited if there is a practical alternative that would have fewer significant effects and lacks other significant consequences). CWA Section 404 would apply if construction was proposed within waters of the United States.

State Regulations

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act, Water Code Section 13000 et seq.) is California's statutory authority for the protection of water quality in conjunction with the federal CWA. The Porter-Cologne Act requires the SWRCB and RWQCBs under the CWA to adopt and periodically update water quality control plans, or basin plans. Basin plans are plans in which beneficial uses, water quality objectives, and implementation programs are established for each of the nine regions in California. The Porter-Cologne Act also requires dischargers of pollutants or dredged or fill material to notify the RWQCBs of such activities by filing Reports of Waste Discharge and authorizes the SWRCB and RWQCBs to issue and enforce waste discharge requirements, NPDES permits, CWA Section 401 water quality certifications, or other approvals.

Sustainable Groundwater Management Act

The Sustainable Groundwater Management Act (SGMA) was signed into California in 2014. SGMA establishes a framework for long-term sustainable groundwater management across California and requires local agencies to bring over drafted basins into balanced levels of pumping and recharge. The California Department of Water Resources (DWR) uses the California Statewide Groundwater Elevation Model Priority List to rank groundwater basins across the State according to priority levels of high, medium, low, or very low, and SGMA specifies deadlines for completion of Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs in order of basin priority. Under SGMA, high- and medium-priority basins, as designated by the DWR, must establish Groundwater Sustainability Agencies (GSA) that oversee the preparation and implementation of a local GSP (DWR 2024).

According to the SGMA 2019 Basin Prioritization, there were 94 basins and/or subbasins identified as medium or high priority in the State of California, and 21 of the basins were identified as Critically Overdrafted. In 2019, the North Yuba Subbasin (DWR Groundwater Basin No. 5-21.60) was determined to be of medium priority and the South Yuba Subbasin (DWR Groundwater Basin No. 5-21.61) was determined to be of high priority. As such, the Yuba Subbasins Water Management Plan was developed

in 2019 by the Yuba County Water Agency (YCWA), the Cordua Irrigation District (CID), and the Marysville GSA, which was formally approved in 2021 by DWR (County 2019).

Regional Regulations

Water Quality Control Plan for the Sacramento and San Joaquin River Basins

The Porter-Cologne Water Quality Act (California Water Code Sections 13000 et seq.) established the State Water Resources Control Board and divided the state into nine regional basins, each under the jurisdiction of a RWQCB. The CVRWQCB regulates water quality in the Program area. The CVRWQCB has the authority to require groundwater investigations when the quality of groundwater or surface waters of the state is threatened, and to require remediation actions, if necessary.

The preparation and adoption of basin plans is required by the California Water Code (Section 13240) and supported by the Federal Clean Water Act. Yuba County is within the jurisdiction of the CVRWQCB, which is responsible for the preparation and implementation of the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, originally adopted in 1998. The Basin Plan identifies the beneficial uses of water bodies and provides water quality objectives and standards for waters of the Sacramento River and San Joaquin River hydrologic regions, which includes waters within the County (County 2011a).

Central Valley Flood Protection Plan

The 2012 Central Valley Flood Protection Plan (CVFPP) was adopted by the Central Valley Flood Protection Board (CVFPB) on June 29, 2012, pursuant to Section 9612 of the California Water Code. The CVFPP is intended to guide sustainable, integrated flood management in areas currently protected by facilities of the State Plan of Flood Control. The CVFPP, which is updated every 5 years, includes broad management actions to improve the flood management system, policies, and institutions at a system-wide level and integrates environmental conservation strategies and actions to improve the flood management system's long-term sustainability while improving ecosystem function. The CVFPP prohibits any city or county in the Central Valley from entering into a development agreement or approving any permit, entitlement, or subdivision map until flood-related requirements are met. Flood management facilities must provide an urban level of flood risk reduction (protection against the 200-year flood event) for urban or urbanizing areas (populations greater than 10,000) or meet the FEMA standard for non-urbanized areas.

Sacramento River Flood Control Project

The primary facilities for controlling flood damage in the Yuba-Feather River system are levees along the flood channels and reservoirs that provide flood storage. Several federal, State, and local agencies have responsibilities for different aspects of operations and maintenance of flood control facilities and for emergency response. These agencies include USACE; the National Weather Service; DWR, including its Division of Safety of Dams (DOSD); The Reclamation Board; the Governor's Office of Emergency Services (OES); YCWA; Yuba County Office of Emergency Services; and local reclamation and levee districts.

The flood control facilities on the Feather and Yuba Rivers are part of the joint federal-state Sacramento River Flood Control Project (SRFCP). USACE, in conjunction with the State of California, developed a flood control plan for the Feather and Yuba Rivers as part of the SRFCP. This plan included levee construction, channel improvements, and reservoir flood storage. The USACE developed specific design

capacities for the river channels and flood control operation rules for Lake Oroville on the Feather River and New Bullards Bar Reservoir on the North Yuba River, both of which control flows in the Feather River below Marysville. These operating rules are in force for defined flood seasons. During flood operations, USACE monitors the operation of the reservoirs to ensure compliance with the written regulations (County 2011a).

Local Regulations

Yuba County Storm Water Management Plan

The Yuba County Storm Water Management Plan (SWMP) is implemented by Yuba County to fulfill requirements of the NPDES Phase II requirements for Small Municipal Separate Storm Sewer Systems (Small MS4s). The Yuba County SWMP provides a plan for the affected agencies within the County to follow BMPs, measurable goals, and timetables for the implementation of the Six Minimum Control Measures, as required by the U.S. Environmental Protection Agency and SWRCB. The Six Minimum Control Measures implemented by the SWMP are explained below:

- Public Education: Education of the public regarding the importance of the SWMP and the importance of the public's role in the program.

- Public Participation: Involve the public in the ongoing development and refinement of the SWMP, allow for input on the control measures, and encourage public participation in implementation of the measures.

- Illicit Discharge Detection and Elimination: Pursue ordinances or take equivalent measures that prohibit illicit discharges and develop programs to detect illicit discharges.

- Construction Site Stormwater Runoff Control: Develop measures to control the discharge of pollutants from construction sites greater than or equal to one acre in size within the County. The programs must include inspections of construction sites and enforcement actions against violators.

- Post-construction Stormwater Management: Develop measures to require long-term BMPs that protect water quality and control runoff flow to be incorporated into development and substantial redevelopment projects.

- Pollution Prevention/Good Housekeeping for Municipal Operations: The County and other affected agencies within the County will evaluate their activities and develop a program to prevent the discharge of pollutants from those activities. At a minimum, the program will educate staff on pollution prevention and minimize pollutant sources.

Through these control measures the SWMP is focused on reducing the discharge of pollutants to stormwater to the maximum extent practicable and preparing an annual report on the progress of the SWMP implementation (County 2011a).

Yuba County Integrated Regional Water Management Plan

The YCWA is lead agency for the Yuba County Integrated Regional Water Management Plan, which addresses local water resource planning and management needs from existing conditions 2030. The

Yuba County IRWMP complies with State of California Water Code (CWC) 79562.5(b) standards for IRWMPs. The IRWMP addresses forecasted water demands for urban needs, agriculture uses and water supply availability, flood protection requirements, ecosystem restoration needs, and recreational opportunities. The service area for the Yuba County IRWMP includes the valley floor and foothill/mountain areas of Yuba County as well as communities experiencing a variety of water resource-related issues (County 2011a).

Yuba County Groundwater Management Plan: A Groundwater Sustainability Plan

According to the SGMA 2019 Basin Prioritization, the North Yuba Subbasin was determined to be of medium priority and the South Yuba Subbasin was determined to be of high priority (DWR 2024). As such, the Yuba Subbasins Water Management Plan was developed in 2019 by the YCWA, the CID, and the Marysville GSA, which was formally approved in 2021 by DWR. The plan provides guidance for continued sustainability for the North Yuba Subbasin and South Yuba Subbasin (County 2021).

Yuba County Code of Ordinances

Chapter 7.50, *Stormwater Quality Ordinance,* enforces compliance with State and federal laws and fulfills requirements to protect the health, safety, and general welfare of citizens of the County by reducing pollutants in stormwater discharges to the maximum extent practicable and controlling non-stormwater discharges into the storm drain system. Section 7.50.050 enforces the use of BMPs by the County and its citizens to reduce the adverse effects of polluted runoff discharges on waters of the State.

Chapter 10.30, *Floodplain Management Ordinance*, includes minimizing public and private losses due to flood conditions within flood prone, mudslide, or flood related erosion areas. In order to accomplish its purposes, this ordinance includes regulations to:

- restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;
- require that uses vulnerable to flood, including facilities which serve such uses, be protected against flood damage at the time of initial construction, and mitigated to prevent future losses for existing structure;
- control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- control filling, grading, dredging, and other development which may increase flood damage; and
- prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

Chapter 11.23, *Grading, Drainage, and Erosion Control*, provides regulations for controlling soil erosion and problems associated with grading, drainage, and other earthwork activities. The purpose of the code is to establish authority and procedures for approving grading plans, issuing grading permits, , inspecting earthwork activities, and enforcing erosion and sediment control measures to protect water quality and to reduce the discharge of pollutants into county stormwater drainage systems.

Section 11.45.090, *Drainage Easements,* provides the parameters for the drainage easements for closed conduits. This section states that drainage easements for closed conduits shall not traverse a building site and shall, insofar as possible, be placed along or adjacent to lot boundary lines in a straight alignment without angle points.

Yuba County General Plan

Hydrology and water quality is addressed within the *Community Development Element,* the *Public Health and Safety Element,* and the *Natural Resources Element* of the County General Plan (County 2011b).

The *Community Development Element* contains the following goals, policies, and implementation actions that address hydrology and water quality within the County:

- **Goal CD12: Level of Service: Public Services and Facilities.** Ensure high-quality public services, infrastructure, and facilities with adequate capacity to meet the needs of Yuba County's existing and future residents, businesses, industries, and employers.
    - **Policy CD12.3:** The County will implement stormwater master plans designed to provide collection, detention, and conveyance consistent with local standards for developed areas within the Valley Growth Boundary. In general, new developments will be required to demonstrate no net increase in stormwater runoff prior to approval.
- **Goal CD14: Coordinated Public Services, Regional Services.** Provide coordinated public service and infrastructure planning.
    - **Policy CD14.1:** The County will support regional electricity, water, wastewater, water conservation, and other agreements, where cost-effective and environmentally sustainable.
    - **Policy CD14.10:** The County will support agreements with Marysville and Wheatland on appropriate building standards, public utility connections, sewer and water service, and other matters that promote cost-effective development of unincorporated areas within the Valley Growth Boundary and viability for future incorporations.
    - **Policy CD14.12:** The County will coordinate with Yuba County Water Agency on conjunctive water use, renewable energy generation and use, and other agreements that would provide advantages to local industries and benefits to existing residents and businesses.
- **Action CD15.2: Drainage Planning and Funding.** The County will continue its already substantial efforts to implement the Yuba County Stormwater Management Plan and South Yuba Drainage Master Plan. The County will pursue funding to improve drainage facilities (curb, gutter, sidewalks, swales, buried pipes, etc., along with streetlights and other streetscape improvements) in existing developed portions of Linda and Olivehurst.

  In coordination with this ongoing effort, the County will examine opportunities to revise drainage and levee impact fees, particularly in targeted reinvestment and employment development areas. The County's infill, reinvestment, and employment goals will be considered

as impact fees are revised, taking opportunities to reduce impact fees for compact, mixed-use, and infill development. The County will coordinate with special districts that provide drainage services, as appropriate, to assist with fee updates in these areas as well.

The County will consider the feasibility of a "reverse drainage fee" that provides funding to projects that convert surface parking areas, roadways, and other impervious surfaces to park space, natural drainage swales, and other features that could retain stormwater, filter runoff, and provide other benefits. It is anticipated that this incentive would be consistent with a fair-share assessment of the cost of providing drainage services in the surrounding area during implementation of the General Plan.

The *Public Health and Safety Element* contains the following goals, policies, and implementation action that address hydrology and water quality within the County:

- **Goal HS1: Flood Protection.** Reduce flood risk for the County's people and property.
    - **Policy HS1.1:** The County will not approve new housing development that would have a finished floor within the 100-year floodplain, as defined by the Federal Emergency Management Agency.
    - **Policy HS1.2:** For areas under the jurisdiction of the Central Valley Flood Protection Board, the County will not approve new developments within a flood hazard area or an area of moderate flood hazard without demonstrating adequate flood protection according to Government Code Sections 65865.5, 65962, and 66474.5.
    - **Policy HS1.3:** The County may allow non-residential improvements within the 100-year floodplain so long as the proposed improvements do not:
        - Increase flood heights or velocities;
        - Inhibit emergency access;
        - Create excessive costs in providing governmental services during or after flooding;
        - Interfere with the existing waterflow capacity of the floodway;
        - Substantially increase erosion and/or sedimentation; or
        - Contribute to the deterioration of any watercourse or the quality of water in any body of water.
    - **Policy HS1.5:** The County will continue to collaborate with the Yuba County Water Agency, local reclamation districts, levee commissions, and USACE to improve, certify, and maintain the levee system that protects developed and planned development areas in Linda and Olivehurst, including the Plumas Lake Specific Plan Area. Urban areas in Yuba County should have 200-year flood protection or greater.

  - **Policy HS1.6:** The County will prohibit construction near levees that would adversely affect the integrity of the subject levee or would impede maintenance, inspection, or planned levee expansion.

  - **Policy HS1.7:** The County will use the best available flood hazard information and mapping from regional, state, and federal agencies to inform land use, zoning, and public facility investment decisions.

  - **Policy HS1.11:** Natural waterways should be protected from unnecessary alteration whenever flood protection structures or other forms of construction are proposed.

- **Action HS1.2: Flood Emergency Plan.** The County will collaborate with the cities of Wheatland and Marysville to develop a flood emergency plan, consistent with the adopted Central Valley Flood Protection Plan. The flood emergency plan should also be consistent with local hazard mitigation plans and the local flood protection planning. [Goal HS1]

- **Goal HS3: Water Quality.** Preserve, protect, and improve the quality of regional water supplies.

  - **Policy HS3.1:** The County will collaborate with relevant service providers to ensure that municipal water supply, treatment, and delivery within unincorporated areas meet or exceed Maximum Contaminant Levels (MCLs) specified in Title 22 of the California Code of Regulations.

  - **Policy HS3.2:** County and regional water supply providers should monitor and proactively address water quality problems, with a focus on achieving and maintaining adequate water quality for “beneficial uses” of area waterways identified in the Yuba County Integrated Regional Water Management Plan (IRWMP). “Beneficial uses” in Yuba County include municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply.

  - **Policy HS3.14:** The County will encourage the preservation, creation, or restoration of riparian corridors, wetlands, open space buffers, and other types of open space that provide water quality benefits.

  - **Policy HS3.15:** New projects and plans in the Valley Growth Boundary should employ runoff collection strategies located close to the point where water initially meets the ground to minimize urban runoff, where feasible.

  - **Policy HS3.16:** New developments are encouraged to incorporate open, vegetated swales to filter, slow down, and convey stormwater and encourage groundwater infiltration.

- **Goal HS8: Geology and Soils.** Reduce risk to people and property from geologic hazards and soil limitations.

  - **Policy HS8.4:** Grading permits generally require submittal of grading plans and drainage study for review and approval by the Community Development and Services Agency, and where requested, a revegetation and winterization plan, and geotechnical investigation report.

- **Policy HS8.5:** An erosion and sediment control plan meeting County standards for preventing to increased discharge of sediment is required for:
  - Projects that propose to grade more than 10,000 square feet of area having a slope greater than ten percent;
  - Clearing and grubbing areas of one acre or more regardless of slope;
  - Projects where more than 2,500 square feet will be inadequately protected from erosion during any portion of the rainy season;
  - Projects that involve grading will occur within 50 feet of any watercourse; or
  - Where the County determines that the grading will or may pose a significant erosion, or sediment discharge hazard for any reason.
- **Policy HS8.6:** Project applicants may be required to show evidence of coverage, or application for coverage, under an NPDES general construction permit and a Storm Water Pollution Prevention Plan (SWPPP) with a State issued W.D.I.D. number, if applicable. Grading activities shall be located and designed to avoid contributing to the violation of provisions of any applicable NPDES stormwater discharge permit.
- **Policy HS8.7:** Grading activities shall be designed, per County standards, to avoid obstructing or impeding the natural flow of stormwaters, causing accelerated erosion, or aggravating any existing flooding condition.
- **Policy HS8.8:** For engineered grading, the peak off-site storm water discharge from the project site shall not exceed pre-construction conditions unless the applicant demonstrates that downstream storm water conveyance systems have sufficient capacity to handle the increased flow rate without exceeding established design standards, subject to County approval.
- **Policy HS8.9:** Grading activity and land disturbance shall be conducted such that the smallest practicable area of erodible land is exposed at any one time.
- **Policy HS8.10:** Grading activities shall preserve natural features, including vegetation, terrain, watercourses and similar resources, wherever feasible.
- **Policy HS8.11**: Grading activities within 400 feet of a landside levee toe shall require a registered geotechnical engineer to submit a stamped report demonstrating that the proposed action will not have an adverse impact on the integrity of the levee system. Agricultural practices are generally exempt from setback requirements except for the storage of agricultural waste.

- **Action HS8.1: Grading Permits, Erosion Control Plans, Drainage Studies, and Geotechnical Evaluations.** The County will update and maintain standards designed to avoid geologic hazards, mitigate for soils related constraints, reduce impacts to hydrological and drainage conditions, and minimize erosion resulting from site grading and preparation, construction, and ongoing

operations. Projects will be conditioned to include measures to avoid geologic and soils related impacts, as necessary.

The County will require a geotechnical evaluation prior to construction of buildings meant for public occupancy in areas with potential risk related to geologic condition or soil limitations, as identified on maps maintained by the County. The geotechnical evaluation shall evaluate all relevant risks, which may include but are not limited to liquefaction, erosion, landslide, expansive soils, subsidence, and seismic activity. Recommendations from the geotechnical evaluation shall be incorporated into the subject project or plan in order to reduce risk to levels acceptable to the County. The County will also incorporate geotechnical evaluations and recommendations into its own public investments, as appropriate. [Goal HS8]

The *Natural Resources Element* contains the following goal and policy that address hydrology and water quality within the County:

- **Goal NR12: Water Supply.** Reduce water consumption and ensure reliable water supply in normal years and during times of drought.
    - **Policy NR12.4:** The County will encourage the use of recycled water and water from irrigation districts that is not treated to urban standards for outdoor irrigation, toilet flushing, fire hydrants; commercial and industrial processes, carwashes, concrete batching, laundromats; dust control; parks, golf courses, and other landscaped areas, and other appropriate water-intensive uses.

4.8.1.2 Existing Conditions

Regional Hydrology

Surface Water

Surface water in Yuba County includes rivers, streams, reservoirs, and human-made waterways. The primary drainages in Yuba County are the Bear River; North, Middle, and mainstem Yuba Rivers; Dry Creek; Honcut and South Honcut Creeks; and Feather River. Major reservoirs include Englebright, Merle Collins, New Bullards Bar, and Camp Far West. The Yuba River drains approximately one-third of the higher elevations of the County. Jack-Simmerly Slough and South Honcut Creek drain the northern area, and the Bear River drains the southern portion of the County via the Western Pacific Interceptor Canal (County 2011a).

The headwaters of the Bear River are in the vicinity of Emigrant Gap and Lake Spaulding. The Bear River flows generally southwesterly to a point approximately eight miles north of Auburn, where it turns more westward to its confluence with the Feather River, in the far southwest portion of Yuba County. Elevations within the Bear River basin range from about 125 feet above mean sea level (amsl) to more than 5,700 feet amsl. Major tributaries to the Bear River are Greenhorn, Wolf, Rock, and Dry Creeks. The entire drainage of the Bear River is approximately 550 square miles. Unimpaired flows in the Bear River average 272,000 acre-feet (af) annually (County 2011a)

The Yuba River drains the western slope of the Sierra Nevada and flows generally southwesterly to its confluence with the Feather River at Marysville. The mainstem of the Yuba River forms at the juncture of the Middle and North Yuba Rivers just south of New Bullards Bar Reservoir and is joined by the South

Yuba River just a few miles downstream near Bridgeport in Nevada County, approximately one mile east of Yuba County. The North Yuba River above New Bullards Bar Dam drains approximately 489 square miles. Significant portions of the Yuba River drainage (middle and south forks) are largely unregulated with respect to flood flows. The mainstem of the Yuba River in the Marysville vicinity drains approximately 1,339 square miles (County 2011a).

The Honcut Creek watershed produces about 60,000 af per year of runoff primarily from rainfall. There are no major reservoirs on Honcut Creek, but there are a number of riparian diverters. The watershed totals about 78 square miles above the town of Honcut in Butte County (County 2011a).

The Feather River drains an area of approximately 5,500 square miles at its confluence with the Bear River and 3,611 square miles above Oroville Dam in Butte and Plumas Counties. Between Oroville and Marysville, the Feather River drains an area of 369 square miles, flowing southerly through relatively flat or gently rolling terrain for 39 miles. North and South Honcut Creeks are principal tributaries to the Feather River between Marysville and Oroville and drain about 78 square miles of lower foothill and valley areas east of the Feather River (County 2011a).

Jack and Simmerly Sloughs, also tributaries to the Feather River, are bordered by levees in places to confine them to their channels during flood events. The sloughs drain approximately 55 square miles north of Marysville between the east bank levee of the Feather River and the north bank levee of the Yuba River. Most of the area drained by the sloughs is rice-growing land that is seasonally flooded (County 2011a).

Reservoirs

The major reservoirs in Yuba County are New Bullards Bar Reservoir on the North Yuba River, Camp Far West on the Bear River, Englebright Reservoir on the Yuba River, Merle Collins Reservoir on Dry Creek, and Lake Francis Reservoir. These reservoirs fulfill several purposes, including flood control, water supply, and recreation, as discussed below (County 2011a).

The New Bullards Bar Reservoir is located on the North Yuba River, just above its confluence with the Middle Yuba River. New Bullards Bar is owned and operated by YCWA and is the principal flood control reservoir on the Yuba River system. The New Bullards Bar Reservoir is the largest reservoir in the County, and drains a watershed of 489 square miles: 37 percent of the total Yuba River drainage area. At elevation 1,956 feet amsl, the 635-feet-high reservoir provides a full pool of 966,000 af of storage, up to 170,000 af of which is required for flood control. The reservoir inundates 4,790 acres at this elevation. Power is generated by this reservoir at the New Colgate Powerhouse, which has a maximum outflow of 3,500 cubic feet per second (cfs). Other water uses are irrigation, municipal, and recreation (County 2011a).

Camp Far West Reservoir is near the southeastern extremity of Yuba County near Wheatland and is owned by South Sutter Irrigation District. The Bear River provides the majority of its water source, with Rock Creek and other minor tributaries also contributing. With a height of 185 feet, the reservoir has a capacity of 104,500 af and is used primarily for irrigation (County 2011a).

Englebright Reservoir is operated by USACE. The 280-foot-high reservoir has a storage capacity of 70,000 af, and provides debris control, as well as power generation, and recreation. The reservoir is at a maximum elevation of 527 feet and has a surface area of approximately 400 acres (County 2011a).

Merle Collins Reservoir, also known as Collins Lake, is owned and operated by the Browns Valley Irrigation District (BVID). Collins Reservoir was created by the Virginia Ranch Dam's impounding of French Dry Creek and has a storage capacity of 57,000 af. Water stored in Collins Reservoir is used primarily to supply BVID's customers with untreated water for irrigation purposes (County 2011a).

Groundwater

Groundwater in the foothill and mountain areas of Yuba County is not well defined. The valley floor is underlain by an alluvial aquifer system that contains significant quantities of groundwater, while the foothill and mountain areas are underlain by a fractured rock aquifer. This fractured rock is considered the dominant controlling factor for the occurrence of groundwater in these areas. Wells within the foothill and mountain areas yield low to moderate flows adequate for domestic purposes, but marginal for farming, ranching, or industrial uses. In addition to the alluvial groundwater basins found in the western portion of the County, the foothill area has limited availability of groundwater, due to the poorly understood nature of the fractured granite formations that make up the Sierra Nevada Range. Hardrock systems in the area prevent water from penetrating the rocks, so water can only enter at joints and fractures. Groundwater may be stored in limited amounts in these fractures and in small alluvial deposits located adjacent to local mountain streams. However, these areas of groundwater are not easily delineated or reliable. Groundwater recharge becomes limited in urban areas with paved or impermeable surfaces, since water can no longer filter through sediment (County 2011a).

Groundwater in the County is divided into two subbasins of the larger Sacramento Valley Groundwater Basin: the North Yuba Subbasin and the South Yuba Subbasin. Overall, these two subbasins cover approximately 270 square miles. One principal aquifer exists across the Yuba Subbasins, which consists of the Riverbank, Laguna, and Mehrten formations deposited during the Miocene and Pliocene Epochs. There are no known structural properties, such as faults, that significantly restrict groundwater flow within the Yuba Subbasins. Groundwater levels in the North Yuba Subbasin have been generally stable for at least 70 years. Groundwater levels in the South Yuba Subbasin were generally declining from the 1940s through the early 1980s, but have recovered since the introduction of surface water deliveries to the subbasin in 1983. Groundwater conditions are regularly reported in YCWA's annual Monitoring and Measurement Reports (County 2019).

The North Yuba Subbasin is found in the northwest portion of Yuba County, bounded by Honcut Creek to the north, the Sierra Nevada Range to the east, the Yuba River to the south, and the Feather River to the west. The subbasin covers 50,000 acres (78 square miles) and includes the City of Marysville and most of its sphere of influence. Based on an analysis of hydrographs, the Yuba River and Feather Rivers create a groundwater divide, which act as flow barriers in the shallow subsurface. Stream channel and floodplain deposits present along the Yuba River, Feather River, and Honcut Creek are highly permeable and provide for large amounts of groundwater recharge within the subbasin. The potential for artificial recharge of groundwater in the basin is limited, since areas that have available storage space typically have overlying soils with very low infiltration rates that restrict recharge (County 2011a).

The South Yuba Subbasin is found in the southwest portion of Yuba County, bounded by the Yuba River to the north and the Feather River to the west. Groundwater levels in the North Yuba Subbasin range from approximately 50 feet amsl near the City of Marysville to 130 feet amsl near the Yuba River. Groundwater levels are about 70 feet amsl near the center of the subbasin. The subbasin covers 89,000 acres (138 square miles) and includes the City of Wheatland and its sphere of influence, Beale Air Force Base, and other areas of unincorporated southern Yuba County (County 2011a).

Water Quality

Surface Water Quality

Surface water quality in Yuba County is generally good. The greatest potential for water quality problems exists in the western portions of Yuba County where the majority of the population currently exists and where new development is being planned. Surface water quality in the County can be impacted by grading and construction activities, agricultural uses, livestock and confined animals, urban runoff, sewage and other wastewater from treatment plants, industrial sources, and recreational activities. Water quality in Yuba County is under the jurisdiction of the CVRWQCB, which is responsible for implementation of state and federal water quality protection guidelines within the County.

Under Section 303(d) of the CWA, there are several County waterbodies on the 2018 California Integrated Report's list of impaired waterbodies due to varying pollutant sources. The following waterbodies in the County were identified as impaired waterbodies: Feather River, lower fork; Englebright Lake; Honcut Creek; Jack Slough; Collins Lake; New Bullards Bar Reservoir; Oregon Creek; Simmerly Slough; and Yuba River, north and middle (SWRCB 2018).

Groundwater Quality

Similar to most groundwater basins in the State, groundwater levels typically decline in summer and recover in the fall and winter, which follows typical patterns of use and recharge. Increased groundwater use occurs in the summer to irrigate fields and water lawns, and increased recharge occurs in the winter from precipitation and higher streamflow. Groundwater in the subbasins is generally considered to be of good quality. Regional groundwater quality in the Yuba Subbasins is considered good to excellent for municipal, domestic, and agricultural uses and does not have a significant adverse impact on the beneficial uses of groundwater in the subbasins. There is naturally occurring arsenic, iron, and manganese in some areas that may have concentrations that exceed the associated drinking water thresholds, although such occurrences are limited. Instances with elevated concentrations may be addressed through treatment, blending, use of supplies at different depths or locations, or through non-potable uses not sensitive to the constituent (County 2021).

Unlike many medium- and high-priority basins and subbasins managed under GSPs, groundwater extraction in the Yuba Subbasins does not exceed the sustainable yield. The sustainable yield estimate exceeds current groundwater production by approximately 89,000 af per year (County 2021).

The Solid Waste Management Local Enforcement Agency of the Yuba County Department of Environmental Health is certified by the State to ensure that solid waste landfills and transfer stations are properly operated in regards to vector control, water quality protection, litter prevention, and related concerns, and ensures that inactive sites are properly closed and maintained following closure.

Flood Hazards

Flood conditions in Yuba County are primarily caused by backwater resulting from high stages (water levels) on the Feather River. These conditions are particularly severe south of the City of Marysville when high stages on the Feather River combine with high Bear River flows to restrict outflows from the Western Pacific Interceptor Canal, causing flooding in the Plumas Lake area and lower areas of Olivehurst. The areas that are prone to flooding, as defined by the Federal Emergency Management Agency (FEMA) 100-year flood zones, are primarily located in the western portion of the County, with

one area situated in the central portion of the County near Lake Collins and Oregon House (County 2011a).

Historically, flooding occurred in the 1900s on the Feather and Yuba Rivers as a result of levee failure. The Three Rivers Levee Improvement Authority (TRLIA) was subsequently created to finance and construct levee improvements designed to protect developed and developing portions of south Yuba County from flooding from the Yuba, Feather, and Bear rivers and the Western Pacific Interceptor Canal. Additionally, the IRWMP prepared by YCWA identified major strategies that could be used by the County to prevent and/or manage flood events, including: levee improvement; upstream flood control strategies; non-structural flood management; and stormwater management (County 2011a).

Major flood protection infrastructure within Yuba County includes levee systems along the Feather, Yuba, and Bear Rivers, as well as other major drainage canals and watercourses, dams at New Bullards Bar Reservoir, the Western Pacific Interceptor Canal channel, and various slurry cutoff walls, ditches, and detention basins located at appropriate locations throughout the County. Oroville Dam in Butte County also provides flood protection to Yuba County. In addition to major flood control facilities, such as levees and dams, smaller-scale drainage infrastructure prevents localized flooding during larger flood or storm events. Drainage needs depend on the amount of precipitation and upstream flow, the amount of urban development, the rate of groundwater infiltration, downstream flood conditions, water quality, and evolving regulatory standards (County 2011a).

Dam Failure and Inundation

Dams in the County serve a variety of uses including flood protection, power generation, agriculture, water supply, and recreation. Prolonged periods of rainfall and flooding may exceed design requirements of the dam, resulting in overtopping and/or failure of the dam. Dam failures can also result from any one or a combination of the following causes:

- Earthquake;
- Inadequate spillway capacity resulting in excess overtopping flows;
- Internal erosion caused by embankment or foundation leakage, or piping or rodent activity;
- Improper design;
- Improper maintenance;
- Negligent operation; and/or
- Failure of upstream dams on the same waterway (County 2021).

The DWR Division of Safety of Dams has jurisdiction over impoundments that meet certain capacity and height criteria. DSOD assigns hazard ratings to large dams within the State. The following two factors are considered when assigning hazard ratings: existing land use and land use controls (zoning) downstream of the dam. Dams are classified in four categories that identify the potential hazard to life and property:

- Extremely High Hazard – Expected to cause considerable loss of human life or would result in an inundation area with a population of 1,000 or more

- High Hazard – Expected to cause loss of at least one human life.
- Significant Hazard – No probable loss of human life but can cause economic loss, environmental damage, impacts to critical facilities, or other significant impacts.
- Low Hazard – No probable loss of human life and low economic and environmental losses. Losses are expected to be principally limited to the owner's property.

There are 16 dams in Yuba County identified by the U.S. Army Corps of Engineers' National Inventory of Dams (USACE 2021). According to the Yuba County 2021 Local Hazard Mitigation Plan Update, there are 14 dams within the County under the jurisdiction of the DSOD, as listed below in Table 4.8-1, Inventory of Dams in Yuba County under DSOD Jurisdiction.

Table 4.8-1
INVENTORY OF DAMS IN YUBA COUNTY UNDER DSOD JURISDICTION

Dam	Hazard Significance	Owner	Location
Beale	Low	U.S. Air Force	Dry Creek
Blackwelder	Low	U.S. Air Force	Hutchinson Creek
Camp Far West	Extremely High	South Sutter Water District	Bear River
Camp Far West Diversion	Low	South Sutter Water District	Bear River
Frisky	Low	U.S. Air Force	Tributary of Hutchison Creek
Harry Englebright Dam	High	U.S. Department of Interior	Yuba River
Honcut Creek Ranch No. 1	Significant	Private	Tributary of South Honcut River
Lake Francis	Significant	YCWA	Dobbins Creek
Log Cabin	Low	YCWA	Oregon Creek
Los Verjels	High	Private	Dry Creek
Lower Black Welder	Low	U.S. Air Force	Hutchinson Creek
Miller	Low	U.S. Air Force	Reeds Creek
New Bullards Bar	Extremely High	YCWA	North Yuba River
Virginia Ranch	High	BVID	French Dry Creek

Source: County 2021

No dam failure events have occurred in Yuba County; however, the County was affected by the Oroville Spillway incident in Butte County in 2017. Based on historical data, the likelihood of future dam failure occurrence in Yuba County is deemed occasional (County 2021).

Tsunami and Seiche Hazards

Tsunamis are long-period waves commonly caused by vertical faulting of the ocean floor that can cause considerable damage when they reach shallow coastal areas. A seiche is a stationary wave produced in reservoirs, lakes, and other closed or restricted bodies of water by ground shaking. When they occur in large reservoirs, such waves can cause overtopping of dams, posing a serious threat to adjacent areas.

Yuba County is not in a coastal area and is separated from the Pacific Ocean by approximately 125 miles; therefore, the County is not at risk of tsunami. As discussed in Section 4.5, *Geology and Soils*, Yuba County is not located within a highly active fault zone and the risk of strong ground shaking is low.

Further, most of the water bodies in Yuba County are not of a sufficient size that a large damaging seiche could occur as a result of an earthquake; however, the potential does exist. While highly unlikely, a large seiche could lead to dam failure.

For additional information on water supply, wastewater facilities, and stormwater drainage in Yuba County, refer to Section 4.13, *Utilities and Service Systems*.

4.8.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, Program-related impacts to hydrology and water quality would be significant if the proposed Program would:

1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;

2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;

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

4. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; and,

5. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

4.8.3 Impact Analysis

HYD-1 The proposed Program would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

Construction

The proposed Program would install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. The installation of underground or overhead cables would be located primarily within existing County maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County. Site clearing, grading, excavation, and construction activities have the potential to impact water quality through soil erosion and increased silt and debris discharged via surface runoff. Additionally, the use of construction materials such as fuels, solvents, and paints may present a risk to surface water quality. Temporary storage of construction materials and equipment in work or staging areas could create the potential for a release of hazardous materials, trash, or sediment to the storm drain system. Individual broadband

projects resulting in disturbance of an area greater than one acre would be required to enroll for coverage under the Storm Water Construction General Permit (Construction General Permit) for the NPDES program. The Construction General Permit requires that a project-specific SWPPP be prepared, and BMPs be implemented during construction of individual broadband projects. Typical BMPs would include diversion of runoff from disturbed areas, protective measures for sensitive areas, temporary soil stabilization measures, storm water runoff quality control measures, concrete waste management, watering for dust control, and installation of perimeter silt fences, as needed. The proposed Program would also be required to comply with applicable sections of the County Code regulating water quality. Therefore, compliance with the Construction General Permit would reduce impacts related to construction to a less than significant level.

Operation

Once individual broadband projects are constructed, the Program would require occasional operational maintenance needs. All construction areas would be cleared after construction to ensure all debris is removed. Therefore, operation of the proposed Program would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. As operation of individual broadband projects would require only a limited amount of temporary ground disturbance during maintenance activities, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

HYD-2 The proposed Program would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Groundwater in the North and South Yuba Subbasins is generally considered to be of good quality. Further, current groundwater extraction in the subbasins does not exceed the sustainable yield. Construction of individual broadband projects could involve minor use of water for dust control, which would be readily available from existing sources. Operation of future broadband infrastructure would not require additional water supplies as no population would be generated that would substantially decrease groundwater supplies. Therefore, implementation of the proposed Program would not substantially decrease groundwater supplies, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

HYD-3 The proposed Program would not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on- or off-site; (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or (iv) impede or redirect flood flows.

(i) result in substantial erosion or siltation on- or off-site;

As discussed in Section 4.5, *Geology and Soils*, Yuba County consists primarily of areas of slight erosion hazard, which are concentrated in the western portion of the County. Areas that have erosion hazards with moderate to very severe potential are located in the foothill and mountain areas in the central and eastern part of the County. Areas with the most severe erosion hazards include the Yuba River and North Yuba River valleys upstream from Smartsville.

There are numerous State and local regulations that limit the potential for development associated with the proposed Program to substantially increase erosion. Construction of individual broadband projects would require ground disturbance, including vegetation clearing, trenching, directional drilling, fill placement, pole placement excavation, and staging. The disturbed soil could be exposed to wind and water erosion and loss of topsoil. Any individual broadband project that disturbs over one acre of soil would be required to comply with the California Construction General Permit which requires implementation of a SWPPP and specific BMPs to prevent erosion. Typical erosion-prevention measures such as silt fences, stakes straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover would be used to minimize erosion impacts. As individual broadband projects implemented under the proposed Program would be required to adhere to relevant County code provisions as well as the Construction General Permit, the Program's impact on erosion and loss of topsoil would be less than significant.

Significance without Mitigation: Less than significant impact.

(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

As individual broadband projects would be constructed primarily within existing County maintained ROW, public utility easements, and/or overhead public utility easements of record throughout the County, it is not likely that individual broadband projects would substantially increase the rate or amount of surface runoff in a manner which would result in flooding. After subsurface installation of fiber optic lines and/or conduit, any trenches or pits would be backfilled to pre-disturbance conditions. Individual broadband projects would comply with County ordinances and construction standards to prevent flooding within 100-year flood zones. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Potential other sources of polluted runoff from proposed Program construction and operation would be controlled through the preparation and implementation of a SWPPP with BMPs. Through implementation of BMPs, substantial new sources of runoff would be intercepted and prevented from entering drainage systems or surface waters. Once individual broadband projects are constructed, the Program would require occasional operational maintenance needs that would not exceed the capacity of existing or planned stormwater drainage systems. Therefore, implementation of the proposed Program would not create or contribute to runoff water that would exceed the capacity of existing or planned stormwater drainage systems, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

(iv) Impede or redirect flood flows?

As discussed above under Impacts HYD-3 (i) and (iii), runoff associated with construction of individual broadband projects would be controlled through preparation and implementation of a SWPPP and associated BMPs. After construction, operation of individual broadband projects would not impede or redirect flood flows. The impact would be less than significant.

Significance without Mitigation: Less than significant impact.

HYD-4 The proposed Program would not risk the release of pollutants due to project inundation due to flood hazards, tsunamis, or seiches.

Yuba County is separated from the Pacific Ocean by approximately 125 miles, so the County is not at risk of tsunami. As discussed in Section 4.5, *Geology and Soils*, Yuba County is not located within a highly active fault zone and the risk of strong ground shaking is low; therefore, the probability for seiche to occur in enclosed water bodies in the County is also low. Further, most of the water bodies in Yuba County are not of a sufficient size that a large damaging seiche could occur as a result of an earthquake, however the potential does exist. Due to these conditions within the County, implementation of the proposed Program would not release pollutants due to flood hazards, tsunamis, or seiches, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

HYD-5 The proposed Program would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

The preparation and adoption of water quality control plans is required by the California Water Code (Section 13240) and supported by the Federal Clean Water Act. Yuba County is within the jurisdiction of the CVRWQCB, which is responsible for the preparation and implementation of the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins. The Basin Plan identifies the beneficial uses of water bodies and provides water quality objectives and standards for waters of the Sacramento River and San Joaquin River hydrologic regions, which includes waters within the County. Additionally, under SGMA, Groundwater Sustainability Agencies must prepare GSPs for high- and medium-priority basins. In the recent 2019 Basin Prioritization, the North Yuba Subbasin was determined to be of medium priority and the South Yuba Subbasin was determined to be of high priority. As such, the Yuba Subbasins Water Management Plan: A Groundwater Sustainability Plan was developed to provide guidance for continued sustainability for the North and South Yuba Subbasins.

Individual broadband projects under the proposed Program would comply with the water quality control plan and sustainable groundwater management plan, as well as comply with ordinances and construction standards of the County. Additionally, individual broadband projects that disturb greater than one acre would be required to comply with the Construction General Permit, which would include preparation, approval, and implementation of a SWPPP and associated BMPs. As discussed in Impact HYD-2, construction of individual broadband projects could involve minor use of water for dust control, which would be readily available from existing sources. Operation of the fiber optic facilities would not require additional water supplies as no population would be generated. Therefore, the proposed Program would not conflict with SGMA or the California Water Code (Section 13240), and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

4.8.4 Cumulative Impacts

HYD-6 The proposed Program would not contribute to a significant cumulative impact with respect to hydrology and water quality resources.

Cumulative impacts related to hydrology and water quality would occur when the proposed Program, in combination with other projects and plans/projections in Yuba County, would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality, substantially degrade groundwater supplies or interfere substantially with groundwater recharge, substantially alter the existing drainage pattern of the site in a manner which would cause negative environmental effects, increase the risk release of pollutants in flood hazard, tsunami, or seiche zones, or conflict with or obstruct implementation of a water quality control plan or groundwater management plan. As discussed above under Impact HYD-1 through HYD-5, implementation of the proposed Program would result in a less than significant impact on hydrology and water quality.

The analysis of cumulative impacts is based on impacts of the proposed Program and the other cumulative projects in the County, as shown in Table 4-1, Yuba County Cumulative Projects List, in Chapter 4.0, Environmental Impact Analysis. Similar to the proposed Program, other projects in the County could involve minor use of water for dust control during construction, which would be readily available from existing sources. While construction of individual broadband projects and cumulative projects within the County would have the potential to increase pollutants and degrade water quality as a result of project construction, projects that disturb greater than one acre would be required to comply with water quality standards as administered through the NPDES Construction General Permit. All cumulative projects that disturb greater than one acre would be required to prepare and implement a SWPPP with associated BMP and would be subject to the applicable sections of the County Code regulating water quality. Therefore, the proposed Program would not result in a cumulatively considerable impact related to hydrology and water quality, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

4.8.5 References

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4.9 NOISE

This section describes the regulatory framework and existing conditions related to noise sources and the overall noise environment in the vicinity of the proposed Program, evaluates the potential impacts that could occur as a result of the implementation of the proposed Program, and details mitigation measures needed to reduce significant impacts, as necessary. The potential effects on hydrology and water quality were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance. No issues were identified or raised during scoping that pertain to noise.

4.9.1 Environmental Setting

4.9.1.1 Noise Metrics

All noise-level and sound-level values presented herein are expressed in terms of decibels (dB), with A weighting, abbreviated "dBA," to approximate the hearing sensitivity of humans. Time-averaged noise levels of one hour are expressed by the symbol "L_{EQ}" unless a different time is specified. Maximum noise levels are expressed by the symbol "L_{MAX}." The Community Noise Equivalent Level (CNEL) is a 24-hour average, where noise levels during the evening hours from 7:00 p.m. to 10:00 p.m. have an added 5 dBA weighting, and sound levels during the nighttime hours from 10:00 p.m. to 7:00 a.m. have an added 10 dBA weighting. This is similar to the Day Night sound level (L_{DN}), which is a 24-hour average with an added 10 dBA weighting on the same nighttime hours but no added weighting on the evening hours.

Because decibels are logarithmic units, sound pressure level (SPL) cannot be added or subtracted through standard arithmetic. Under the decibel scale, a doubling of sound energy corresponds to a 3 dBA increase. In other words, when two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dBA higher than from one source under the same conditions. For example, if one automobile produces an SPL of 70 dBA when it passes an observer, two cars passing simultaneously would not produce 140 dBA—rather, they would combine to produce 73 dBA. Under the decibel scale, three sources of equal loudness together produce a sound level 5 dBA louder than one source.

Under controlled conditions in an acoustic laboratory, the trained, healthy human ear is able to discern 1 dBA changes in sound levels, when exposed to steady, single-frequency ("pure-tone") signals in the mid-frequency (1,000 Hertz [Hz]–8,000 Hz) range. In typical noisy environments, changes in noise of 1 to 2 dBA are generally not perceptible. It is widely accepted, however, that people begin to detect sound level increases of 3 dB in typical noisy environments. Further, a 5 dBA increase is generally perceived as a distinctly noticeable increase, and a 10 dBA increase is generally perceived as a doubling of loudness.

4.9.1.2 Vibration Metrics

Groundborne vibration consists of rapidly fluctuating motions or waves transmitted through the ground with an average motion of zero. Sources of groundborne vibrations include natural phenomena and anthropogenic causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous (e.g., factory machinery) or transient (e.g., explosions). Peak particle velocity (PPV) is commonly used to quantify vibration amplitude. The PPV, with units of inches per second (in/sec), is defined as the maximum instantaneous positive or negative peak of the vibration wave.

4.9.1.3 Regulatory Framework

The proposed Program is located within Yuba County. Regulatory requirements related to environmental noise are typically promulgated at the local level; however, federal and State agencies also provide standards and guidelines to local jurisdictions. Noise standards for Yuba County, along with CEQA Guidelines, were considered in the noise assessment.

Federal Regulations

U.S. Environmental Protection Agency Recommendations

The U.S. Environmental Protection Agency (USEPA) provides guidance in Information on Levels of Environmental Noise Requisite to Protect Health and Welfare with an Adequate Margin of Safety (NTIS 550\9-74-004, EPA, Washington, D.C., March 1974), which is commonly referenced as the "Levels Document." The Levels Document establishes an L_{DN} of 55 dBA as the requisite noise level, with an adequate margin of safety for areas of outdoor uses, including residential and recreational areas. This document does not rely upon USEPA regulations or standards, but it identifies safe levels of environmental noise exposure without consideration of costs for achieving these levels or other potentially relevant considerations. The Levels Document is intended to "provide State and local governments as well as the Federal government and the private sector with an informational point of departure for the purpose of decision-making." The agency is careful to stress that the recommendations contain a factor of safety and do not consider technical or economic feasibility issues and therefore should not be construed as standards or regulations.

State Regulations

California Noise Control Act

The California Noise Control Act is a section within the California Health and Safety Code that describes excessive noise as a serious hazard to the public health and welfare and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. It also finds that there is a continuous and increasing bombardment of noise in the urban, suburban, and rural areas. The California Noise Control Act declares that the State of California has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise. It is the policy of the State to provide an environment for all Californians free from noise that jeopardizes their health or welfare.

California Department of Transportation

The California Department of Transportation's (Caltrans) *Transportation and Construction Vibration Guidance Manual* contains guidelines and recommendations for predicting and assessing the vibration impacts of roadway construction projects, including predicting and assessing the ground-borne vibrations from commonly used construction equipment. The manual contains guidelines for determining thresholds for damage to structures from construction equipment vibrations based on the age and/or construction type of the structures near construction activity (Caltrans 2020).

Local Regulations

Yuba County Airport Land Use Compatibility Plan

The Yuba County Airport Land Use Compatibility Plan (ALUCP) is one of a series of compatibility plans adopted by the Sacramento Area Council of Governments (SACOG) acting in its capacity as the Airport Land Use Commission (ALUC) for Sacramento, Sutter, Yolo, and Yuba counties. The basic function of the plan is to promote compatibility between Yuba County Airport and land uses surrounding it to the extent that these areas have not already been devoted to incompatible uses. The plan accomplishes this function through establishment of a set of compatibility criteria applicable to new development around the airport (SACOG 2011).

Brownsville Aeropines Airport Comprehensive Land Use Plan

The Brownsville Aeropines Airport Comprehensive Land Use Plan (CLUP) is one of a series of compatibility plans adopted by SACOG acting in its capacity as the ALUC for Sacramento, Sutter, Yolo, and Yuba counties. The CLUP provides the land use compatibility guidelines on which compatibility of land uses are determined. It also establishes the planning boundaries around the airport. Planning boundaries are established for height, noise, and safety (SACOG 1990).

Beale Air Force Base Land Use Compatibility Plan

This Beale Air Force Base Land Use Compatibility Plan is one of a series of compatibility plans adopted by SACOG acting in its capacity as the ALUC for Sacramento, Sutter, Yolo, and Yuba Counties. The basic function of the plan is to promote compatibility between Beale Air Force Base (AFB) and the land uses surrounding it to the extent that these areas have not already been devoted to incompatible uses. The plan accomplishes this function through establishment of a set of compatibility criteria applicable to new development around the airport (SACOG 2010).

Yuba County General Plan

Noise is addressed within the *Public Health and Safety Element* of the County General Plan (County 2011a). The *Public Health and Safety Element* contains the following goals and policies that address noise within the County and which may be applicable to individual broadband projects implemented under the proposed Program:

- **Goal HS4: Airports.** Avoid land use conflicts with and reduce exposure of people and property to risks from the County's airports.

- **Goal HS10: Noise and Vibration.** Ensure that noise does not substantially reduce the local quality of life.

  County General Plan Goal HS10 contains policies which specify acceptable transportation and non-transportation noise levels received by or generated by new developments. Because the project would involve new or extended communications infrastructure located primarily within public road ROWs or utility easements, individual broadband projects implemented under the proposed Program would not be considered new development and the policies of County General Plan Goal HS10 would not be applicable.

- **Policy HS10.1:** New developments that generate traffic or are affected by traffic noise shall provide design and mitigation, if necessary, to ensure acceptable daytime and nighttime land use/noise environment at outdoor activity areas of affected properties, as defined in Table Public Health & Safety-1 (included as Table 4.9-1).

- **Policy HS10.2**: If existing noise levels exceed the acceptable levels listed in Table Public Health & Safety-1, new developments are required to incorporate mitigation to reduce noise exposure in outdoor activity areas to the maximum extent feasible and include mitigation designed to achieve acceptable interior noise levels, as defined in Table Public Health & Safety-1 (included as Table 4.9-1).

- **Policy HS10.3:** New developments that would generate or be affected by non-transportation noise shall be located, designed, and if necessary, mitigated below maximum levels specified in Table Public Health & Safety-2, as measured at outdoor activity areas of affected noise-sensitive land uses.

- **Policy HS10.4:** If existing noise levels exceed the maximum allowable levels listed in Table Public Health & Safety-2 (included as Table 4.9-2), projects are required to incorporate mitigation to reduce noise exposure in outdoor activity areas to the maximum extent feasible and include mitigation to achieve acceptable interior noise levels, as defined in Table Public Health & Safety-1 (included as Table 4.9-1).

- **Policy HS10.5**: The maximum noise level shall not exceed the performance standards shown in Table Public Health & Safety-3 (included as Table 4.9-3), as measured at outdoor activity areas of any affected noise-sensitive land use except:

    - If the ambient noise level exceeds the standard in Table Public Health & Safety-3, the standard becomes the ambient level plus 5 dBA.

    - Reduce the applicable standards in Table Public Health & Safety-3 by 5 decibels if they exceed the existing ambient level by 10 or more dBA.

- **Policy HS10.6:** New developments shall provide all feasible noise mitigation to reduce construction and other short-term noise and vibration impacts as a condition of approval.

- **Policy HS10.7:** New developments shall ensure that construction equipment is properly maintained and equipped with noise control components, such as mufflers, in accordance with manufacturers' specifications.

- **Policy HS10.10:** Proposed noise-generating industrial and other land uses shall be located away from noise-sensitive land uses, shall enclose noise sources, or shall use other site planning or mitigation techniques to ensure acceptable noise levels, to the greatest extent feasible.

- **Policy HS10.11:** Lands within the 65 CNEL noise contour of Beale Air Force Base, Yuba County Airport, and Brownsville Airport shall be maintained in agricultural, open space, commercial, industrial, or other uses permitted by the subject airport's adopted Comprehensive Land Use Plan (CLUP) and consistent with the recommendations of the

Beale Joint Land Use Study, including noise contours associated with future hypothetical missions, as appropriate.

- **Action HS10.1:** The County will coordinate development requests in areas addressed by Airport Comprehensive Land Use Plans according to the land use restrictions embodied in those plans and will initiate amendments to the General Plan and revisions to zoning, if necessary, following updates to local CLUPs.

Table 4.9-1
MAXIMUM ALLOWABLE NOISE EXPOSURE FROM TRANSPORTATION NOISE SOURCES AT NSLU

Land Use	Interior Spaces		Outdoor Activities Areas (dBA LDN)						
	dBA L_{DN}	dBA L_{EQ}	55	60	65	70	75	80	
Residences	45	-							
Hotels, Motels	45	-							
Schools, Libraries, Museums, Places of Worship, Hospitals, Nursing Homes	45	45							
Theaters, Auditoriums, Concert Halls, Amphitheaters	35	-							
Outdoor Spectator Sports	-	-							
Playgrounds, Parks	-	-							
Golf Courses Riding Stables, Water Recreation, Cemeteries	-	-							
Office Buildings, Retail, and Commercial Services	45	-							

Industrial, Manufacturing, Utilities, Agriculture	-	-							

Normally Acceptable—specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise requirements.

Conditionally Acceptable – New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insultation features included in the design.

Normally Unacceptable—New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirement must be made and needed noise insulation features included in the design.

Clearly Unacceptable – New construction or development clearly should not be undertaken.

Source: County 2011a

Notes: dBA = A-weighted decibels; L_{dn} = day-night average noise level; L_{EQ} – energy-equivalent noise level. This table does not apply to existing transportation noise sources affecting existing land use. Outdoor activity areas are the portion of a property where activities are normally expected. This would include portions of backyards, decks, balconies, pools, sports or game courts, and patios, but would not include front yards, spaces next to parking, road, driveways or vehicular loading areas. Hospitals and nursing homes use the L_{dn} interior standard, whereas schools, libraries, museums, and places of worship use a L_{EQ} interior standard. Office buildings have an interior standard, but retail and commercial service uses do not have an interior standard.

Table 4.9-2
MAXIMUM ALLOWABLE NOISE EXPOSURE FROM NON-TRANSPORTATION NOISE SOURCES AT NSLU

Noise Level Descriptor	Daytime (7 a.m. – 10 p.m.)	Nighttime (10 p.m. – 7 a.m.)
Hourly L_{EQ}	60 dBA	45 dBA
L_{max}	75 dBA	65 dBA

Source: County 2011a

Notes: dBA= A-weighted decibel; L_{EQ}= energy-equivalent noise level; L_{max}= maximum noise level.

Each of the noise levels specified shall be lowered by 5 dBA for simple tone noises, noises consisting primarily of speech, music, or for recurring impulsive noises. These noise-level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings). Noise-sensitive land uses include schools, hospitals, rest homes, long-term care facilities, mental care facilities, residences, and other similar land uses.

Table 4.9-3
PERFORMANCE STANDARDS FOR NON-TRANSPORTATION NOISE SOURCES

Cumulative Duration of a Noise Event[1] (Minutes)	Maximum Exterior Noise Level	Standards[2]
	Daytime dBA L_{MAX}[2,4]	Nighttime dBA L_{MAX}[3,4]
30-60	50	45
15-30	55	50
5-15	60	55
1-5	65	60
0-1	70	65

Source: County 2011a

Notes: dBA= A-weighted decibel; LMAX = maximum noise level.

1 Cumulative duration refers to time within any 1-hour period.

2 Daytime = hours between 7 a.m. and 10 p.m.

3 Nighttime = hours between 10 p.m. and 7 a.m.
4 Each of the noise level standards specified may be reduced by 5 dBA for tonal noise (i.e., a signal which has a particular and unusual pitch) or for noises consisting primarily of speech of for recurring impulsive noises (i.e., sources of short duration, usually less than one second, with an abrupt onset and rapid decay such as the discharge of firearms).

Yuba County Code of Ordinances

The Yuba County Code of Ordinances Chapter 8.20, *Noise Regulations*, contains the following ordinance sections which may be applicable to individual broadband projects implemented under the proposed Program.

8.20.140. Ambient base noise level.

Where the ambient noise level is less than designated in this Section, the respective maximum noise level permitted in Table 4.9-4 shall govern.

Table 4.9-4
AMBIENT NOISE BASE LEVEL

Zone	Time	Ambient Level (dBA)	Maximum Noise Level Permitted (dBA)
Single-Family Residential	10:00 p.m. to 7:00 a.m.	45	55
Single-Family Residential	7:00 p.m. to 7:00 a.m.	50	60
Single-Family Residential	7:00 a.m. to 7:00 p.m.	55	65
Multi-Family Residential	10:00 p.m. to 7:00 a.m.	50	60
Multi-Family Residential	7:00 a.m. to 10:00 p.m.	55	65
Commercial	10:00 p.m. to 7:00 a.m.	55	65
Commercial	7:00 a.m. to 10:00 p.m.	60	70
General Industrial	Anytime	65	75
Extractive Industrial	Anytime	70	80

Source: County Code of Ordinances Section 8.20.140

8.20.310. Construction of buildings and projects.

It shall be unlawful for any person within a residential zone, or within a radius of 500 feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance unless a permit has been duly obtained beforehand from the Community Development and Services Agency's Director of the Planning Department as set forth in Section 8.20.710 of the Chapter. No permit shall be required to perform emergency work as defined in Article 1 of this Chapter.

8.20.260. Machinery, equipment, fans and air conditioning.

It shall be unlawful for any person to operate any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device in any manner so as to create any noise which would cause the noise level at the property plane of any property to exceed the ambient base noise level by more than five decibels.

8.20.710. Exemption permit; immediate compliance impractical or unreasonable.

Where the applicant can show that notwithstanding the application of all available noise abatement techniques, immediate compliance with the requirement of the Chapter would be impractical or unreasonable, a conditional and/or limited noise permit may be granted an applicant, exempting the particular project or activity from the provisions of this Chapter for a limited period, not to exceed six months, subject to renewal upon a further showing of good cause conditioned by a schedule for compliance and details of methods therefor in appropriate cases. Applications for such permit shall be made to the Community Development and Services Agency to process such permits upon a form provided therefor. Such application shall be processed in the following manner:

(1) The Director of the Community Development and Services Agency, or his or her designee, is empowered to deny any such application.

(2) In determining whether to grant or deny the application, the Director of the Community Development and Services Agency, or his or her designee, shall balance the hardship on the applicant, the community, and other persons of not granting the permit against the adverse impact on the health, safety, and welfare of persons affected, the adverse impact on property affected, and any other adverse impacts of granting the permit. Applicants for permits and persons contesting permits may be required to submit such information as the Director of the Community Development and Services Agency, or his or her designee, may reasonably require. In granting or denying an application, the Director of the Community Development and Services Agency shall keep on public file a copy of the decision and the reasons for denying or granting the permit.

(3) Permits shall be granted by notice to the applicant containing all necessary conditions, including a time limit on the permitted activity. The permit shall not become effective until all conditions are agreed to by the applicant. Noncompliance with any conditions of the permit shall terminate the permit and subject the person holding it to those provisions of this Chapter for which the permit was granted.

(4) Prior to issuance of the permit, a fee in the amount set forth in Title XIII shall be paid to the County of Yuba. The same fee shall be required for each renewal of the original permit.

4.9.1.4 Existing Conditions

Noise Sources

The County's major transportation corridors are a primary existing source of noise. This includes State Route (SR) 20, SR 65, and SR 70, major County roads, and two railroad lines operated by Union Pacific Railroad. The County also includes several ongoing stationary noise sources, including quarries and mining operations, manufacturing operations, agricultural operations, Marysville Raceway Park, Ostrom Road Landfill, Sleep Train Amphitheater, a concrete plant, Beale Air Force Base, and the County's airports. In addition to the noise contours surrounding the County's major noise sources, ambient noise levels throughout the County were evaluated in a community noise survey conducted to support the County General Plan (County 2011a).

Roadway and Railroad Sources

Transportation noise is a significant issue in many areas along State highways and other high-volume roadways that may affect allowable land use in such areas. Additionally, there are two railroad lines that operate in Yuba County. UPRR operates both the Valley Line and the UPRR/Burlington Northern Santa Fe (BNSF) line (County 2011b).

Stationary Sources

Noise is a result of many processes and activities, even when the best available noise control technology is applied. Noise exposure within industrial facilities is controlled by federal and State employee health and safety regulations (i.e., the Mine Safety and Health Administration and the Occupational Safety and Health Administration). Exterior noise levels are judged against locally adopted standards. Commercial, recreational, and public service facility activities can also produce noise that affects adjacent noise sensitive land uses (County 2011b).

Quarries and Mining Operations

Yuba County has a large number of quarry and mining operations, the majority of which are located along Yuba River. Quarry sites require an extensive conveyor system, crushers, screeners, front loaders, bulldozers, draglines, water trucks, haul trucks, hot plants, ready-mix concrete plants, and other large pieces of equipment that may generate elevated noise levels. Additionally, many quarries operate during more noise-sensitive night and evening hours to save on electricity costs (County 2011b).

Aeronautical Sources

There are three airports located in Yuba County: Beale Air Force Base (AFB), Yuba County Airport, and Brownsville Aeropines Airport. The Sacramento Area Council of Governments (SACOG) is the established ALUC for all airports in Yuba County, and prepared ALUCPs for the Beale AFB in 2010, Yuba County Airport in 2011, and Brownsville Aeropines Airport in 1990 (SACOG 2010; SACOG 2011; SACOG 1990). The purpose of the ALUCPs is to:

- Protect public health, safety, and welfare through the adoption of land use standards that minimize the public's exposure to safety hazards and excessive levels of noise
- Prevent the encroachment of incompatible land uses around public-use airports, thereby preserving the utility of these airports in the future.

Noise Sensitive Land Uses

Noise level allowances for various types of land uses reflect the varying noise sensitivities associated with those uses. Noise-sensitive land uses (NSLU) include but are not limited to residential development, schools, hospitals, convalescent homes, churches, libraries, or similar facilities where quiet is an important attribute of the environment.

4.9.2 Significance Thresholds

The impact analysis provided below is based on the application of the following CEQA Guidelines Appendix G thresholds of significance, which indicate that the proposed Program would have a significant noise impact if it would result in:

1. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the proposed Program in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;

2. Generation of excessive groundborne vibration or groundborne noise levels;

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

The significance of noise and vibration levels, or the increase in noise levels as a result of the proposed Program, are based on the following standards from the County General Plan or other agencies:

- **Long-Term Operational Noise**: Per the County Code of Ordinances Section 8.20.260, operational equipment noise generated by individual broadband projects implemented under the proposed Program would be potentially significant if it would cause noise levels to exceed ambient noise by more than 5 dBA, measured at the property plane of the receiving land use. Section 8.20.140 specifies maximum allowable noise levels when the ambient noise level is low, based on the zone of the affected property. See Table 4.9-1, above.

- **Ground borne Vibration:** The County has not adopted standards for acceptable ground borne vibration resulting from construction activities. Therefore, based on guidance from Caltrans, vibration resulting from individual broadband projects implemented under the proposed Program would be significant if vibration levels exceed the following criteria (Caltrans 2020):

    - A “severe” human response level of 0.4 inch per second PPV measured at any occupied building; or

    - A damage threshold of 0.3 inch per second PPV measured at any older residential building; or

    - A damage threshold of 0.08 inch per second PPV measured at any fragile historic building, ruin, or ancient monument.

4.9.3 Impact Analysis

NOI-1 The proposed Program may result in a temporary or permanent increase in ambient noise levels in the vicinity of the Program in excess of standards established in the County General Plan.

Construction Noise

The proposed Program would install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. The installation of underground or overhead cables would be located primarily within existing County maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County. The exact alignment of future broadband infrastructure is unknown at this time and would be based on such considerations as construction feasibility, local preference, and locations of sensitive environmental resources.

Construction noise from the development of individual broadband projects would be temporary and short term as construction occurs intermittently and varies depending on the nature or phase of construction (e.g., horizontal directional drilling, plowing, trenching, microtrenching, line installation, aerial stringing, and pavement repair). Construction equipment would vary by construction method, but the construction process could include operation of the following types of equipment: pickup/utility trucks, horizontal drill rigs, auger drill rigs, cranes, generators, excavators, backhoes, dozers, air compressors, trenchers, concrete saws, vibratory rollers, dump trucks, and Man Lifts. Noise generated from these pieces of equipment would be temporary and intermittent as typical use is characterized by short periods of full power operation followed by extended periods of lower power, idling, or powered-off conditions. The noise level of construction equipment anticipated to be used at individual broadband project sites, from the Federal Highway Administration's (FHWA's) Roadway Construction Noise Model (RCNM) are shown below in Table 4.9-5.

Table 4.9-5
REFERENCE NOISE LEVELS FROM TYPICAL CONSTRUCTION EQUIPMENT

Equipment	Typical Noise Level 50 ft from Source, dB
Horizontal Directional Drilling	
Boring Jack Power Unit	80.0
Horizontal Boring Jack	76.0
Cranes	72.6
Generator Sets	77.6
Excavators	76.7
Tractors/Loaders/Backhoes	73.6
Plowing	
Dozer	77.7
Line Installation	
Air Compressors	73.7
Generator Sets	77.6
Aerial Stringing	
Bore/Drill Rigs	77.4
Cranes	72.6
Tractors/Loaders/Backhoes	73.6
Microtrenching	

Equipment	Typical Noise Level 50 ft from Source, dB
Trenchers	77.3
Tractors/Loaders/Backhoes	73.6
Trenching	
Concrete/Industrial Saws	82.6
Excavators	76.7
Tractors/Loaders/Backhoes	73.6

Source: FHWA 2008

The County has not established standards for allowable construction noise levels. Yuba County Code of Ordinances Section 8.20.30 prohibits the operation of construction equipment within 500 feet of residential zone between the hours of 10:00 p.m. and 7:00 a.m. Per the Federal Transit Administration's *Transit Noise and Vibration Impact Assessment Manual*, construction noise may be evaluated qualitatively if the construction activity is short-term (less than one month), on a small scale (limited equipment operating concurrently), and the construction equipment use is limited to daytime only (FTA 2018). Individual broadband projects implemented under the proposed Program would involve installation of fiber optic cables within public roads ROW and utilities easements. Construction activities would be short within the proximity of any single NSLU, typically less than a few days, and not involve the use of large amounts of construction equipment (2 to 3 pieces of equipment operating concurrently would be typical). Because Section 8.20.30 does not restrict evening construction activity (7:00 p.m. to 10:00 p.m.), noise from construction under the proposed Program would be potentially significant. Mitigation Measure NOI-1 would be implemented to restrict construction activity to daytime hours. With implementation of Mitigation Measure NOI-1, the proposed Program would not exceed the applicable County construction noise standards, and the impact would be less than significant.

Operational Noise

Per the Section 8.20.260 of the Yuba County Code of Ordinances, operational equipment noise generated by individual broadband projects implemented under the proposed Program would be potentially significant if it would cause noise levels to exceed ambient noise by more than 5 dBA, measured at the property plane of the receiving land use. Section 8.20.140 specifies maximum allowable noise levels when the ambient noise level is low, based on the zone of the affected property. See Table 4.9-1, above.

Some remote sites could include the use of generators to provide power for during power outages. Operation of generators on individual broadband project sites implemented under the proposed Program during a power outage would be considered an emergency and essential to maintain communication for public safety. Therefore, noise from proposed Program generators during a power outage would not be subject to the County Code of Ordinances. However, noise resulting from routine maintenance and testing of generators would be subject to Sections 8.20.140 and 8.2.260. Ambient noise level at individual project sites cannot be predicted for this analysis. Therefore, the significance of noise from routine testing and maintenance of generators is determined using the maximum noise standards specified in Sections 8.20.140 of the County Code of Ordinances, as shown in Table 4.9-1.

Specific types of generators that would be installed are unknown at this time. A typical backup generator for a communications site is a Polar Power 15-kilowatt diesel- or natural gas-powered generator housed in an enclosure which has a rated sound level of 66.2 dBA measured at 23 feet (Polar Power 2025). Emergency generators are typically run for maintenance and testing for periods of 15 to 30 minutes during daytime hours, several times per month. Per County Code of Ordinances Section

8.20.140, maximum allowable daytime (7:00 a.m. to 7:00 p.m.) noise levels received by single-family residential, multi-family residential, or commercial land uses would be 65 dBA L_{MAX}, see Table 4.9-1. A generator producing 66.2 dBA measured at 23 feet would produce 65 dBA at 25 feet.[1]

Therefore, project emergency backup generators located within 25 feet of a residential or commercial land use would result in stationary source noise exceeding the daytime County standard of 65 dBA L_{EQ}. Mitigation Measure NOI-2 would require emergency backup generators to be located away from NSLU or provide sound reduction measures to reduce noise from generators to comply with the applicable County standard. With implementation of Mitigation Measure NOI-2, the proposed Program would not exceed the applicable County operation noise standards, and the impact would be less than significant.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure NOI-1: Construction Hours

Construction noise-generating activities shall not occur outside the hours of 7:00 a.m. and 7:00 p.m. seven days a week within 500 feet of a noise-sensitive land uses including schools, hospitals, rest homes, long-term care facilities, mental care facilities, and residences. Prior to starting construction activities, the individual broadband project applicant or construction contractor shall post a publicly visible sign at the entrance to the individual fiber project site listing the allowable construction hours and the contact information, including telephone numbers, to report noise violations to the County and the contractor.

Mitigation Measure NOI-2: Backup Generator Noise Control

Prior to approving individual broadband projects that require an emergency back generator, the County shall verify that project plans include the following:

- Where feasible, emergency backup generators shall be installed no closer than 25 feet from any noise sensitive land use (e.g., residences, schools, hospitals, convalescent homes, churches, libraries) or commercial land use. If it is not feasible to locate emergency generators 25 feet or more from all NSLUs and commercial uses, the project proponent shall incorporate noise attenuating features (e.g., enhanced generator sound enclosures, noise barriers) into the equipment installation sufficient to reduce generator noise levels to 65 dBA L_{EQ} or less measured at the poverty line of the affected land use. Predicted or measured noise levels at the receiving land use property line shall be verified by a qualified acoustical professional.

Significance with Mitigation: Less than significant impact.

NOI-2 The proposed Program may result in the generation of excessive groundborne vibration levels.

Construction Groundborne Vibration

Construction activities would not require activities known to generate excessive ground-borne vibration, such as pile driving or blasting. A possible source of vibration during general construction activities

[1] For noise sources near the ground, sound pressure level change due to distance is calculated by $L = L_{REF} - 20 \times \log(R/R_{REF})$, where: L = sound pressure level at the receiver (dBA); L_{REF} = noise source reference sound pressure level (dBA); R = distance from the noise source to the receiver; and R_{REF} = reference noise distance. Formula assumes flat surface and no obstructions between the source and the receiver.

would be a vibratory roller used for gravel or pavement compaction. A large vibratory roller can create approximately 0.210-inch-per-second PPV at 25 feet (Caltrans 2020). Specific locations where vibratory rollers could be used during construction have not been identified. However, construction vibration impacts would be potentially significant if a vibratory roller were used: within 15 feet of an occupied building (exceeding 0.4 inch per second PPV); within 18 feet of an older residential building (exceeding 0.3 inch per second PPV); or within 60 feet of a fragile historical building, ruin, or ancient monument (exceeding 0.08 inch per second PPV).[2] Mitigation Measure NOI-3 would require vibratory rollers to be used in static mode only (no vibrations) in proximity to occupied buildings or fragile structures.

Operational Groundborne Vibration

Once operational, individual broadband projects would not include significant sources of groundborne vibration. Therefore, long-term, operational vibration impacts would be less than significant.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure NOI-3: Vibratory Roller Use

Prior to issuing individual broadband project construction approvals or permits, the County shall ensure that construction documentation includes the following restrictions. Vibratory rollers shall be used in static mode only (no vibrations) within the following distances:

- Within 15 feet of any occupied building; and,
- Within 18 feet of any older residential building; and,
- Within 60 feet of a fragile historical building, ruin, or ancient monument.

Significance with Mitigation: Less than significant impact.

NOI-3 The proposed Program would not expose people residing or working in the County to excessive noise levels from public use airports or private airstrips.

The proposed Program would install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. The installation of underground or overhead cables would be located primarily within existing County maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County. The exact alignment of future broadband infrastructure is unknown at this time and would be based on such considerations as construction feasibility, local preference, and locations of sensitive environmental resources; however, it is likely that fiber optic lines may be installed along roadways within two miles of an airport.

Construction would be short-term and temporary. Once operational, individual broadband projects would only require occasional short-term maintenance from employees. The proposed Program would not result in persons working for extended periods in proximity to Yuba County airports. Therefore, the

[2] Equipment PPV = Reference PPV * $(25/D)^n$ (in/sec), where Reference PPV is PPV at 25 feet, D is distance from equipment to the receiver in feet, and n = 1.1 (the value related to the attenuation rate through the ground); formula from Caltrans 2020.

proposed Program would not expose people residing or working in the area to excessive noise levels from airports. The impact would be less than significant.

Significance without Mitigation: Less than significant impact.

4.9.4 Cumulative Impacts

NOI-4 The proposed Program may contribute to a cumulatively considerable impact on ambient noise levels in the County.

A cumulatively considerable impact would occur if construction noise or construction vibration of individual broadband projects combined with construction noise and vibration from other cumulative projects and plans/projections in the County would affect the same NSLU. Although the exact alignment and timing of the future broadband infrastructure under the proposed Program is currently unknown, there is the potential that some of the locations for future infrastructure could coincide in location and time with other cumulative projects in the County, as listed in Table 4-1, Yuba County Cumulative Projects List, in Chapter 4.0, Environmental Impact Analysis which could result in potentially cumulatively considerable impacts. However, other cumulative projects in the County would also be subject to CEQA review and would be required to comply with any mitigation measures identified as necessary to reduce potential noise and vibration impacts. Implementation of Mitigation Measures NOI-1 through NOI-3 would ensure that the proposed Program's contribution to combined construction noise and vibration would be less than cumulatively considerable.

Significance without Mitigation: Potentially significant impact.

See Impact NOI-1 for Mitigation Measure NOI-1 and Mitigation Measure NOI-2 and see Impact NOI-2 for Mitigation Measure NOI-3.

Significance with Mitigation: Less than significant impact.

4.9.5 References

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Yuba, County of (County). 2011a. General Plan. June 7. Available at: https://www.yuba.org/Yuba%20County/Community%20Development/Planning/General%20Plan/Chapter%206%20Public%20Health%20&%20Saftey%20Element.pdf.

2011b. General Plan Final Environmental Impact Report. May. Available at: https://cms7files.revize.com/yubaca/Yuba%20County/Community%20Development/Planning/General%20Plan/2030%20final%20Environmental%20Impact%20Report%20-%20Complete%20Document.pdf.

4.10 PUBLIC SERVICES

This section describes the regulatory framework and existing conditions related to public services, evaluates the potential impacts that could occur as a result of implementation of the proposed Program, and details mitigation measures needed to reduce significant impacts, as necessary. The potential effects on public services were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance. No issues were identified or raised during scoping that pertain to public services.

4.10.1 Environmental Setting

4.10.1.1 Regulatory Framework

This section describes federal, State, and local environmental laws and policies that are relevant to the CEQA review process for public services. These policies provide context for the impact discussion related to the proposed Program's consistency with the applicable regulatory conditions.

Federal Regulations

There are no relevant federal policies, regulations, or laws related to public services, relevant to the proposed Program.

State Regulations

California Fire Code

The California Fire Code (CFC) is Part 9 of the California Code of Regulations (CCR) Title 24, Building Standards Code. The CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, fire hydrant locations and distribution, and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas. Chapter 49 of the CFC contains requirements for Wildland-Urban Interface (WUI) areas and prescribes construction materials and methods in fire hazard severity zones (FHSZ); requirements generally parallel the California Building Code (CBC) Chapter 7A. The CFC is updated on a three-year cycle; the current 2022 CFC took effect on January 1, 2023.

California Health and Safety Code

State fire regulations, set forth in Section 13000 et seq. of the California Health and Safety Code, include regulations for building standards, fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training.

California Occupational Safety and Health Administration

The California Occupational Safety and Health Administration (Cal/OSHA) has established minimum standards for fire suppression and emergency medical services (CCR Title 8, §§ 1270 and 6773). The standards include, but are not limited to, guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance and use of all firefighting and emergency medical equipment.

Quimby Act

California Government Code Section 66477, Subdivision Map Act, referred to as the Quimby Act, permits local jurisdictions to require the dedication of land and/or the payment of in-lieu fees solely for park and recreation purposes. The required dedication and/or fees are based upon the residential density, parkland cost, and other factors. Land dedication and fees collected pursuant to the Quimby Act may be used for acquisition, improvement, and expansion of park, playground, and recreational facilities or the development of public-school grounds.

Local Regulations and Plans

Yuba County Parks Master Plan

The 2008 Yuba County Parks Master Plan (Plan) identifies and evaluates the demand for new recreation opportunities in Yuba County and provides a path for the community to meet them. The objective of this Plan is to create a road map to guide park development, which includes specific projects identified during the planning process. In addition, the Plan includes a set of goals and objectives that can be used to evaluate any new projects that are identified in the future. Finally, the Plan makes recommendations about how to fund new parks and facilities, including both the capital cost and the ongoing maintenance that ensures they remain an asset to the community far into the future.

Plumas Lake Specific Plan Area/North Arboga Study Area: Park Master Plan

The Olivehurst Public Utility District (OPUD) operates and maintains over 50 acres of park land in unincorporated areas of the County. The Plumas Lake Specific Plan Area/North Arboga Study Area Park Master Plan (Master Plan) provides guidance for the community and developers within the OPUD, including park design, types, and park acreage standards. The 2024 Master Plan Update serves to provide a comprehensive planning approach for the continued development of the community's park system and recreational needs (OPUD 2024a).

Yuba County Code of Ordinances

Chapter 10.35, *Fire Mitigation*, establishes the Fire District Improvement Fee. Developers of projects within the County that would contribute to an increase in the potential fire danger are required to pay this fee when building permits are issued to mitigate fire risk. The fee is used to finance improvements and equipment for fire protection with each developer paying a fair share of the total cost of the improvements and equipment.

Yuba County General Plan

Public services are addressed within the *Community Development Element,* the *Public Health and Safety* Element, and the *Natural Resources Element* of the County General Plan (County 2011a).

The *Community Development Element* contains the following goals, policies, and implementation action that address public services within the County:

- **Goal CD2: Reinvestment.** Promote growth and reinvestment in existing developed unincorporated communities.

  - **Policy CD2.5:** The County will prioritize public spending on infrastructure within infill areas in order to induce reinvestment, remove blight, and reduce poverty.

- **Goal CD9: Rural Areas.** Preserve and enhance the rural character through development and conservation in Yuba County's Rural Communities and open space areas.

  - **Policy CD9.4:** The County will ensure an appropriate level of rural services and infrastructure, which could vary from urban service levels, considering appropriate densities, up front and long-term infrastructure costs, and environmental goals.

  - **Policy CD9.6:** The County will support planning for Rural Centers in foothill and mountain portions of the County that would provide a variety of activities and services needed or anticipated to be needed by the local population, including, but not limited to medical and educational services.

- **Goal CD11: Quality of Life and Local Advantages.** Provide a high local quality of life and take advantage of the County's economic and natural assets in order to attract employment.

  - **Policy CD11.1:** The County will encourage provision of high-quality parks and recreational areas, schools and other public services, retail, housing options, cultural attractions, walkability, and other amenities, in order to attract future employers.

- **Goal CD12: Level of Service: Public Services and Facilities.** Ensure high-quality public services, infrastructure, and facilities with adequate capacity to meet the needs of Yuba County's existing and future residents, businesses, industries, and employers.

  - **Policy CD12.9:** The County's target for law enforcement is to provide one officer per 1,000 persons within the unincorporated area and to provide an average response time of 5 minutes or less for Priority 1 emergency calls within the Valley Growth Boundary.

  - **Policy CD12.11:** The County will seek funding to improve and extend hours at the existing library in Marysville, while expanding library services to other urban and rural areas in the unincorporated County and Wheatland.

  - **Policy CD12.12:** The County will support library service enhancements through online services, electronic media, tying into computer labs, virtual branches, library service in existing community buildings, and other decentralized approaches, as well as traditional libraries.

  - **Policy CD12.13:** The County will take advantage of opportunities to develop, enhance, and maintain library services in coordination with local school districts, Yuba College, and other interested agencies.

  - **Policy CD12.15:** The County recognizes that provision of adequate school facilities is a community priority.

- **Goal CD13: Phasing and Location of Development.** Phasing and location of development that promotes efficient public infrastructure and services.

  - **Policy CD13.2:** The County will not induce growth by supporting the provision of services or infrastructure in areas that are not planned for development.

- **Goal CD14: Coordinated Public Services, Regional Services.** Provide coordinated public service and infrastructure planning.

  - **Policy CD14.4:** The County will coordinate with special districts, cities, Local Agency Formation Commission (LAFCO), Sacramento Area Council of Governments (SACOG), Caltrans, joint powers authorities, and other relevant agencies to provide efficient local and regional infrastructure, public facilities, and public services.

- **Goal CD15: Smart Infrastructure, Facilities, Services**. Cost-effective, efficient, and environmentally responsible public infrastructure, facilities, and services.

  - **Policy CD15.1:** Infrastructure and facilities constructed to meet demand within unincorporated County areas should be located and designed to minimize adverse impacts related to habitats for special-status species, floodplains, farmlands, cultural resources, and watershed areas.

The *Public Health and Safety Element* contains the following goals, policies, and implementation action that address public services within the County:

- **Goal HS2: Fire Risk**. Protect people and property from wildland and urban fire risk and create more fire-resilient communities.

  - **Policy HS2.1:** Prior to approval, new developments proposed in areas of Very High, High, or Moderate fire hazard, as designated on maps maintained by CAL FIRE, shall demonstrate compliance with Fire Safety Regulations and local regulations for defensible space, ignition-resistant construction materials, property maintenance to reduce fuels, natural hazards disclosure requirements, emergency access and multiple access points, availability of water for fire suppression, and other relevant building and development standards.

  - **Policy HS2.2:** The County will communicate with appropriate local, State, and federal fire protection personnel during the development review process and will condition projects considering input from these agencies to require defensible space, fire-wise landscaping, fuel breaks, emergency access, fire flow, hydrants, sprinkler systems, fire stations and other improvements and conditions, as appropriate.

  - **Policy HS2.3:** New development projects shall pay on a fair-share basis for fire stations, equipment, and other fire suppression improvements necessary to provide adequate fire protection services.

  - **Policy HS2.8:** Communication and electricity infrastructure in areas prone to wildfire should be located and designed to avoid interruptions during periods of fire activity.

  - **Policy HS2.11:** New developments in Moderate, High, or Very High fire hazard areas cannot propose limited access roads unless such access limitations do not adversely affect fire response and suppression.

- **Action HS2.1: Fire Standards.** The County will maintain a planning and entitlement review process that documents compliance with state and local standards for fire safety. The County will update zoning, development, improvement standards, and building standards, as necessary, to maintain compliance with relevant fire codes, including those maintained by CAL FIRE. County codes would be anticipated to address such topics as landscaping standards and fire-resistant plant materials, fire resistant building materials for exterior walls and other exterior features of structures, defensible space standards for different topographic conditions, sprinklers, emergency access, water supply and pressure for firefighting, building and road construction in areas prone to fire risk and greater slopes, and other relevant topics.

- **Goal HS5: Greenhouse Gas Emissions & Climate Change.** Provide greenhouse-gas efficient development patterns and successfully adapt to future changes in Yuba County's climate.

    - **Policy HS5.3:** Since transportation is the largest sector contributing to greenhouse gas (GHG) emissions both locally and at the statewide level, the County will prioritize land use/transportation projects that manage travel demand by increasing housing/employment density, placing homes in closer proximity with destinations, increasing accessibility to transit, or otherwise decreasing vehicle miles traveled (per household, per capita, and/ or per employee).

    - **Policy HS5.8:** The County will actively pursue funding for GHG-efficient transportation systems and other needed infrastructure, building and public realm energy efficiency upgrades, renewable energy production, land use-transportation modeling, and other projects to reduce local greenhouse gas emissions.

The *Natural Resources Element* contains the following goal and policies that address public services within the County:

- **Goal NR1: Recreational Areas.** High-quality, accessible public recreational open space.

    - **Policy NR1.1:** The County will collaborate with other agencies to ensure a quality park, recreation, natural open space, and trail system that is efficient to administer and cost-effective to maintain.

    - **Policy NR1.2:** Local parks should be developed according to local needs, including those identified in the County's Parks Master Plan and the Olivehurst Public Utilities District Park Master Plan.

    - **Policy NR1.12:** The County will incorporate trails along canals, transmission lines, and other easements and rights-of-way (ROW), where feasible, including trail development atop levees, so long as flood protection facilities are not adversely affected.

4.10.1.2 Existing Conditions

Fire Protection

Yuba County does not have a designated County fire department; however, fire protection services throughout the County are provided through various districts including local fire districts, city

departments, Yuba County Sheriff's Department, CAL FIRE, and U.S. Forest Service (USFS), as summarized in Table 4.10-1.

Table 4.10-1
FIRE SERVICE PROVIDERS IN YUBA COUNTY

Responsible Agency	Service Provider		Number of Stations
	Fire and EMS	***Dispatch***	
Staffed 24 Hours per Day			
City of Marysville	CAL FIRE	Marysville Police Department	1
District 10 – Hallwood Community Services District	Marysville	Yuba County Sheriff	1
Linda Fire Protection District	Linda Fire Protection District	Yuba County Sheriff	3
Olivehurst Public Utility District	Olivehurst Public Utility District	Yuba County Sheriff	1
CAL FIRE	CAL FIRE	CAL FIRE	1.5
Loma Riva-Browns Valley Community Services District	CAL FIRE	CAL FIRE	1.5
Staffed Weekends Only			
City of Wheatland	Wheatland Fire Department	Yuba County Sheriff	1
Plumas Brophy Fire Protection District	Wheatland Fire Department	CAL FIRE	1
Smartsville Fire Protection District	Smartsville Fire Protection District	CAL FIRE	1
All Volunteer			
Camptonville Community Services District	Camptonville Community Services District	CAL FIRE	2
Dobbins-Oregon House Fire Protection District	Dobbins-Oregon House Fire Protection District	CAL FIRE	3
Foothill Fire Protection District	Foothill Fire Protection District	CAL FIRE	2

Source: County 2011b.

In the foothills of the County, local fire protection districts are the lead agencies regarding emergency response and vehicle fires. The Yuba County Sheriff's Department (YCSD) provides dispatching services to the Wheatland Fire Authority, Linda Fire Protection District, and OPUD. The City of Marysville Fire Department occasionally responds to calls for service for incidents outside of city limits or District 10 – Hallwood Community Services District (CSD; County 2011b).

CAL FIRE provides fire protection service to the rural portions of the County from four stations: the Nevada-Yuba-Placer Unit headquarters located in Auburn, the Dobbins Battalion in Marysville, a station in Smartsville, and the Grass Valley Emergency Communications Center, which provides dispatching services and is collocated with the CAL FIRE air base that provides air support to firefighting response. The County also contracts with CAL FIRE for dispatch services to Loma Rica/Browns Valley CSD, Camptonville CSD, Smartsville Fire Protection District (FPD), Dobbins Battalion, Dobbins–Oregon House FPD, and Foothill FPD. Some of the districts have contract arrangements with CAL FIRE to provide fire protection and medical aid services during the non-wildland fire season. These areas are most susceptible to risk of wildland fires (County 2011b).

For most structure fires and all wildfires, the fire becomes the jurisdiction of CAL FIRE in State Responsibility Areas (SRA), and/or USFS in Federal Responsibility Areas (FRA). However, both CAL FIRE

and USFS will provide assistance to other fire protection agencies during major incidents, particularly wildfires (County 2011b).

Police Protection

The Yuba County Sheriff's Department and CHP's Valley Division provide law enforcement services in the unincorporated area of Yuba County, with the exception of Beale Air Force Base (AFB), which provides its own law enforcement services. Additionally, the Marysville Police Department and Wheatland Police Department provide law enforcement services in the incorporated area of each city and provide mutual aid during some incidents in the unincorporated portions of the County (County 2011b).

Yuba County Sheriff's Department

The YCSD provides police services, operates the Yuba County Jail, acts as the County Coroner, and administers various programs and operations aimed at providing public safety, including, but not limited to: patrol, search and rescue, field training, marine and aerial enforcement, narcotics unit, investigations units, an auto theft program, crisis negotiation, reserve officer and cadet programs, animal care services, and others (County 2011b).

The YCSD operates several facilities, including the Sheriff's Office and Jail, located at the County Courthouse in Marysville; the West Linda Substation; Olivehurst Substation; Plumas Lake Substation; and the Brownsville Substation. The YCSD also operates the County's animal care services office. The YCSD co-owns the Yuba County Command Post along with the Marysville Police Department, Wheatland Police Department, Office of Emergency Services, all Yuba County fire districts, and the Office of Health Services (County 2011b).

California Highway Patrol

The California Highway Patrol is a Statewide organization with responsibility for law enforcement for State highways and roads. Primary responsibilities of the CHP include traffic safety, service to the motoring public, and protection of State property. CHP services include law enforcement, traffic control, accident investigation, and the management of hazardous materials spill incidents. Yuba County is located within Caltrans District 3, which is responsible for maintaining and operating 1,491 center-line miles and 4,385 lane miles in the counties of Butte, Colusa, El Dorado, Glenn, Nevada, Placer, Sacramento, Sierra, Sutter, Yolo, and Yuba.

Schools and Education Services

There are currently five school districts and 33 schools that provide education services in Yuba County. The Yuba County Office of Education (YCOE) also provides alternative and transitional schools and other education services in the County. In the 2023-2024 school year, the total enrollment in Yuba County, including YCOE schools and services, was 15,829 students (Ed Data 2024). Table 4.10-2 summarizes the enrollment and number of schools per grade span for each of the five school districts.

Table 4.10-2
SCHOOL DISTRICTS IN YUBA COUNTY

School District	2023-2024 Enrollment	Number of Schools in District			
		Elementary	Middle School/ Junior High	High School	Other
Camptonville Elementary	586	1	0	0	K-12
Marysville Joint Unified	10,539	15	3	4	1-12, 11-12
Plumas Lake Elementary	1,604	2	1	0	0
Wheatland Elementary	1,333	3	1	0	0
Wheatland Union High	1,091	0	0	1	11-12, 9-11

Source: Ed Data 2024.

Additionally, the Marysville Campus of Yuba Community College, part of the Yuba College District, is located in the City of Marysville and provides higher education opportunities within the County.

Parks and Recreation Providers

Yuba County operates County-owned public parks and provides park services. The County operates nine community and neighborhood parks and one regional park, the Hammon Grove Park-Sycamore Ranch. The County-owned parks provide various forms of recreation including: river access, fishing, and boat launching facilities; barbeques, camping, and stage facilities, playground, basketball, softball, and tennis facilities; and pedestrian trails (County 2011b).

In addition to County-owned parks, other parks and recreation services in unincorporated Yuba County are provided by OPUD, Browns Valley Irrigation District (BVID), and Yuba County Water Agency (YCWA). The OPUD operates and maintains more than 50 acres of park land in the unincorporated areas of Yuba County, including six community and neighborhood parks in Olivehurst and 15 community and neighborhood parks in Plumas Lake (OPUD 2024b). BVID owns and operates the Merle Collins Reservoir (Collins Lake), which includes the Collins Lake Campground. As part of its Federal Energy Regulatory Commission License, YCWA provides many recreational opportunities at Lake Francis and New Bullards Bar Dam and Reservoir, both located in the County foothills. Recreation opportunities include boating, camping, fishing, hiking, mountain biking, swimming, wake boarding, and water skiing. The YCWA facilities also provide boat launching and camping facilities (YCWA 2024).

Libraries

The Yuba County Library provides library services from its main facility in the City of Marysville. Services include an interlibrary loan program, programs for children of all ages, internet computers and wireless access, and multimedia resources for loan (County 2011b).

4.10.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed Program would have a significant impact to public services if the project would:

1. Result in substantial adverse physical impacts associated with the provision of new or physically altered government 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: fire protection, police protection, schools, parks, or other public facilities.

4.10.3 Impact Analysis

PS-1 The proposed Program would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities in order to maintain acceptable service ratios, response times or other performance objectives for any public services including fire protection, police protection, schools, parks, or other public facilities.

The proposed Program would expand access to fiber optic broadband technology throughout unincorporated communities of Yuba County. The proposed Program would install fiber optic lines either underground in buried conduits, overhead on existing or newly constructed utility poles, or in a combination of both. The installation of underground or overhead cables would be located primarily within existing County maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County. Implementation of the proposed Program would not result in the development of housing or generate a substantial increase in population in the Program area.

Fire Protection

Yuba County receives fire protection services from various districts including local districts, city departments, Yuba County Sheriff's Department, CAL FIRE, and USFS. The proposed Program would be required to comply with fire codes regarding access and wildland fire protection. The potential for a minor increase in demand for fire services may occur during construction or maintenance of individual broadband projects, however these minor public service demands would not overburden the local fire protection districts, city fire departments, YCSD, CAL FIRE, or USFS. Additionally, implementation of the proposed Program would increase individuals' access to telehealth, which could reduce the need for medical emergency response vehicles and demand for emergency response services. Therefore, the Program would provide a benefit to emergency fire response, and the impact on fire protection services would be less than significant.

Police Protection

Police protection services in Yuba County are provided primarily by the Yuba County Sheriff's Department and the Yuba-Sutter Area of CHP's Valley Division. The City of Marysville Police Department and City of Wheatland Police Department may provide mutual aid during certain incidents to the unincorporated areas of the County. The potential for a minor increase in demand for services may occur for police protection if a crime or accident occurs during construction or maintenance of individual broadband projects. However, these minor public service demands would not overburden the YCSD, the Yuba-Sutter Area of CHP's Valley Division, or the police departments in the cities of Marysville and Wheatland. Additionally, as discussed above, implementation of the proposed Program would provide residents with improved telecommunication, which could improve emergency preparedness and response and reduce demand for emergency response services. Therefore, the Program would provide a benefit to emergency response, and the impact on police protection services would be less than significant.

Schools

Education in the County is provided through the County's five school districts and 33 schools, as well as one community college and other alternative and transitional schools. Implementation of the proposed Program would not require the construction of housing and would not contribute to substantial unplanned population growth. Therefore, the proposed Program would not generate any additional residential population that would create demand for additional schools or increase attendance or enrollment at existing schools in Yuba County. Additionally, implementation of the proposed Program would provide residents with improved telecommunication, which would increase access to virtual learning opportunities. Therefore, the Program would provide a benefit to virtual education, and the impact on schools would be less than significant.

Parks

Numerous parks and recreation facilities within the County are provided by Yuba County, OPUD, BVID, and YCWA. Implementation of the proposed Program would not require the construction of housing and would not contribute to substantial unplanned population growth; as such, implementation of the proposed Program would not alter acceptable service ratios of performance objectives for existing park facilities in the County. Therefore, no impact would occur.

Other Public Facilities

As demonstrated above, the proposed Program would not generate an increased need for public services, such as fire or police protection, schools, or parks. In addition, implementation of the Project and construction of individual broadband projects would not physically alter existing government facilities such that service ratios, response times, or other performance-based objectives for fire protection, police protection, schools, parks, or other public facilities would be impacted. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

4.10.4 Cumulative Impacts

PS-2 The proposed Program would not result in a significant cumulative impact with respect to public services.

Cumulative impacts would occur when the proposed Program, in combination with other projects and plans/projections in the County, would result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities in order to maintain acceptable service ratios, response times, or other performance objectives for any public services including fire protection, police protection, schools, parks, or other public facilities. Potential impacts to public services are evaluated on the level at which that public service is provided, which may be regional or more localized depending on the service. As discussed under Impact PS-1, implementation of the proposed Program would result in a less than significant impact on public services.

The analysis of cumulative impacts is based on impacts of the proposed Program and the other projects and plans/projections in the County as listed in Table 4-1, Yuba County Cumulative Projects List, in Chapter 4.0, Environmental Impact Analysis. All projects in the County, including the proposed Program and the cumulative projects considered in this analysis, would be subject to the applicable General Plan

policies and provisions of the County Code of Ordinances that prevent development in the County from exceeding acceptable service levels, which would ensure through the development review process that adequate public facilities and services are available to serve new development. Therefore, the proposed Program would not result in a significant cumulatively considerable impact with respect to public services, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

4.10.5 References

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4.11 TRANSPORTATION

This section describes the regulatory framework and existing conditions related to transportation, evaluates the potential impacts that could occur as a result of implementation of the proposed Program, including potential impacts to intersections, roadway segments, pedestrian and bicycle facilities, and transit service, and detailed mitigation measures needed to reduce significant impacts, as necessary. The potential effects on transportation were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance.

On February 18, 2025, the California Department of Transportation (Caltrans) sent a letter to the Yuba County Community Development and Services Agency to provide comments on the proposed Program. Caltrans noted that if any future project activities encroach into Caltrans right-of-way (ROW), the project proponent must apply for an Encroachment Permit to the Caltrans District 3 Encroachment Permit Office. The Notice of Preparation (NOP) public comments letters are included in the Scoping Memorandum (Appendix D).

4.11.1 Environmental Setting

4.11.1.1 Regulatory Framework

This section describes federal, State, and local environmental laws and policies that are relevant to the CEQA review process for transportation and circulation. These policies provide context for the impact discussion related to the proposed Program's consistency with the applicable regulatory conditions.

Federal Regulations

Code of Federal Regulations

Code of Federal Regulations (CFR) Title 49, Subtitle B, provides guidelines pertaining to interstate and intrastate transport of goods, hazardous materials, and substances, as well as safety measures for motor carriers and motor vehicles that operate public highways. The primary transportation corridors within the County are State Routes (SR) 20, SR 49, SR 65, and SR 70, and U.S. Highway (US) 99.

CFR Title 23, Part 658 prescribes national policies that govern truck sizes and weights on the national network of highways based on the Surface Transportation Assistance Act. The maximum length of a semitrailer operating in a truck tractor-semitrailer combination is 48 feet. The maximum length of a semitrailer or trailer operating in a truck tractor, semitrailer-trailer combination, is 28 feet. The maximum width of vehicles operating on the national network is 102 inches (except for mobile home transport, which requires a special permit). The maximum gross vehicle weight is 80,000 pounds.

State Regulations

California Department of Transportation

Caltrans is a State agency overseeing State highway, bridge, and rail transportation planning, construction, maintenance, and operation. For administrative purposes, Caltrans divides the State into 12 districts, supervised by district offices. Yuba County is located within District 3, which is headquartered in the City of Marysville. Caltrans requires an encroachment permit for non-transportation activities, including utility construction, occurring within rights-of-way (ROW) of the State

highway system. Caltrans also requires transportation permits for the movement of vehicles or loads exceeding the size and weight limitations of the California Vehicle Code.

State Improvement Program

The California Transportation Commission (CTC) is responsible for the programming and allocating of funds for the construction of highway, passenger rail, and transit improvements throughout California. The CTC also advises and assists the Secretary of the California State Transportation Agency and the Legislature in formulating and evaluating state policies and plans for California's transportation programs. The CTC is an active participant in the initiation and development of State and Federal legislation that seeks to secure financial stability for the State's transportation needs.

California Transportation Plan 2050

The California Transportation Plan 2050 (CTP) was adopted in February 2021. CTP, which is overseen by Caltrans, serves as a blueprint for California's transportation system, as defined by goals, policies, and strategies to meet the State's future mobility needs. The goals defined in the CTP fall into three categories: social equity, prosperous economy, and quality environment. Each goal is tied to performance measures. In turn, members from regional and metropolitan planning organizations (MPO) report these performance measures to Caltrans.

California Streets and Highways Code

The California Streets and Highways Code contains regulations for the care and protection of state and County highways and specifies that permits issued by Caltrans be required for roadway encroachment during truck transportation and delivery, as well as loads that exceed Caltrans' weight, length, or width standards for public roadways. The code also requires permits for utilities constructed within the ROW of a public highway.

California Vehicle Code

The California Vehicle Code contains several regulations regarding the safe transport of hazardous materials, hazardous waste, and explosive materials. It also provides weight guidelines and excessive load restrictions for vehicles traveling on highways.

Senate Bill 375

Senate Bill (SB) 375 provides guidance regarding curbing emissions from cars and light trucks to help the State comply with Assembly Bill (AB) 32. There are four major components to SB 375. First, SB 375 requires regional GHG emissions targets. The California Air Resources Board (CARB) Regional Targets Advisory Committee guides the adoption of targets to be met by 2020 and 2035 for each MPO in the State. These targets, which MPOs may propose themselves, must be updated every 8 years in conjunction with the revision schedule of the housing and transportation elements of local general plans. Second, the MPOs are required to create a Sustainable Communities Strategy (SCS) that provides a plan for meeting regional targets. The SCS and the Regional Transportation Plan (RTP) must be consistent, including action items and financing decisions. If the SCS does not meet the regional target, the MPO must produce an alternative planning strategy that details an alternative plan for meeting the target. Third, SB 375 requires planning strategy that details an alternative plan for meeting the target. SB 375 requires regional housing elements and transportation plans to be synchronized on 8-year schedules. In addition, regional housing needs allocation (RHNA) numbers must conform to the SCS. If

local jurisdictions are required to rezone land as a result of changes in the housing element, rezoning must take place within three years of adoption of the housing element. Finally, MPOs must use transportation and air emissions modeling techniques that are consistent with the guidelines prepared by the CTC. Regional transportation planning agencies, cities, and counties are encouraged, but not required, to use travel demand models that are consistent with CTC guidelines.

Public Resources Code Section 21099(b)(1) (Senate Bill 743)

Public Resources Code (PRC) Section 21099(b)(1) requires the Office of Land Use and Climate Innovation (LCI) to develop revisions to the CEQA Guidelines, thereby establishing criteria for determining the significance of transportation impacts from projects that "promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses." PRC Section 21099(b)(2) states that, upon certification of the revised guidelines for determining transportation impacts, pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service (LOS) or similar measures of vehicular capacity, or vehicular traffic congestion shall not be considered a significant impact on the environment under CEQA. In response to PRC Section 21099(b)(2), CEQA Guidelines Section 15064.3 notes that "Generally, vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts." The Guidelines section further states that although a lead agency may elect to be governed by this section immediately, lead agencies are not required to utilize VMT as the metric to determine transportation impacts until July 1, 2020. These changes to the CEQA guidelines and statutes are now in effect. This shift in transportation impact criteria is expected to better align transportation impact analysis and mitigation outcomes with the State's goals to reduce GHG emissions, encourage infill development, and improve public health through more active transportation.

Previously, LOS was used to measure the average amount of delay experienced by motorists at an intersection during the most congested times of day (AM and PM peak hours), while the new metric – VMT – measures the total number of daily miles traveled by vehicles on the roadway network. SB 743 changes the focus of transportation impact analysis in CEQA from measuring impacts on drivers to measuring the impact of driving.

In December 2018, LCI published the Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory), which contains LCI's technical recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures. This Technical Advisory provides screening criteria for certain project types, including a daily trip threshold to define "small projects" with respect to their potential to result in significant transportation effects (OPR 2018).

The Technical Advisory recommends VMT significance thresholds for different project types not meeting the screening criteria. The VMT level is commonly assessed using an efficiency metric, such as VMT per capita or VMT per service population. Lead agencies have the discretion to set thresholds of significance or apply thresholds on a case-by-case basis.

Regional Regulations

Sacramento Area Council of Governments

The Sacramento Area Council of Government (SACOG) is an association of local governments in the six-county Sacramento Region which includes the counties of Sacramento, El Dorado, Placer, Sutter, Yolo, and Yuba as well as 22 cities. SACOG provides transportation planning and funding for the region and serves as a forum for the study and resolution of regional transportation issues. In addition to preparing

the region's long-range transportation plan, SACOG assists in planning for transit, bicycle networks, clean air, and airport land uses.

2023 Metropolitan Transportation Plan/Sustainable Communities Strategy

The 2023 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) is a federally mandated long-range fiscally constrained transportation plan for the six-county area. To receive federal funding, transportation projects nominated by cities, counties, and agencies must be consistent with the MTP/SCS. The Metropolitan Transportation Improvement Program (MTIP) is a list of transportation projects that receive federal funds, require a federal action, or are regionally significant. The document also identifies prior year funding and estimated future funding beyond the four program years for projects for information. The SACOG submits the MTIP to Caltrans and amends the program on a quarterly cycle (SACOG 2023).

Yuba-Sutter Transit – 2023 NextGen Transit Plan

The NextGen Transit Plan is the result of a Fiscal Year 2021/22 Sustainable Communities Planning Grant. The purpose of the Plan is to shape the Yuba-Sutter Transit system for the next 5 to 10 years through construction of a new transit operating, maintenance, and administration facility; and transition to the large-scale operation of zero-emission buses. The Plan intends to improve the customer travel experience by reducing travel time; improving service frequencies and connections where possible; and introduce new and innovative transit options where feasible (Yuba-Sutter 2023).

Local Regulations

Yuba County Bicycle and Pedestrian Mobility Plan

The Bicycle and Pedestrian Mobility Plan was adopted in 2024 and encompasses the unincorporated communities of Plumas Lake, Linda, West Linda, and Olivehurst. The Plan intends to create a framework to identify and plan active transportation systems within the unincorporated communities and address the needs of pedestrians and bicyclists (County 2024).

Yuba County Bikeway Master Plan 2012 Update

The Yuba County Bikeway Master Plan was adopted by Yuba County on January 22, 2013. The Bikeway Master Plan establishes goals, policies, implementation actions, and priorities for the development of bicycle facilities in Yuba County. Key elements of the Bikeway Master Plan include maps of existing and proposed bicycle facilities and their proximity to major activity centers. The implementation plan identifies project priorities, locations, improvement descriptions, facility types, and cost estimates. The implementation plan guides development of proposed bicycle improvements (County 2012).

Yuba County Public Facilities Fee

Yuba County adopted a County Public Facilities Fee (CPFF) (Title 13, Chapter 13.50) and subsequently repealed and re-enacted Chapter 13.50 as the Countywide Development Impact Fees (CDIF) to mitigate impacts attributable to new development within the County. The fees fund County public facilities needed as a result of development and assure that development pays its fair share for public facilities. The traffic impact component of the CDIF program covers various Countywide transportation

improvements. The Yuba County Impact Fee Update Report lists the transportation projects included in the CDIF.

Yuba-Sutter Transit Authority

The Yuba-Sutter Transit Authority provides public transit service in Yuba County and Sutter County, as well as commuter service to Sacramento, under a joint powers agreement between the counties and the cities of Marysville and Yuba City. The 2015 Yuba Sutter Short Range Transit Plan assesses transit and related transportation issues and sets the stage for implementation of short-term service improvements.

Yuba County General Plan

Transportation is addressed within the *Community Development Element* and the *Public Health and Safety Element* of the County General Plan (County 2011a).

The *Community Development Element* contains the following goals and policies that address transportation within the County:

- **Goal CD16: Level of Service: Roadway System.** Maintain a roadway system that provides adequate level of service, as funding allows, and that is consistent with the County's planning, environmental, and economic policies.
    - **Policy CD16.2:** On County roads in the Valley Growth Boundary, LOS "D" shall be maintained during the PM Peak Hour at signalized intersections, as feasible.
    - **Policy CD16.3:** On County roads in rural areas, LOS "D" shall be maintained, as feasible, during the PM Peak Hour.
    - **Policy CD16.4:** On State highways, the LOS goals included in the adopted Yuba-Sutter Congestion Management Plan shall be maintained, as feasible.
    - **Policy CD16.7:** New developments will be required to reserve County and Caltrans rights-of-way necessary to serve the 2030 General Plan at buildout according to County LOS policies.
    - **Policy CD16.10:** The County will not use traffic LOS policies to analyze and mitigate CEQA impacts of new developments, but instead will use its LOS policies to assess fair-share funding of transportation facilities necessary to serve new projects.
    - **Policy CD16.11:** The County will analyze and mitigate transportation impacts in CEQA documents according to their relative increase in vehicular travel demand.
- **Goal CD17: Travel Demand Management.** Reduce costs of transportation infrastructure, increase freedom of mode choice, maintain air quality, and improve the local quality of life by managing travel demand.

  - **Policy CD17.6:** New developments and specific plans shall analyze and mitigate impacts related to increased travel demand, as feasible and consistent with County General Plan policy.

  - **Policy CD17.7:** The County will help to manage travel demand within Rural Communities by encouraging the development of services that are needed by, and located convenient to the local population.

- **Goal CD22: Goods Movement.** Safe and efficient movement of raw materials and finished goods.

  - **Policy CD22.3:** Specific plans and other development project plans located along rail corridors shall be designed to accommodate rail service or preserve options for future rail service.

The *Public Health and Safety Element* contains the following goal and policy that address greenhouse gases within the County:

- **Goal HS5: Greenhouse Gas Emissions & Climate Change.** Provide greenhouse gas-efficient development patterns and successfully adapt to future changes in Yuba County's climate.

  - **Policy HS5.3:** Since transportation is the largest sector contributing to greenhouse gas (GHG) emissions both locally and at the statewide level, the County will prioritize land use/transportation projects that manage travel demand by increasing housing/employment density, placing homes in closer proximity with destinations, increasing accessibility to transit, or otherwise decreasing vehicle miles traveled (per household, per capita, and/ or per employee).

4.11.1.2 Existing Conditions

Circulation System

Land use patterns play an important role in the modes of transportation available for the County's residents and businesses. Much of the County is rural, with rice crops, orchards, and cattle ranches. Much of Yuba County's development has occurred in the area south of the City of Marysville in the Linda and Olivehurst-Plumas Lake communities. Developed areas are generally low-density; low-density (4–5 units per acre) development patterns often limit the extent to which residents are able to use modes of travel other than automobiles for meeting daily needs (County 2011b).

The Yuba County General Plan classifies the roadway system as follows:

- **Freeway**: a multilane, divided highway with a minimum of two lanes in each direction and access provided at interchanges.

- **Conventional Highway**: a roadway with limited access and few cross streets generally along high-volume corridors that connect cities or unincorporated communities.

- **Arterial**: a road that accommodates longer distance travel, but also provides access to adjacent residential, commercial, and industrial properties.

- **Collector Road**: a two-lane roadway that collects traffic from adjacent developments and delivers that traffic to freeways, highways, and arterials. These roads have limited to moderate access control.

- **Local Road**: a road that provides direct access to abutting land and allows traffic movement within a single neighborhood or part of a neighborhood. Local roads are designed for low traffic volumes and speeds.

State Highways

SR 20, SR 49, SR 65, and SR 70 comprise the backbone of Yuba County's regional roadway network and serve the majority of the County's population in the cities of Marysville and Wheatland, and unincorporated areas. Arterials and collectors form the remainder of the County's major roadway system. These roadways are described in greater detail below:

- **SR 20** is a Conventional Highway with a maximum posted speed limit of 55 miles per hour (MPH) that serves commuter, commercial, agricultural, and recreational travel in Yuba County. It extends from west of the City of Marysville through the Yuba County foothills and into Nevada County. East of the City of Marysville, it is a two-lane conventional highway through both flat and rolling terrain, serving communities such as Browns Valley, Smartsville, and Oregon House.

- **SR 49** is a Conventional Highway that serves regional north-south traffic in the northeastern area of the County. Within Yuba County, it is a two-lane conventional highway with a maximum posted speed limit of 50 MPH through rolling and mountainous terrain, serving the Camptonville and Log Cabin communities, as well as communities in adjacent Nevada County.

- **SR 65** is a Freeway/Conventional Highway with a maximum posted speed limit of 65 MPH that serves both local and regional travel within Yuba County. It begins at Interstate 80 in southern Placer County and extends in a northern direction through downtown City of Wheatland, terminating at SR 70. SR 65 is a two-lane conventional highway from the City of Wheatland to South Beale Road, and a four-lane freeway north of South Beale Road to its terminus at SR 70. Within Yuba County, SR 65 has interchanges at Forty Mile Road/Ostrom Road and McGowan Parkway.

- **SR 70** is a Freeway/Conventional Highway with a maximum posted speed limit of 65 MPH that serves both local and regional travel within Yuba County. It begins at SR 99 in Sutter County and extends northerly through Yuba County and into Butte County. SR 70 is a four-lane freeway at the Sutter/Yuba County line. To the north, it is four lanes and has interchanges at Plumas Lake Boulevard, McGowan Parkway, SR 65, Olivehurst Avenue, Erle Road, Feather River Boulevard, and North Beale Road. Within Marysville, it is generally a four-lane arterial. It is a two-lane conventional highway between the City of Marysville and the Yuba/Butte County line (County 2011b).

Arterials and Collector Roads

Arterial roadways include portions of McGowan Parkway, Olivehurst Avenue, River Oaks Boulevard, Erle Road, North Beale Road, Simpson Lane, and Marysville Road. Collector roadways include Feather River Boulevard, Olivehurst Avenue, Plumas Arboga Road, Lindhurst Avenue, Arboga Road, Forty Mile Road,

South Beale Road, Spenceville Road, Wheatland Road, Hammonton-Smartville Road, Loma Rica Road, and others (County 2011b).

Public Transportation

Public transportation in Yuba County is provided by Yuba-Sutter Transit, as well as fixed-route and demand-responsive bus service, park-and-ride lots, taxis, commercial buses, and vans/carpools (County 2011b).

Bicycle and Pedestrian System

The Yuba-Sutter Bikeway Master Plan classifies the bikeway system in the County as follows:

- Class I Bikeway – Separate off-street facility for exclusive use of bicycles and pedestrians.
- Class II Bike Lane – On-street lane with appropriate striping and signing for bicycle use.
- Class II Bike Route – Signed bike route that shares the traveled way with vehicles.

The overall bicycle and pedestrian network within Yuba County is intermittent. Due to the rolling terrain and considerable distance between major destinations, the foothills of the County do not have bicycle and pedestrian facilities. However, the flatter terrain and more densely populated areas of southern Yuba County has led to the development of more sidewalks and bicycle facilities along major roadways (County 2011b).

4.11.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed Program would have a significant transportation impact if the Program would:

1. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;
2. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b);
3. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or,
4. Result in inadequate emergency access.

4.11.3 Impact Analysis

TRA-1 The proposed Program may conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

The proposed Program would install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. The installation of underground or overhead cables

would be located primarily within existing County maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County.

Construction

Construction of individual broadband projects may require temporary lane closures, which have the potential to impede or interfere with emergency access routes or services. Coordination with local agencies (e.g., CHP and local police and fire departments) for any necessary and temporary road closures would be required, especially for construction within designated emergency access routes or in areas that would impede or otherwise affect evacuation and emergency access or services. Individual broadband projects that would be located in County road ROW would be required to submit an encroachment permit to the County Public Works Department. To minimize or avoid lane closures that could interfere with traffic circulation during emergencies and disrupt access to private properties and roadways, each individual broadband project that would require the issuance of an encroachment permit would be required to develop and implement a Traffic Control Plan as stipulated in Mitigation Measure TRA-1. Standard traffic control measures specified in the Traffic Control Plan would be required for all construction activities along County road ROW and would be subject to review and approval by the County Public Works Department. With implementation of TRA-1, potentially significant impacts during construction of individual broadband projects along County ROW would be reduced to less than significant.

Operation

The operation of individual broadband projects would not conflict with program, plan, ordinance, or policy concerning traffic circulation systems. Operational activities for individual broadband projects implemented under the Program would be limited to routine maintenance and emergencies. In addition, infrastructure such as circuit cabinets with cooling fans and/or stand-by generators associated with individual broadband projects may be routinely checked, as needed. Therefore, the impact related to operation would be less than significant.

Impact Conclusion

Operation of the proposed Program would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. With implementation of Mitigation Measure TRA-1, construction-related impacts would be less than significant.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure TRA-1: Traffic Control Plan

Prior to the issuance of an encroachment permit, a Traffic Control Plan shall be developed for individual broadband projects that require an encroachment permit for construction activities along County road rights-of-way (ROW) to manage traffic during construction. The applicant shall consult with the Yuba County Public Works Department regarding construction activities that may affect area traffic (such as construction staging necessitating lane closure, trenching, etc.) to ensure that the Traffic Control Plan is prepared in conformance with applicable code and ordinance requirements for emergency access. The construction contractor shall implement appropriate traffic controls identified in the Traffic Control Plan in accordance with the California Vehicle Code and other State and local requirements to avoid or

minimize impacts on traffic during construction. The Traffic Control Plan shall be submitted along with the encroachment permit to the Yuba County Public Works Department prior to the commencement of construction activities.

Significance with Mitigation: Less than significant impact.

TRA-2 The proposed Program would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

On September 27, 2013, California Governor Jerry Brown signed SB 743 into law and started a process that changed the way transportation impact analysis is conducted as part of CEQA compliance. These changes include the elimination of automobile delay, also known as LOS, and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts under CEQA. According to SB 743, these changes are intended to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions."

In December 2018, the OPR completed an update to the CEQA Guidelines to implement the requirements of SB 743. The Guidelines state that VMT must be the metric used to determine significant transportation impacts. The Guidelines require all lead agencies in California to use VMT-based thresholds of significance in CEQA documents published after July 2020. The OPR Guidelines recommend that local jurisdictions develop screening criteria to help identify development projects that will not cause a significant impact on VMT. The OPR Guidelines also recommend evaluating VMT impacts using an efficiency-based version of the metric, such as VMT per resident for residential developments and/or VMT per worker for office or other employment-based developments.

Yuba County does not currently have an established VMT significance threshold for environmental review purposes. CEQA Guidelines Section 15064.3(b)(3), Qualitative Analysis, states that a project may be analyzed qualitatively if modeling or methodology does not exist to adequately evaluate a particular project. Additionally, CEQA Guidelines Section 15064.3(b)(4), Methodology, allows lead agencies the discretion to choose the most appropriate approach to analyze a project's impacts to VMT. Additionally, the *2018 OPR Technical Advisory on Evaluating Transportation Impacts in CEQA* screening guidelines recommend that projects attracting fewer than 110 trips per day should be assumed to cause a less than significant impact on VMT.

Implementation of the proposed Program would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b). Construction of individual broadband projects under the proposed Program would be temporary and intermittent in nature and therefore would not result in a long-term increase in vehicular trips. Operation of individual broadband projects would not involve operational trips other than routine maintenance of the fiber optic cables. Although VMT would increase slightly from existing conditions, operation and maintenance of individual broadband projects would generate minimal worker vehicle trips and would not lead to a substantial increase in VMT per capita within the County. Therefore, the impact on VMT would be less than significant.

Significance without Mitigation: Less than significant impact.

TRA-3 The proposed Program may increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

The proposed Program would install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. The installation of underground or overhead cables would be located primarily within existing County maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County. Potential road hazards can occur due to a design feature or physical configuration of existing or proposed access roads that can affect the safe movement of vehicles along a roadway. Future development of the proposed Program would not alter the permanent configuration of area roadways and would not introduce types of vehicles that do not already travel on area roads. As noted under Impact TRA-1, construction activities may require temporary lane closures. Coordination with local agencies (e.g., CHP and local law enforcement and fire departments) for necessary and temporary road closures would be required. Standard traffic control measures, specified in the Traffic Control Plan, would be required for all construction activities along County road ROW, and would be subject to review and approval by the County Public Works Department.

Once construction activities have ceased, roads impacted by the construction of individual broadband projects would return to pre-construction conditions. Operational activities for individual broadband projects implemented under the proposed Program would be limited to routine maintenance and emergencies and would not increase roadway hazards. Therefore, with implementation of Mitigation Measure TRA-1, the proposed Program would not introduce or increase hazards due to a geometric design feature, and the impact would be less than significant.

Significance without Mitigation: Potentially significant impact.

See Impact TRA-1 for Mitigation Measure TRA-1.

Significance with Mitigation: Less than significant impact.

TRA-4 The proposed Program may result in inadequate emergency access.

Construction

As discussed in Impact TRA-1 and TRA-3, construction activities may require temporary lane closures, which have the potential to impede or interfere with emergency access routes or services. To minimize or avoid lane closures that could interfere with traffic circulation during emergencies and disrupt access to private properties and roadways, each individual broadband project that would require the issuance of an encroachment permit would be required to develop and implement a Traffic Control Plan as stipulated in Mitigation Measure TRA-1. Standard traffic control measures specified in the Traffic Control Plan would be required for all construction activities along County road ROW, and would be subject to review and approval by the County Public Works Department. With implementation of TRA-1, potentially significant impacts from interference with emergency response or emergency evacuation plans during construction of individual broadband projects along County ROW would be reduced to less than significant.

Operation

Operational activities for individual broadband projects implemented under the proposed Program would be limited to routine maintenance and emergencies. Infrastructure such as circuit cabinets with cooling fans and/or stand-by generators associated with individual broadband projects may be routinely checked, as needed. Operation would not interfere with emergency access. Additionally, implementation of the proposed Program would introduce a wider and more reliable network that would benefit communications to emergency services. The Program would improve public health and safety through enabling faster emergency response, enhanced communication between emergency services, and access to critical information during disasters or emergencies. Therefore, operation of the Program could benefit emergency communications and emergency access in Yuba County, and the impact related to operation would be less than significant.

Significance without Mitigation: Potentially significant impact.

See Impact TRA-1 for Mitigation Measure TRA-1.

Significance with Mitigation: Less than significant impact.

4.11.4 Cumulative Impacts

TRA-5 The proposed Program may contribute to a cumulative impact with respect to transportation.

Cumulative impacts would occur when the proposed Program, in combination with other projects and plans/projections in Yuba County, would directly or indirectly have a substantial adverse effect on transportation, VMT, and circulation. As discussed above under Impact TRA-1 through TRA-4, implementation of the proposed Program would result in a less than significant impact related to transportation with implementation of Mitigation Measure TRA-1. The analysis of cumulative impacts is based on impacts of the proposed Program and the other cumulative projects in the County, as listed in Table 4-1, Yuba County Cumulative Projects List, in Chapter 4.0, Environmental Impact Analysis. Standard traffic control measures, specified in a Traffic Control Plan, would be required to be employed for all construction activities along ROW, subject to review and approval by the applicable local, State, or federal agencies for work within their respective limits. With adherence to these requirements, potential impacts during construction would be less than significant. Individual broadband projects would not involve operational trips other than occasional routine maintenance of the fiber optic cables. Operation of the proposed Program would introduce a wider and more reliable network that would benefit communications to emergency services. The Program would improve public health and safety through enabling faster emergency response, enhanced communication between emergency services, and access to critical information during disasters or emergencies. With implementation of Mitigation Measure TRA-1, the proposed Program would not contribute to a cumulatively considerable impact with respect to transportation. Therefore, the impact would be less than significant with mitigation.

Significance without Mitigation: Potentially significant impact.

See Impact TRA-1 for Mitigation Measure TRA-1.

Significance with Mitigation: Less than significant impact.

4.11.5 References

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4.12TRIBAL CULTURAL RESOURCES

This section describes the regulatory framework and existing conditions related to Tribal Cultural Resources (TRCs), evaluates the potential impacts that could occur as a result of implementation of the proposed Program, and details mitigation measures needed to reduce significant impacts, as necessary. The potential effects on TCRs were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance.

On February 4, 2025, the Native American Heritage Commission (NAHC) sent a letter to Yuba County (County) to provide comments on the Draft Environmental Impact Report (EIR). The NAHC requested that consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of the proposed Project be conducted as early as possible to avoid inadvertent discoveries. The NAHC also requested that the proposed Program comply with Assembly Bill (AB) 52 and Senate Bill (SB) 18, as appropriate. The Notice of Preparation (NOP) public comments letters are included in Appendix B of the Scoping Memorandum (Appendix D).

4.12.1 Environmental Setting

4.12.1.1 Tribal Cultural Resources Overview

Pursuant to California Public Resources Code (PRC) Section 21074, TCRs are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are either included or determined to be eligible for inclusion in the California Register of Historical Resources (CRHR), or included in a local register of historical resources as defined in Subdivision (k) of PRC Section 5020.1.

Tribal cultural resources include pre- and post-contact Native American resources. Precontact resources represent the remains of human occupation prior to European settlement. Historic, or post-contact, resources represent remains after Europeans settlement and may be part of a “build environment,” including human-made structures used for habitation, work, recreation, education, and religious worship. Native American resources include ethnographic elementals pertaining to Native American issues and values.

Potential impacts to cultural resources in the County are discussed and evaluated in Section 4.4, *Cultural Resources*, of this program EIR.

4.12.1.2 Regulatory Framework

This section describes federal, State, and local environmental laws and policies that are relevant to the CEQA review process for TCRs. These policies provide context for the impact discussion related to the proposed Program’s consistency with the applicable regulatory conditions.

Federal Regulations

National Historic Preservation Act (54 United States Code 300101 et seq.)

The National Historic Preservation Act (NHPA) establishes the federal government policy on historic preservation and the programs, including the National Register of Historic Places (NRHP), through which this policy is implemented. Under the NHPA, significant cultural resources, referred to as historic

properties, include any prehistoric or historic district, site, building, structure, object, or landscape included in, or determined eligible for inclusion in, the NRHP. Historic properties also include resources determined to be a National Historic Landmark. National Historic Landmarks are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting United States heritage. A property is considered historically significant if it meets one or more of the NRHP criteria and retains sufficient historic integrity to convey its significance. This act also established the Advisory Council on Historic Preservation (ACHP), an independent agency that promotes the preservation, enhancement, and productive use of our nation's historic resources, and advises the President and Congress on national historic preservation policies. The ACHP also provides guidance on implementing Section 106 of the NHPA by developing procedures to protect cultural resources included in, or eligible for inclusion in, the NRHP. Regulations are published in 36 Code of Federal Regulations (CFR) Parts 60, 63, 800.

Section 106 of the NHPA (codified as 36 CFR Part 800) requires that effects on historic properties be taken into consideration in any federal undertaking. The process generally has five steps: (1) initiating Section 106 of the NHPA process, (2) identifying historic properties, (3) assessing adverse effects, (4) resolving adverse effects, and (5) implementing stipulations in an agreement document.

Section 106 of the NHPA affords the ACHP and the State Historic Preservation Officer (SHPO), as well as other consulting parties, a reasonable opportunity to comment on any undertaking that would adversely affect historic properties. State Historic Preservation Officers administer the national historic preservation program at the state level, review NRHP nominations, maintain data on historic properties that have been identified but not yet nominated, and consult with federal agencies during Section 106 review.

The NRHP eligibility criteria (36 CFR Section 60.4) is used to evaluate significance of potential historic properties. Properties meeting any of the following criteria are considered eligible for listing in the NRHP if they retain integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

a. Associated with events that have made a significant contribution to the broad patterns of our history.

b. Associated with the lives of persons significant to our past.

c. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master; or that possess high artistic values; or that represent a significant and distinguishable entity whose components may lack individual distinction.

d. Have yielded, or may be likely to yield, information important in prehistory or history.

Section 101(d)(6)(A) of the NHPA allows properties of traditional religious and cultural importance to a Native American tribe to be determined eligible for NRHP inclusion. In addition, a broader range of Traditional Cultural Properties are also considered and may be determined eligible for or listed in the NRHP. Traditional Cultural Properties are places associated with the cultural practices or beliefs of a living community that are rooted in that community's history and that may be eligible because of their association with cultural practices or beliefs of living communities that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community. In the NRHP programs, "culture" is understood to mean the traditions, beliefs, practices,

lifeways, arts, crafts, and social institutions of any community, be it an Indian tribe, a local ethnic group, or the nation as a whole.

California State Office of Historic Preservation

The California State Office of Historic Preservation (OHP) is responsible for administering federally and state mandated historic preservation programs to further the identification, evaluation, registration and protection of California's irreplaceable archaeological and historical resources under the direction of the SHPO, a gubernatorial appointee, and the State Historical Resources Commission.

OHP's responsibilities include:

- Identifying, evaluating, and registering historic properties;
- Ensuring compliance with federal and state regulatory obligations;
- Encouraging the adoption of economic incentives programs designed to benefit property owners; and
- Encouraging economic revitalization by promoting a historic preservation ethic through preservation education and public awareness and, most significantly, by demonstrating leadership and stewardship for historic preservation in California.

State Regulations

California Environmental Quality Act of 1970

CEQA Guidelines establishes a process for the issuing of discretionary permits by all California public agencies. The process includes full public disclosure and analysis of a project's potential effects on the human environment, open public comment period(s), and written responses by agencies to public comments. CEQA also requires agencies to consider project alternatives that reduce environmental impacts, and to ensure that environmental impacts are fully mitigated if mitigation is practicable. The human environment considered under CEQA includes agriculture, air quality, biological resources, geology and soils, greenhouse gases, hazards, historical and archaeological resources, land use and planning policies, mineral resources, noise, paleontological resources, population growth and housing, public services, recreation, traffic, tribal cultural resources, water quality, utilities, and visual resources.

Historical and archaeological resources are afforded consideration and protection by CEQA [14 California Code of Regulations (CCR) Section 21083.2, 14 CCR Section 15064]. The CEQA Guidelines define significant cultural resources under two regulatory designations: historical resources and unique archaeological resources. An historical resource is defined as a "resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the CRHR"; or "a resource listed in a local register of historical resources or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the [PRC]"; or "any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the agency's determination is supported by substantial evidence in light of the whole record" (14 CCR Section 15064.5[a][3]). Historical resources that are automatically listed in the CRHR include California historical resources listed in or formally determined eligible for the NRHP and California Registered Historical Landmarks from No. 770 onward (PRC 5024.1[d]). Locally

listed resources are entitled to a presumption of significance unless a preponderance of evidence in the record indicates otherwise.

Under CEQA, a resource is generally considered historically significant if it meets the criteria for listing in the CRHR. A resource must meet at least one of the following four criteria (PRC 5024.1; 14 CCR Section 15064.5[a][3]):

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage. Title 14, CCR Section 4852(b)(1) adds "is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States."
- Is associated with the lives of persons important in our past. Title 14, CCR Section 4852(b)(2) adds, "is associated with the lives of persons important to local, California, or national history."
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values. Title 14, CCR 4852(b)(3) allows a resource to be CRHR eligible if it represents the work of a master.
- Has yielded, or may be likely to yield, information important in prehistory or history. Title 14, CCR 4852(b)(4) specifies that importance in prehistory or history can be defined at the scale of "the local area, California, or the nation."

Historical resources must also possess integrity of location, design, setting, materials, workmanship, feeling, and association (14 CCR 4852[c]).

An archaeological artifact, object, or site can meet CEQA's definition of a unique archaeological resource, even if it does not qualify as a historical resource (14 CCR 15064.5[c][3]). An archaeological artifact, object, or site is considered a unique archaeological resource if "it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria (PRC 21083.2[g]):

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person."

Within California state law, cultural resources are defined as buildings, sites, structures, or objects, each of which may have historical, architectural, archaeological, cultural, and/or scientific importance. All resources nominated for listing in the CRHR must have integrity; the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Therefore, resources must retain enough of their historical character or appearance to convey the reasons for their significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and/or association. It must also be judged with reference to the particular criteria under which a resource is proposed for nomination (Calif. PRC Section 5024.1).

CEQA Guidelines, California Code of Regulations Title 14, Section 15064.5

When an initial study identifies the existence of, or the probable likelihood of, Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the NAHC. A project proponent may develop an agreement for treating or disposing of, with appropriate dignity, the human remains, and any items associated with Native American burials with the appropriate Native Americans identified as the most likely descendant by the NAHC.

Assembly Bill 52

AB 52 adds consultation with Native American tribes to the approval process for all projects requiring discretionary permits and subject to CEQA (see below). Tribes inform local agencies that they wish to be informed of proposed actions, and agencies are required to consult with those tribes before taking actions that may affect tribal cultural resources.

California Senate Bill 18 (California Government Code, Section 65352.3)

Pursuant to Senate Bill (SB) 18, local governments are required to consult with California Native American tribes identified by the NAHC for the purpose of protecting and/or mitigating impacts to cultural places. SB 18 requires formal consultation with Native American tribes as part of a project that enacts or amends a general plan or a specific plan.

California Health and Safety Code Section 7050.5

Section 7050.5 of the California Health and Safety Code states that 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 remains are discovered has determined if the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify NAHC within 24 hours of this identification.

Public Resources Code Section 5024 *et seq.*

PRC Section 5024 requires that each State agency develop policies for the preservation and maintenance of all state-owned historical resources under its jurisdiction listed in, or potentially eligible for, inclusion in the NRHP, or registered or eligible for registration as a state historical landmark. Each State agency is required to submit updates to their inventory of all state-owned structures over 50 years of age under its jurisdiction listed in or which may be eligible for inclusion in the NRHP or registered or which may be eligible for registration as a state historical landmark. These inventories are used to create a master list maintained by the OHP. The SHPO must be consulted by State agencies if any action would alter or affect any resources on this master list (PRC Section 5024(f)). Additionally, Section 5024.1 establishes the CRHR as an authoritative guide for identifying which cultural resources are to be protected, to the extent prudent and feasible, from substantial adverse change. The CRHR eligibility criteria provide one of the bases for determining a cultural resource to be significant under CEQA.

Public Resources Code Section 5097.9 *et seq.*

PRC Section 5097.9 establishes that both public agencies and private entities using, occupying, or operating on state property under public permit, shall not interfere with the free expression or exercise

of Native American religion and shall not cause severe or irreparable damage to Native American sacred sites, except under special, determined circumstances of public interest and necessity. This section also creates the Governor-appointed nine-member NAHC, charged with identifying and cataloging places of special religious or social significance to Native Americans, identifying and cataloging known graves and cemeteries on private lands, and performing other duties regarding the preservation and accessibility of sacred sites and burials and the disposition of Native American human remains and burial items.

Under PRC Section 5097.5, all state and local agencies must cooperate with the NAHC by providing copies of appropriate sections of all CEQA environmental impact reports relating to property of special significance to Native Americans. The NAHC is required to investigate the effect of proposed actions by a public agency if these actions may either cause severe or irreparable damage to a Native American sacred site located on state property or inhibit access to that site.

The NAHC is authorized to recommend mitigation measures if it finds, after a public hearing, that a proposed action would result in that damage or interference and to request action from the Attorney General if these mitigation measures are not addressed. This section also includes requirements for landowners to limit further development activity on property where Native American human remains are found until that landowner confers with NAHC-identified most likely descendants to consider treatment options. It further enables those descendants, within 48 hours of notification by the NAHC, to inspect the discovery site and recommend to the landowner or the person responsible for the excavation the means to treat or dispose of the human remains and any associate grave goods with dignity. In the absence of a most likely descendant, or of a treatment acceptable to all parties, the landowner is required to reinter the remains elsewhere on the property in a location that will not be disturbed. Finally, this section makes it a felony to remove Native American artifacts or human remains from a Native American grave or cairn, as well as to acquire, possess, sell, or dissect Native American remains, funerary objects, or artifacts from a Native American grave or cairn and establishes the repatriation of these remains, funerary objects, and associated grave artifacts as state policy (PRC Section 5097.9, *et seq*.).

California Health and Safety Code Section 8010-8011: California Native American Graves Protection and Repatriation Act (2001)

This section establishes a state policy that is partially consistent with the federal Native American Graves Protection and Repatriation Act (NAGPRA). It attempts to ensure that all Native American human remains, and cultural items are treated with dignity and respect. It encourages the voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California and requires that the State provide tribes with the mechanisms necessary to file and follow up with repatriation claims (California Health and Safety Code Section 8010 8011, *et seq*.).

California Government Code Sections 65560 and 65562.5: Consultation with Native Americans on Open Space (2005)

This section identifies the protection of Native American cultural places as acceptable designations of open space. It further requires local governments to conduct meaningful consultation with California Native American tribes on the contact lists maintained by the NAHC for purposes of protecting cultural places located on open space (California Government Code Section 65560, 65562.5, *et seq*.).

Local Regulations

Yuba County General Plan

Tribal cultural resources are addressed within the *Community Development Element* and *Natural Resources Element* of the Yuba County General Plan (Yuba County 2011).

The *Community Development Element* contains the following goals, policies, and implementation programs that address TCRs within the County:

- **Goal CD9: Rural Areas.** Preserve and enhance the rural character through development and conservation in Yuba County's Rural Communities and open space areas.
    - **Policy CD9.2**: Rural development should be located and designed to preserve and provide buffers around native oak trees and other healthy and attractive native vegetation, cultural resources, biological features, mineral deposits, active agricultural operations, unique landforms, historic structures and landscapes, and other natural resources
- **Goal CD15: Smart Infrastructure, Facilities, Services.** Cost-effective, efficient, and environmentally responsible public infrastructure, facilities, and services.
    - **Policy CD15.1**: Infrastructure and facilities constructed to meet demand within unincorporated County areas should be located and designed to minimize adverse impacts related to habitats for special-status species, floodplains, farmlands, cultural resources, and watershed areas.

The *Natural Resources Element* contains the following goals, policies, and implementation programs that address TCRs within the County:

- **Goal NR6: Cultural Resources.** Identify, protect, and preserve Yuba County's important prehistoric and historic resources.
    - **Policy NR6.1**: The County will require environmental assessment and mitigation to reduce or avoid impacts to significant cultural resources, as feasible, per state and federal legislation and regulations.
    - **Policy NR6.2**: If potential paleontological or prehistoric resources are detected during construction, work shall stop and consultation is required to avoid further impacts.
    - **Policy NR6.3**: New developments, roads, water and sewer lines, and stormwater infrastructure should be located to avoid impacts to significant cultural resources.
    - **Policy NR6.4:** The County will encourage adaptive reuse of historic structures in a way that maintains the character defining elements of the historic structure.

- **Policy NR6.5:** Priority investment should go to preserving or rehabilitating historic structures that are grouped in close proximity, are particularly good examples of a specific architectural style, or are associated with important people or events in the County's history.

- **Policy NR6.6:** The County will disseminate information to property owners regarding tax incentives and other federal and state programs that support the rehabilitation of historic structures.

- **Action NR6.1: Environmental Review and Mitigation.** Building on the analysis in the General Plan Program EIR, new development projects that could have significant adverse impacts to prehistoric or historic resources will be required to assess impacts and provide mitigation. The following steps, or those deemed equally effective by the County, will be followed:

  - Request information from the Native American Heritage Commission regarding Native American groups that may have important sites in areas that could be affected by project development.

  - Involve the local Native American community in determining the appropriate mitigation of impacts to significant prehistoric sites.

  - Consult the County's historic and cultural resources database and updated information from the North Central Information Center regarding cultural resource sites, structures, or landscapes that could be affected by project activities.

  - Based upon the sensitivity of the subject proposed project area, additional technical work may be required. Where a cultural resources survey has not been performed:

    - a pedestrian survey may be required in areas of low sensitivity;

    - a pedestrian survey will be required in areas of moderate and high sensitivity; and

  - Based on findings of the pedestrian survey, additional technical studies may be required, such as geoarchaeological sensitivity analysis, Native American consultation, ethnographic studies, or other analysis scaled according to the nature of the individual project.

  - For new developments that would alter historic structures (structures 50 years old or older), a qualified architectural historian shall conduct a record search and assess the potential for the project to result in significant impacts to historical resources that occur as part of the existing built environment.

  - Determination of impacts, significance, and mitigation (i.e., site monitors, avoidance, and/or other measures) shall be made by a qualified professional archaeologist or architectural historian, as appropriate.

- If impacts cannot be avoided through project design, appropriate and feasible treatment measures are required. Such measures may consist of, but are not limited to actions such as data recovery excavations, photographic documentation, or preparation of design drawings documenting the resource subject to significant impacts.

- Provide the North Central Information Center with appropriate California Department of Parks and Recreation site record forms and cultural resources reports documenting resources that may be identified through technical work performed to review projects accommodated under the 2030 General Plan.

- If human remains are discovered during construction of projects occurring under General Plan buildout, the project proponent and landowner shall comply with California Health and Safety Code §7050.5 and California Public Resources Code §7050.5.

4.12.1.3 Tribal Cultural Resources Setting

Ethnographic Setting

At the time of European contact, the area that would become Yuba County was occupied by the Nisenan tribe (alternatively known as the Southern Maidu). Maiduan groups are identified primarily by their language, which is a subgroup of the California Penutian linguistic family; these groups are divided, mainly on dialectic grounds, into the Nisenan, or Southern Maidu (living within the American River drainage plus parts of the Bear, Cosumnes, and Yuba rivers), the Northeastern Maidu (on the upper reaches of the North and Middle Forks of Feather River), and the Northwestern Maidu (below the Sierra foothills where the south, middle, north, and west branches of Feather River converge and on upper Butte and Chico creeks as well as parts of the Sacramento Valley). Nisenan villages ranged in population from 15 to 25 people, with the tribal centers averaging more than 500 people. Large settlements consisted of one major village with associated smaller, seasonal camps. Villages were typically located on ridges above major streams and rivers and were inhabited mainly in the winter months. During the hot summer months, the Nisenan moved to cooler temporary camps in higher elevations.

The local environment provided abundant food sources with seasonal gathering conducted mainly by women and children. Hunting and fishing, primarily conducted by the men, were year-round pursuits but were most successful in the late summer and early fall. The Nisenan had few contacts outside their immediate tribal territory and those contacts were limited to warfare, trade, and ceremonial gatherings. Villages were led by a headman or advisors, but each extended family had a leader who assisted the village headman. Some of the headsman's duties included advising the people in general, preventing them from trespassing, directing ceremonies and festivities, arbitrating disputes, and leading the village in times of warfare. Typically, the dead were cremated along with their property, and their dwelling was either moved or destroyed.

Maidu groups practiced a religion called the "Kuksu," which was widespread among California Native Americans and appeared in various forms. Ceremonies were typically conducted in the semi–subterranean dance houses that were centrally located within each village. A ceremony celebrated annually in the fall was the mourning ceremony that honored ancient ancestors as well as the individuals that had died during the year.

Early contact with the Spanish was limited to the southern edge of Nisenan territory, with most early accounts resulting from early penetrations of the Spanish into Plains Miwok territory. During the late 18th century, systematic removal of the missions and resistance by the Plains Miwok occurred along the border shared with the Nisenan. The Nisenan also received missionized Native Americans into their territory, as well as Miwok villagers displaced by the Spanish (Wilson and Towne 1978:387–97).

In 1833, a massive epidemic, believed to have been malaria, swept through the Sacramento valley (Cook 1955). The exact number of casualties is unknown, but it is estimated that 75 percent of the Maidu population were killed, leaving only a fraction of the original number to face the intruding miners and settlers that arrived when gold was discovered in Coloma in 1848.

4.12.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed Program would have a significant impact associated with tribal cultural resources if the Program would:

1. 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 size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

    a. Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k), or

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

4.12.3 Impact Analysis

TCR-1 The proposed Program may 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 geologically 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: 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).

CEQA, as amended in 2014 by AB 52, requires that the County provide notice to California Native American tribes that have requested notice of projects subject to CEQA review and consult with tribes that responded to the notice within 30 days of receipt with a request for consultation. Section 21073 of the PRC defines California Native American tribes as “a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of the Statutes of 2004.”

This includes both federally and non-federally recognized tribes. AB 52 letters were sent by the County on December 6, 2024, to the following six tribes, which included a summary of the proposed project:

- Estom Yumeka Maidu Tribe of the Enterprise Rancheria
- Pakan'yani Maidu of Strawberry Valley Rancheria
- Tsi Akim Maidu
- United Auburn Indian Community of the Auburn Rancheria
- Wilton Rancheria
- Nevada City Rancheria Nisenan Tribe

The County did not receive any requests for consultation during the 30-day window. As such, consultation was considered closed on January 5, 2025. However, the County acknowledges that undocumented TCRs may be present within the Program area and future individual broadband projects could cause a significant impact to such undocumented TCRs. Therefore, implementation of Mitigation Measure TCR-1 would address unanticipated discoveries of TCRs, and the proposed Program's potential impacts to unknown TCRs would be less than significant. The reduction of impact severity would be accomplished through the project-specific implementation of the procedural and substantive requirements of the regulations that govern AB 52 consultation; this will be done through the early identification of potential TCR impact scenarios and the collaborative consultative efforts to develop feasible measures to avoid or minimize such impacts.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure TCR-1: Tribal Consultation

When an application for an individual broadband project is deemed complete by Yuba County, the County, as the CEQA Lead Agency, shall conduct tribal consultation outreach to relevant California Native American tribes, pursuant to Public Resources Code (PRC) Section 21080.3.1, for all individual broadband projects included within the scope of the County of Yuba Broadband Infrastructure Project Program EIR prior to project approval. The County shall utilize the outreach procedures of AB 52 regardless of the level of environmental review required for the individual broadband project. In the event that a general plan or specific plan adoption or amendment is required for the implementation of an individual broadband project, the County shall comply with the requirements of Senate Bill 18 (SB) 18, in coordination with AB 52, as described in California Government Code Section 65352.3.

Significance with Mitigation: Less than significant impact.

TCR-2 The proposed Program may 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 geologically 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: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1,

the lead agency shall consider the significance of the resource to a California Native American tribe.

The County acknowledges that TCRs may be present within the Program area and proposed individual broadband projects could cause a significant impact to TCRs within the County. Therefore, implementation of Mitigation Measure TCR-1, as discussed in Impact TCR-1, would address an adverse change in the significance of TCRs, and the proposed Program's potential impacts to unknown TCRs would be less than significant.

Significance without Mitigation: Potentially significant impact.

See Impact TCR-1 for Mitigation Measure TCR-1.

Significance with Mitigation: Less than significant impact.

TCR-3 The proposed Program may cause a substantial adverse change in the significance of a tribal cultural resource inadvertently discovered during construction.

The County acknowledges that discoveries of an archaeological nature made during individual broadband project construction may qualify as a TCR, which could result in a significant impact to unknown TCRs within the County. Therefore, implementation of Mitigation Measure TCR-2 would address unanticipated discoveries of TCRs, and the Program's potential impacts to unknown TCRs would be less than significant. The reduction of impact severity would be accomplished through the project-specific implementation of the procedural and substantive requirements of the regulations that govern AB 52 consultation, and, where appropriate, with the assent of responding tribes, the application of documentation and/or data recovery efforts to obtain scientifically consequential information in a manner respectful of tribal sovereignty. This would offset the disturbance of the potential TCR in a manner that responds to the basis for its significance as informed by tribal input, information, and expertise.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure TCR-2: Tribal Treatment and Tribal Consultation

In the event that potential tribal cultural resources (TCRs) are exposed during ground-disturbing activities, construction activities (e.g., grading, grubbing, or vegetation clearing) shall be halted in the immediate vicinity of the discovery. The consulting tribe that is culturally and geographically affiliated with the area shall then be retained to evaluate if the resource is a TCR, and thus significant under CEQA. If the discovery is a TCR, additional work and mitigation measures, such as those listed in PRC §21084.3, as deemed appropriate by the tribal organization consulting on the find. Such mitigation may include avoidance and preservation in place as the preferred alternative.

Significance with Mitigation: Less than significant impact.

4.12.4 Cumulative Impacts

TCR-4 The proposed Program may result in a cumulative impact with respect to tribal cultural resources.

Cumulative TCR impacts may occur when a series of actions leads to the loss of historically or archaeologically significant types of sites, buildings, deposits, or TCRs. For example, while the loss of a single historic building may not be significant to the character of a neighborhood or streetscape, continued loss of such historic resources on a project-by-project basis could amount to a significant cumulative effect. As discussed above, with the implementation of Mitigation Measures TCR-1 and TCR-2, the proposed Program would have a less than significant impact on unknown TCRs in the County.

The analysis of cumulative impacts is based on impacts of the proposed Program in combination with other projects and plans/projections in the County as listed in Table 4-1, Yuba County Cumulative Projects List, in Chapter 4.0, Environmental Impact Analysis. Each project in the County that would be subject to CEQA would be required to assess its potential impact on tribal cultural resources. Mitigation measures conducted for each cumulative individual broadband project would ensure that impacts on TCRs are minimized to the maximum extent feasible. Therefore, with implementation of Mitigation Measures TCR-1 and TCR-2, and the requirement for the other cumulative projects subject to CEQA to conduct tribal consultation, no cumulatively considerable impact on TCRs would occur with approval of the proposed Project.

Significance without Mitigation: Potentially significant impact.

See Impact TCR-1 for Mitigation Measure TCR-1 and see Impact TCR-3 for Mitigation Measure TCR-2.

Significance with Mitigation: Less than significant impact.

4.12.5 References

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4.13 UTILITIES AND SERVICE SYSTEMS

This section describes the regulatory framework and existing conditions related to utilities and service systems, evaluates the potential impacts to water, sanitary sewers, storm drainage, solid waste facilities, and energy systems as a result of implementation of the proposed Program, and details mitigation measures needed to reduce significant impacts, as necessary. The potential effects on utilities and service systems were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance. No issues were identified or raised during scoping that pertain to utilities and service systems.

4.13.1 Environmental Setting

4.13.1.1 Regulatory Framework

This section describes federal, State, regional, and local environmental laws and policies that are relevant to the CEQA review process for utilities and service systems. These policies provide context for the impact discussion related to the proposed Program's consistency with the applicable regulatory conditions.

Federal Regulations

Clean Water Act

Section 304 of the Clean Water Act (CWA) establishes primary drinking water standards and requires states to ensure that potable water retailed to the public meets these standards. State primary and secondary drinking water standards are established in California Code of Regulations Title 22, Sections 64431–64501. Secondary drinking water standards incorporate non-health risk factors including taste, odor, and appearance. The National Pollutant Discharge Elimination System (NPDES) regulates the discharge of drainage to surface waters. Municipal storm drainage is required to meet board standards under waste discharge regulations and NPDES permits. Federal NPDES regulations are administered by the State Water Resources Control Board (SWRCB) and through the Regional Water Quality Control Board (RWQCB). The Central Valley RWQCB (CVRWQCB) regulates water quality within Yuba County.

State Regulations

Porter-Cologne Water Quality Control Act (Section 13000 et seq.)

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act, Water Code Section 13000 et seq.) is California's statutory authority for the protection of water quality in conjunction with the federal CWA. The Porter-Cologne Act requires the SWRCB and RWQCBs under the CWA to adopt and periodically update water quality control plans, or basin plans. Basin plans are plans in which beneficial uses, water quality objectives, and implementation programs are established for each of the nine regions in California. The Porter-Cologne Act also requires dischargers of pollutants or dredged or fill material to notify the RWQCBs of such activities by filing Reports of Waste Discharge and authorizes the SWRCB and RWQCBs to issue and enforce waste discharge requirements, NPDES permits, CWA Section 401 water quality certifications, or other approvals.

California Energy Commission

The California Energy Commission (CEC) regulates the provision of natural gas and electricity within the State. The CEC is the State's primary energy policy and planning agency and has five major responsibilities: forecasting future energy needs and keeping historical energy data, licensing thermal power plants 50 megawatts or larger, promoting energy efficiency through appliance and building standards, developing energy technologies and supporting renewable energy, and planning for and directing the State response to energy emergencies.

California Integrated Waste Management Act

The California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939) was adopted to redefine waste management practices and to minimize the volume and toxicity of solid waste that is disposed at landfill facilities in the State. The California Integrated Waste Management Board is the State agency designated to oversee, manage, and track California's 76 million tons of waste generated each year. It is one of the six agencies under the umbrella of the California Environmental Protection Agency. The California Integrated Waste Management Board develops laws and regulations to control and manage waste; enforcement authority is typically delegated to the local government. The board works jointly with local government to implement regulations and fund programs.

Pursuant to the California Integrated Solid Waste Management Act of 1989, all cities in California are required to reduce the amount of solid waste disposed in landfills. Contracts that include work that will generate solid waste, including construction and demolition debris, have been targeted for participation in source-reduction, reuse, and recycling programs. Contractors are urged to manage solid waste to divert waste from landfills (particularly Class III landfills) and to maximize source reduction, reuse, and recycling of construction and demolition debris.

Assembly Bill 1826

AB 1826 requires that State agencies, businesses, and multifamily complexes that generate specific quantities of organic or solid waste each week enroll in organic recycling programs through an applicable solid waste disposal company. Organic recycling programs may take the form of composting, mulching, or anaerobic digestion. Businesses and multifamily residential housing complexes that generate the following quantities are required to implement organic or solid waste recycling programs under AB 1826:

- Eight or more cubic yards of organic waste per week as of April 1, 2016.
- Four or more cubic yards of organic waste per week as of January 1, 2017.
- Four or more cubic yards of solid waste per week as of January 1, 2019.
- Two or more cubic yards of solid waste per week as of January 1, 2020, if Statewide disposal of organic waste is not already reduced by half.

The California Department of Resources Recycling and Recovery (CalRecycle) has determined that California has not achieved its Statewide organic disposal goal of reducing organic waste disposal to 50 percent of 2014 levels by 2020, and therefore organic composting and recycling requirements have

been expanded such that businesses that generate 2 or more cubic yards of solid waste per week must comply with the requirements of AB 1826 (CalRecycle 2024).

Local Regulations

Yuba County Storm Water Management Plan

The Yuba County Storm Water Management Plan (SWMP) is implemented by Yuba County to fulfill requirements of the NPDES Phase II requirements for Small Municipal Separate Storm Sewer Systems (Small MS4s). The Yuba County SWMP provides a plan for the affected agencies within the County to follow Best Management Practices (BMPs), measurable goals, and timetables for the implementation of the Six Minimum Control Measures, as required by the U.S. Environmental Protection Agency and SWRCB. The Six Minimum Control Measures implemented by the SWMP are explained below:

- Public Education: Education of the public regarding the importance of the SWMP and the importance of the public's role in the program.

- Public Participation: Involve the public in the ongoing development and refinement of the SWMP, allow for input on the control measures, and encourage public participation in implementation of the measures.

- Illicit Discharge Detection and Elimination: Pursue ordinances or take equivalent measures that prohibit illicit discharges and develop programs to detect illicit discharges.

- Construction Site Stormwater Runoff Control: Develop measures to control the discharge of pollutants from construction sites greater than or equal to one acre in size within the County. The programs must include inspections of construction sites and enforcement actions against violators.

- Post-construction Stormwater Management: Develop measures to require long-term BMPs that protect water quality and control runoff flow to be incorporated into development and substantial redevelopment projects.

- Pollution Prevention/Good Housekeeping for Municipal Operations: The County and other affected agencies within the County will evaluate their activities and develop a program to prevent the discharge of pollutants from those activities. At a minimum, the program will educate staff on pollution prevention and minimize pollutant sources.

Through these control measures the SWMP is focused on reducing the discharge of pollutants to stormwater to the maximum extent practicable and preparing an annual report on the progress of the SWMP implementation (County 2011a).

Yuba County Integrated Regional Water Management Plan

The YCWA is lead agency for the Yuba County Integrated Regional Water Management Plan, which addresses local water resource planning and management needs from existing conditions 2030. The Yuba County IRWMP complies with State of California Water Code (CWC) 79562.5(b) standards for IRWMPs. The IRWMP addresses forecasted water demands for urban needs, agriculture uses and water supply availability, flood protection requirements, ecosystem restoration needs, and recreational

opportunities. The service area for the Yuba County IRWMP includes the valley floor and foothill/mountain areas of Yuba County as well as communities having a variety of water resource issues (County 2011a).

Yuba County Code of Ordinances

Chapter 7.50, *Stormwater Quality Ordinance,* enforces compliance with State and federal laws and fulfills requirements to protect the health, safety, and general welfare of citizens of the County by reducing pollutants in stormwater discharges to the maximum extent practicable and controlling non-stormwater discharges to the storm drain system. Section 7.50.050 enforces the use of BMPs by the County and its citizens to reduce the adverse effects of polluted runoff discharges on waters of the State.

Section 11.32.290, *Wireless Communications Facilities Standards,* provides standards and procedures to regulate wireless communications antennas and related facilities (development, siting, installation, and operation). This section applies to all wireless communication facilities, including cellular and internet.

Section 11.45.090, *Drainage Easements,* provides the parameters for the drainage easements for closed conduits. This section states that drainage easements for closed conduits shall not traverse a building site and shall, as far as possible, be placed along or adjacent to lot boundary lines in a straight alignment without angle points.

Yuba County General Plan

Utilities and service systems are addressed within the *Community Development Element* and the *Natural Resources Element* of the County General Plan (County 2011b).

The *Community Development Element* contains the following goals, policies, and implementation action that address utilities and service systems within the County:

- **Goal CD9:** Rural Areas. Preserve and enhance the rural character through development and conservation in Yuba County's Rural Communities and open space areas.
    - **Policy CD9.4:** The County will ensure an appropriate level of rural services and infrastructure, which could vary from urban service levels, considering appropriate densities, up front and long-term infrastructure costs, and environmental goals.
- **Goal CD12: Level of Service: Public Services and Facilities.** Ensure high-quality public services, infrastructure, and facilities with adequate capacity to meet the needs of Yuba County's existing and future residents, businesses, industries, and employers.
    - **Policy CD12.3:** The County will implement stormwater master plans designed to provide collection, detention, and conveyance consistent with local standards for developed areas within the Valley Growth Boundary. In general, new developments will be required to demonstrate no net increase in stormwater runoff prior to approval.
    - **Policy CD12.4:** The County will approve new development projects only if adequate capacity exists to accommodate solid waste demand, including processing, recycling, transportation, and disposal.

- **Goal CD14: Coordinated Public Services, Regional Services.** Provide coordinated public service and infrastructure planning.

    - **Policy CD14.1:** The County will support regional electricity, water, wastewater, water conservation, and other agreements, where cost-effective and environmentally sustainable.

    - **Policy CD14.10:** The County will support agreements with Marysville and Wheatland on appropriate building standards, public utility connections, sewer and water service, and other matters that promote cost-effective development of unincorporated areas within the Valley Growth Boundary and viability for future incorporations.

    - **Policy CD14.12:** The County will coordinate with Yuba County Water Agency on conjunctive water use, renewable energy generation and use, and other agreements that would provide advantages to local industries and benefits to existing residents and businesses.

- **Action CD15.2: Drainage Planning and Funding.** The County will continue its already substantial efforts to implement the Yuba County Stormwater Management Plan and South Yuba Drainage Master Plan. The County will pursue funding to improve drainage facilities (curb, gutter, sidewalks, swales, buried pipes, etc., along with streetlights and other streetscape improvements) in existing developed portions of Linda and Olivehurst.

  In coordination with this ongoing effort, the County will examine opportunities to revise drainage and levee impact fees, particularly in targeted reinvestment and employment development areas. The County's infill, reinvestment, and employment goals will be considered as impact fees are revised, taking opportunities to reduce impact fees for compact, mixed-use, and infill development. The County will coordinate with special districts that provide drainage services, as appropriate, to assist with fee updates in these areas, as well.

  The County will consider the feasibility of a "reverse drainage fee" that provides funding to projects that convert surface parking areas, roadways, and other impervious surfaces to park space, natural drainage swales, and other features that could detain stormwater, filter runoff, and provide other benefits. It is anticipated that this incentive would be consistent with a fair-share assessment of the cost of providing drainage services in the surrounding area during implementation of the General Plan.

The *Natural Resources Element* contains the following goals and policies that address utilities and service systems within the County:

- **Goal NR4: Forestry.** Ecologically and economically sustainable local forestry and timber harvest operations.

    - **Policy NR4.5:** The County will discourage location of public improvements and utilities in Timberland Preserve Zones, where the public improvements or the land acquisition required for the improvements would have a substantial adverse effect on timber production.

- **Goal NR5: Biological Resources.** Protect and restore habitat for special-status species that have the potential to occur in Yuba County.

    - **Policy NR5.15:** Roads, water lines, sewer lines, drainage facilities, and other public facilities constructed to serve unincorporated County development shall be located and designed to avoid substantial impacts to stream courses, associated riparian areas, and wetlands, to the greatest extent feasible.

- **Goal NR 11: Aesthetics of the Built Environment.** New construction is compatible with, and supportive of locally important aspects of the visual environment.

    - **Policy NR11.3:** New utilities constructed within the Valley Growth Boundary shall be placed underground, where feasible. New utilities in rural areas outside the Valley Growth Boundary shall avoid ridge lines and blocking expansive views from public viewing locations, where feasible.

    - **Policy NR11.6:** The County's standards for installation of telecommunications facilities will ensure an efficient permitting process, as well as encourage locations and designs that take into consideration visibility from public rights-of-way, co-location, blending with the visual environment, and aviation safety.

4.13.1.2 Existing Conditions

Water

Water supplies in Yuba County are provided by several different providers that rely on both surface and groundwater sources. As discussed in Section 4.8, *Hydrology and Water Quality*, significant bodies of water in the County consist of the Yuba, Feather, and Bear Rivers; Honcut Creek; several lakes and reservoirs; and many lesser creeks, canals, and streams; all of which provide some amount of local surface water supply (County 2011a).

The eastern portion of the County is within the Sierra Nevada foothills and mountain region. These areas rely primarily on surface water supplies due to the underlying granite bedrock that does not allow for many pockets of dependable groundwater, with the exception of limited areas with fractures in the bedrock. The portions of the County in the Sacramento Valley, west of the foothills, rely on both surface and groundwater sources. Municipal water purveyors, including California Water Service, Linda County Water District (LCWD), the City of Wheatland, Olivehurst Public Utilities District (OPUD), and Beale Air Force Base (AFB), use groundwater exclusively. Urban users rely primarily on groundwater while most agricultural users rely on a combination of surface and groundwater supplies Yuba County Water Agency (YCWA), described in more detail below, provides its member units with surface water sources from the Yuba River (County 2011a).

Surface Water

Surface water supplies in Yuba County are managed by the YCWA and a number of other entities. YCWA was formed as an independent special district to provide wholesale water and flood control services to Yuba County. It does not provide water directly to users, but it provides wholesale water service to its member units: South Yuba Water District (SYWD); Dry Creek Mutual Water Company; Brophy Water District; Cordua Irrigation District; Hallwood Irrigation Company; Ramirez Water District; Browns Valley

Irrigation District (BVID); and Wheatland Water District. YCWA and its constituent members manage surface water supplies within the County. In addition to the deliveries that YCWA makes to member units, several water purveyors in the County have their own pre-1914 water rights to divert surface waters for consumptive and non-consumptive uses. These entities include BVID, Cordua Irrigation District and Hallwood Irrigation Company. YCWA must coordinate its operations with these senior rights to ensure that the supplies of senior users are delivered as requested (County 2011a).

YCWA's infrastructure includes dams, reservoirs, and tunnels that control the Yuba River and the South Yuba Canal for distribution of surface water to south Yuba County. Surface water sources include the North Yuba River, Oregon Creek, and the Middle Yuba River (County 2011a).

Groundwater

The valley area of Yuba County is underlain by an alluvial aquifer system that is divided into two subbasins: the North Yuba and South Yuba Subbasins. Groundwater levels in the North Yuba Subbasin range from approximately 130 feet above mean sea level (amsl) at the eastern edge of the basin to approximately 50 feet amsl near Marysville. Similar groundwater levels are found in the South Yuba Subbasin, where they vary from approximately 140 feet amsl at the eastern edge of the subbasin to 25 feet amsl near the western edge. The estimated total storage capacity of the groundwater basins is about 7.5 million acre feet (af). Of this amount approximately 2.8 million af occur within 200 feet of the land surface (County 2011a).

However, not all groundwater supplies in the County are available for withdrawal due to well capacity and recharge rates, which limit the amount that can be safely withdrawn. The YCWA and other water providers coordinate to avoid ground water overdraft and land subsidence associated with ground water extraction. Groundwater availability in the foothills and mountains is very limited due to fractured granite formations underlying the Sierra Nevada. Small amounts of groundwater can be stored in the rock fractures and in some cases, in small alluvial deposits located adjacent to small streams. Some rural residential wells not linked to municipal water sources supplied with surface water are used in these limited areas, but reliability on these groundwater sources is limited, particularly since groundwater levels in these areas are highly variable during droughts (County 2011a).

Wastewater

There are 11 State-regulated wastewater treatment facilities in Yuba County, including facilities operated by OPUD, LCWD, River Highlands CSD, Beale AFB, and the cities of Marysville and Wheatland. In addition, there are several private sewage systems operated at various facilities throughout the County, including an amphitheater, campgrounds, and mobile home parks. In addition to these larger-scale wastewater treatment facilities, many properties throughout the County, particularly in rural areas, use private septic systems (County 2011a).

The Sewage Disposal Program of the Yuba County Department of Environmental Health oversees the disposal of sewage from on-site wastewater treatment systems (OWTS) and greywater systems and requires that OWTS are properly sited and designed to prevent impacts to groundwater, surface waters and the public. Additionally, the Sewage Disposal Program ensures that septic tank, portable toilet, and vault waste haulers are disposing of waste at an approved disposal facility. The Sewage Disposal Program evaluates proposals for and permits OWTS, investigates complaints relating to illegal or unsafe sewage disposal, maintains records of and monitors the construction, repair and maintenance of OWTS.

Stormwater Drainage

Urbanization and development of new impermeable surfaces prevents groundwater infiltration, which creates new pollutant sources that affect water quality downstream. Urban runoff and related water quality impacts can be reduced through management techniques that slow down and disperse runoff and allow water to infiltrate. Yuba County operates and maintains a drainage system consisting of roads with drainage systems, catch basins, water basins, detention basins, constructed wetlands, artificial channels, aqueducts, curbs, gutters, ditches, sumps, pumping stations, storm drain inlets, and storm drains, which provide stormwater drainage to unincorporated County lands. The southwestern portion of the County experiences the greatest impacts from drainage overflow issues, as water backs up into the Feather and Bear Rivers and the Western Pacific Interceptor Canal channel during major storm events (County 2011a).

Yuba County's levee Reclamation Districts (RDs) are responsible for reclaiming and maintaining land that is threatened by permanent or temporary flooding for agriculture, residential, commercial or industrial use. RDs in Yuba County provide protection through a system of levees on the Yuba, Bear, and Feather rivers, and are responsible for maintaining levees and pumps, and conducting levee maintenance, including vegetation, erosion and rodent control, and slope and patrol road maintenance. The RDs in Yuba County include RD 784, RD 817, the District 10 Levee Commission, RD 2103, Three Rivers Levee Improvement Authority (TRLIA), and the Marysville Levee Commission, discussed below (YCWA 2024a).

RD 784 covers more than 40,500 acres of land and includes more than 33 miles of levees, 60 miles of internal drainage canals, and 10 pumping stations east of the Feather River. The district encompasses approximately 2,000 commercial buildings and more than 12,500 homes.

RD 817 is an agricultural area in southern Yuba County that manages levees near parts of Dry Creek and the Bear River.

The District 10 Levee Commission is bounded on the north and south by Honcut Creek and the Marysville Levees and on the east and west by the farther east of the two Union Pacific Railroad tracks and the Feather River. This area includes approximately 12,000 acres of land and 23 miles of levees.

RD 2103 is a rural and urban levee district that includes the City of Wheatland and nearly 20 miles of levees.

TRLIA is a joint powers agency established in 2004 by Yuba County and RD 784 to finance and construct levee improvements in southern portions of Yuba County.

The Marysville Levee Commission provides protection against floods to people and property within all portions of the City of Marysville inside the levees, including the critical Marysville Ring Levee.

For additional information on water quality and dam hazards in Yuba County, refer to Section 4.8, *Hydrology and Water Quality.*

Electricity and Natural Gas

Yuba County receives its electricity and natural gas from Pacific Gas & Electric Company (PG&E). As of 2023, 100 percent of PG&E's electricity is from greenhouse gas-free sources. This includes 34 percent of electricity from renewable resources, including solar and wind power, small hydroelectric generation

and biopower; 53 percent from carbon-free nuclear power generated by Diablo Canyon Power Plant, and 13 percent from large hydroelectric power (PG&E 2024). PG&E operates the Narrows I Powerhouse at Englebright Dam, capable of generating 50 MW of electricity, which is distributed to PG&E customers (County 2011a).

The YCWA owns four hydroelectric powerhouses on the Yuba River Watershed that generate up to 417 MW of energy, including New Colgate Powerhouse, Narrows I and II Powerhouses, and the New Bullards Bar fish release powerhouse. These facilities are ideally suited to provide carbon-free energy and capacity in support of California's resource needs for a reliable, renewable energy grid, and are a flexible complement to solar and wind power. Additionally, the BVID operates a hydroelectric facility at Virginia Ranch Dam at Collins Reservoir (YCWA 2024b).

Telecommunications

Broadband provides high-speed internet access via multiple types of technologies, including fiber optics, wireless, cable, digital subscriber line (DSL), and satellite. While some areas of Yuba County have sufficient internet speeds for daily work and home life, there are still large portions of the County with no coverage or coverage so slow that it has become prohibitive to perform daily, essential tasks. Existing broadband infrastructure stretches from the unincorporated community of Plumas Lake in the southern portion of the County, along the eastern boundary, to the unincorporated community of Camptonville in the northern portion of the County. Future broadband infrastructure improvements would likely stem from this existing network.

According to the 2021 Yuba County Strategic Master Broadband Plan, the four largest residential internet service providers (ISPs), by service available to households, in the County are: Comcast, 76 percent of households (cable modem); AT&T, 65 percent of households (DSL, fiber optics, and fixed wireless); Digital Path, 16 percent of households (fixed wireless); and Succeed.Net, 11 percent of households (fixed wireless). Further, 96.3 percent of households have access to two or less ISPs, indicating a non-competitive broadband market in the County (County 2021).

The Federal Communications Commission (FCC) and the California Public Utilities Commission (CPUC) define advanced telecommunications capability (broadband) primarily in terms of downstream and upstream speeds. In 2015, the FCC updated the definition of broadband to 25 megabits per second (Mbps) downstream and 3 Mbps upstream. In 2017, the California legislature changed the definition of "unserved" areas to areas where broadband is offered at slower speeds than 6 Mbps downstream and 1 Mbps upstream. In 2021, the California broadband standard was increased to 25 Mbps downstream and 3 Mbps upstream, matching the FCC standard.

The Yuba County Strategic Master Broadband Plan concluded that 32.1 percent of households in the County are unserved at 6/1 Mbps; 34.5 percent of households are unserved at 10/1 Mbps; and 47.9 percent are unserved at 25/3 Mbps (County 2021). These pockets of unserved populations in Yuba County are missing what is now seen as a utility critical to quality of life. This proposed Program would help attract broadband infrastructure investors to bring broadband service to a County in need of reliable connectivity for increasing health and safety factors, as well as for economic and quality of life reasons. These unserved, or even underserved, populations in California are missing what is now seen as a utility critical to quality of life. The proposed Program would help attract broadband infrastructure investors to bring broadband service to a County in need of reliable connectivity, health and safety, economic, and quality of life reasons.

Solid Waste

Solid waste collection services, including garbage pickup, recycling, and yard waste hauling, in Yuba County are provided by Recology Yuba-Sutter. The company serves Yuba and Sutter Counties, including the incorporated cities of Marysville and Wheatland and the Beale AFB, as well as the community of Knights Landing in Yolo County. Recology Yuba-Sutter operates two transfer stations in Yuba County – one in Marysville and the other in Brownsville. Recology also operates a household hazardous waste collection facility, a recycling buy-back center, and a composting facility. Once solid waste is collected and sorted at the Recology transfer stations, it is disposed of at the Ostrom Road Landfill, which is located approximately four miles north of the City of Wheatland. Ostrom Road Landfill is owned and operated by Recology (County 2011a).

The Solid Waste Management Local Enforcement Agency of the Yuba County Department of Environmental Health is certified by the State to ensure that solid waste landfills and transfer stations are properly operated in regard to vector control, water quality protection, litter prevention, and related concerns, and ensures that inactive sites are properly closed and maintained following closure.

4.13.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed Program would have a significant impact on utilities and service systems if the Program would:

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

2. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;

3. 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;

4. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or,

5. Comply with federal, State, and local management and reduction statutes and regulations related to solid waste.

4.13.3 Impact Analysis

UTL-1 The proposed Program would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the

construction or relocation of which could cause significant environmental effects.

The proposed Program would allow for individual broadband projects to install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. The installation of underground or overhead cables would be located primarily within existing County maintained road rights-of-way (ROW), public utility easements, and/or overhead public utility easements of record throughout the County. The future location of broadband infrastructure would focus on areas of the County that are currently unserved or underserved. The exact alignment of future broadband infrastructure is unknown at this time and would be based on such considerations as construction feasibility, local preference, and locations of sensitive environmental resources. Broadband infrastructure would be installed to provide aboveground or underground lateral connections to private residences and businesses. Although the proposed Program would allow for the construction of new telecommunication facilities, this EIR analyzes all potential environmental impacts.

Construction of individual broadband projects could involve minor use of water for dust control, which would be readily available from existing sources. However, this minor use would not result in wastewater generation. Additionally, the operation of future broadband infrastructure would not require additional water supplies. As individual broadband projects would not use water and no population would be generated, no new water facilities or expansion of such facilities would be required. As no wastewater would be generated, the proposed Program would not exceed wastewater treatment requirements of the CVRWQCB. Therefore, no new wastewater treatment facilities, or expansion of such facilities, would be required.

Construction of individual broadband projects could occur in areas with existing stormwater drainage facilities. Once fiber optic conduits are installed, the ground surface along the individual fiber optic line alignments would be restored to its previous condition (paved or unpaved). Therefore, the amount of pervious and impervious surfaces would not be significantly altered upon completion of individual broadband projects. As such, the proposed Program would not require new or expanded stormwater facilities. Additionally, installation of the fiber optic lines would not require the use of electricity or natural gas for construction or operation. No new or expanded electric power or natural gas utilities would be required.

Therefore, the proposed Program would not require the relocation or construction of new or expanded facilities that would cause significant environmental effects, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

UTL-2 The proposed Program would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

Construction of individual broadband projects could involve minor use of water for dust control during construction, which would be readily available from existing sources. Operation of future broadband infrastructure would not require additional water supplies as no population would be generated. Therefore, the proposed Program would not result in additional water demand, and it is anticipated that

sufficient water supplies would be available to serve the Program and reasonably foreseeable future development during normal, dry, and multiple dry years. The impact would be less than significant.

Significance without Mitigation: Less than significant impact.

UTL-3 The proposed Program would not 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.

During construction, portable toilets could be provided for workers and waste would be hauled to an approved facility for treatment/disposal. As wastewater associated with portable toilets would be a temporary demand, the proposed Program would not exceed wastewater treatment requirements of the CVRWQCB and no new wastewater treatment facilities, or expansion of such facilities would be required. No wastewater would be generated during operations of the individual broadband projects implemented under the proposed Program. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

UTL-4 The proposed Program would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

UTL-5 The proposed Program would comply with federal, State, and local management and reduction statutes and regulations related to solid waste.

CALGreen mandates locally permitted construction and demolition projects to recycle and/or salvage for reuse a minimum 65 percent of the nonhazardous construction and demolition debris generated during construction activities (CALGreen Sections 4.408, 5.408, 301.1.1 and 301.3).

Construction of individual broadband projects under the proposed Program would generate minimal waste. Such waste could include the packaging of fiber optic lines, asphalt, and vegetation removal. Due to the minimal amount of solid waste generated by individual broadband projects, the proposed Program would not adversely affect the County's ability to comply with the State waste diversion requirements. Therefore, the proposed Program would not exceed State or Yuba County solid waste standards or infrastructure capacity, nor would it fail to comply with solid waste reduction goals. Therefore, the impact would be less than significant for Impact UTL-4 and UTL-5.

Significance without Mitigation: Less than significant impact.

4.13.4 Cumulative Impacts

UTL-6 The proposed Program would not result in a significant cumulative impact with respect to utilities.

Cumulative impacts would occur when the proposed Program, in combination with other projects and plans/projections in the County, would require or result in the construction of new or expanded utilities, have insufficient water supplies to serve the projects, result in a determination by a wastewater treatment provider that it has inadequate capacity to serve the project's projected demand, generate

solid waste in excess of local capacity, or not comply with federal, State, and local solid waste regulations. Potential impacts to utilities and service systems are evaluated on the level at which the service is provided, which may be proposed or more local depending on the service. As discussed above under Impact UTL-1 through UTL-5, implementation of the proposed Program would result in a less than significant impact related to utilities and service systems.

The analysis of cumulative impacts is based on impacts of the proposed Program and the other cumulative projects in the County, as listed in Table 4-1, Yuba County Cumulative Projects List, in Chapter 4.0, Environmental Impact Analysis. Construction and operation of individual broadband projects would result in a small but incremental impact to utilities. Although the proposed Program would construct new telecommunication facilities, this program EIR analyzes all potential environmental impacts. All projects in Yuba County, including the proposed Program and the cumulative projects considered in this analysis, would be subject to the applicable County General Plan policies and County Code that require projects to demonstrate adequate utility infrastructure prior to project approval. As discussed above, the proposed Program would not require or result in the construction of new or expanded utilities or result in a determination by a wastewater treatment provider that it has inadequate capacity to serve the project's projected demand. Construction and operation of individual broadband projects would not generate solid waste in excess of local capacity. Additionally, the Program would have sufficient water supplies to serve the projects and would comply with federal, State, and local solid waste regulations. Therefore, no cumulatively considerable impact with respect to utilities would occur, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

4.13.5 References

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4.14 WILDFIRE

This section describes the regulatory framework and existing conditions related to wildfire hazards and risks in the vicinity of the proposed Program, evaluates the potential impacts to wildfire hazards and risks that could occur as a result of the proposed Program, and details mitigation measures needed to reduce significant impacts, as necessary. The potential effects on wildfire were evaluated according to Appendix G of the California Environmental Quality Act (CEQA) Guidelines to determine their level of significance. No issues were identified or raised during scoping that pertain to wildfire.

4.14.1 Environmental Setting

4.14.1.1 Regulatory Framework

This section describes federal, State, regional, and local environmental laws and policies that are relevant to the CEQA review process for wildfire. These policies provide context for the impact discussion related to the proposed Program's consistency with the applicable regulatory conditions.

Federal Regulations

Disaster Mitigation Act of 2000

The Disaster Mitigation Act of 2000 provides the legal basis for the Federal Emergency Agency's (FEMA) mitigation planning requirements for state, local, and tribal governments as a precursor to mitigation grant assistance. The Disaster Mitigation Act of 2000 requires that local governments prepare a Local Hazard Mitigation Plan that must be reviewed by the State Mitigation Officer, approved by FEMA, and renewed every five years. The plan must include a planning process, a risk assessment, a mitigation strategy, and plan maintenance and updating procedures to identify the natural hazards, risks, and vulnerabilities of the area under the jurisdiction of the government. Natural hazards include earthquakes, tsunamis, tornadoes, hurricanes, floods, and wildfires.

State Regulations

California Fire Code

The California Fire Code (CFC) is Part 9 of CCR Title 24, Building Standards Code. The CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, fire hydrant locations and distribution, and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas. Chapter 49 of the CFC contains requirements for Wildland-Urban Interface (WUI) areas and prescribes construction materials and methods in fire hazard severity zones; requirements generally parallel the California Building Code (CBC) Chapter 7A. The CFC is updated on a three-year cycle; the current 2019 CFC took effect in January 2020.

California Public Resources Code

California PRC Sections 4291 *et seq*. require that brush, flammable vegetation, or combustible growth within 100 feet of buildings be removed. Vegetation that is more than 30 feet from the building, less than 18 inches high, and important for soil stability, may be maintained; as may single specimens of trees or other vegetation that are maintained so as to manage fuels and not form a means of rapid fire

transmission from other nearby vegetation to a structure. Requirements regarding hazardous vegetation and fuel management are also contained in Sections 4906 and 4907 of the CFC.

State Responsibility Areas (SRA) are defined by PRC Section 4102 as areas of the State in which the Board of Forestry and Fire Protection has determined that the financial responsibility for preventing and suppressing fires lies with the State of California. SRA are lands in California where the California Department of Forestry and Fire Protection (CAL FIRE) has legal and financial responsibility for wildfire protection. SRA lands typically are unincorporated areas of a county, are not federally owned, have wildland vegetation cover, have housing densities lower than three units per acre, and have watershed or range/forage value. In practice, some local government agencies (in this case, local volunteer fire districts), may also provide first response in some SRA, in coordination with their local CAL FIRE unit. PRC 4202 directs lands within SRA to be classified into fire hazard severity zones (FHSZ). The majority of lands in Yuba County are SRA.

Federal Responsibility Areas (FRA) are lands owned and managed by the federal government, which bears regulatory and financial responsibility for wildfire prevention and suppression on those lands.

Local Responsibility Areas (LRA) include lands that do not meet criteria for SRA or FRAs, or are lands in incorporated areas, cultivated agricultural lands, and nonflammable areas in the unincorporated parts of a county. LRA can include flammable vegetation and wildland-urban interface areas. LRA fire protection is provided by city or local fire departments, fire protection districts, county fire departments, or by contract with CAL FIRE.

PRC Section 4290 requires the California Board of Forestry and Fire Protection to adopt regulations implementing minimum fire safety standards for defensible space that would be applicable to lands within SRA and lands within very high fire hazard severity zones (VHFHSZ) of LRA.

Government Code 51177: Very High Fire Hazard Severity Zones

VHFHSZ are defined by Government Code Section 51177 as areas designated by the Director of Forestry and Fire Protection as having the highest possibility of having wildfires. These zones are based on consistent statewide criteria and the severity of fire hazard that is expected to prevail in those areas. The zones are also based on fuel loading, slope, fire weather, and other factors, such as wind, that have been identified by CAL FIRE as a major cause of the spreading of wildfires. FHSZ maps are produced and maintained for each county.

Senate Bill 1241 (Statutes of 2012, Kehoe)

Senate Bill 1241 revised the safety element requirements for counties and cities with State Responsibility Areas and/or VHFHZ with LRA within their boundaries. The bill requires that any revisions of a general plan's housing element after January 2014 must also include the revision and updating of the safety element, as necessary, to address the risk of fire in SRA and VHFHSZ with LRA.

California Department of Forestry and Fire Protection

The California Department of Forestry and Fire Protection has mapped fire threat potential throughout California. The CAL FIRE ranks fire threat based on the availability of fuel and the likelihood of an area burning (based on topography, fire history, and climate). The rankings include no fire threat, moderate, high, and very high fire threat. Additionally, the CAL FIRE produced the *2018 Strategic Fire Plan for*

California, discussed below, which contains goals, objectives, and policies to prepare for and mitigate for the effects of fire on California's natural and built environments.

2018 California Strategic Fire Plan

The Board of Forestry and Fire Protection's Strategic Fire Plan provides an overall vision for a built and natural environment that is more fire resilient through coordination and partnerships of local, state, federal, tribal, and private entities. First developed in the 1930s, the Strategic Fire Plan is periodically updated; the current plan was prepared in 2018. The Plan analyzes and addresses the effects of climate change, overly dense forests, prolonged drought, tree mortality, and increased severity of wildland fires through goals and strategies. The primary goals of the 2018 Strategic Fire Plan are to do the following.

- Improve the availability and use of consistent, shared information on hazard and risk assessment.
- Promote the role of local planning processes, including general plans, new development, and existing developments, and recognize individual landowner/homeowner responsibilities.
- Foster a shared vision among communities and the multiple fire protection jurisdictions, including county-based plans and community-based plans such as Community Wildfire Protection Plans.
- Increase awareness and actions to improve fire resistance of man-made assets at risk and fire resilience of wildland environments through natural resource management.
- Integrate implementation of fire and vegetative fuels management practices consistent with the priorities of landowners or managers.
- Determine and seek the needed level of resources for fire prevention, natural resource management, fire suppression and related services.
- Implement needed assessments and actions for post-fire protection and recovery (CAL FIRE 2018).

Regional Regulations

2021 Strategic Fire Plan – CAL FIRE Nevada-Yuba-Placer Unit

Yuba County (County) is located within the jurisdiction of CAL FIRE's Nevada-Yuba-Placer Unit (NEU). The 2021 Strategic Fire Plan (Plan) for the NEU incorporates and develops goals from the Statewide 2019 CAL FIRE Strategic Plan to reduce the risks to citizens and emergency responders from wildland fire. The Plan serves to assist local government in developing standards, policies, and plans, and implement local and landscape level projects and programs that decrease fire risk and increase the potential for success on initial attack (CAL FIRE 2021).

Local Regulations

Yuba County Office of Emergency Services

The Yuba County Office of Emergency Servies (OES) coordinates all emergency management between public safety and service providers during larger-scale or complex events-- local law enforcement/fire departments handle day-to-day calls. To help prepare the County and other organizations for emergency response, OES also provides planning and training services. During an emergency, the County uses the Standardized Emergency Management System (SEMS) and the Incident Command System (ICS) to ensure close coordination between police, fire, military personnel, medical service providers, FEMA, and other agencies. Additionally, the County OES created an Emergency Operations Plan to advise how to evacuate in the event of a wildland fire (County 2015).

Yuba County Evacuation Plan

With advance warning, evacuation can be effective in reducing life loss and injury during a catastrophic event. The main transportation corridors that can serve as evacuation routes for Yuba County are State Routes (SRs) 20, 70, and 65 in the lower half of the County and Marysville Road, a two-lane road traversing the northern half of the County from east to west. Marysville Road initiates at SR 20 in the west end and terminates in the east at SR 49. Marysville Road is fed by Frenchtown Road from the north and Rice's Crossing from the south. The northernmost portion of the County is serviced by the La Porte–Quincy Road (County 2011a).

In the event of an emergency, the Yuba County Sheriff's Office and the OES use the CodeRED platform to broadcast evacuation instructions. Additionally, the OES update evacuation zones during emergencies via the Zonehaven platform.

Yuba County Community Wildfire Protection Plan

The Yuba County Community Wildfire Protection Plan (CWPP; County 2019), adopted in 2019, evaluates wildfire hazard across the Yuba County Foothills area. Specifically, it looks at conditions within the Loma Rica/Browns Valley and Camptonville Community Services Districts and the Dobbins-Oregon House, Smartsville, and Foothill Fire Protection Districts. The hazard information is used in conjunction with mapping of 'values-at-risk' (homes, critical access routes, and infrastructure) to define areas where wildfire poses the greatest threat to these assets. The purpose of the CWPP is to provide a comprehensive, scientifically-based assessment of the wildfire hazards and risks. The CWPP is also intended to aid stakeholders in developing short and long-term strategies for: 1) Prioritizing hazard reduction and other wildfire preparedness projects; 2) Identifying the methods to be used, that will best provide for wildfire prevention and mitigation; 3) Implementing projects to reduce hazardous wildfire fuels; 4) Developing community wildfire safety education programs; and 5) Assisting public agencies in making valid and timely decisions for wildfires and evacuations.

2021 Local Hazard Mitigation Plan Update

The 2021 update of the Yuba County Local Hazard Mitigation Plan (LHMP) serves to update the 2015 FEMA-approved Yuba County LHMP. The purpose of the LHMP is to guide and assist Yuba County in the implementation of effective hazard mitigation strategies, projects, and measures to protect lives and reduce damage to property and the environment. The LHMP is a multi-jurisdictional plan, and has been approved by all jurisdictions within the County, including the incorporated cities of Marysville and

Wheatland and nine special districts. The LHMP provides a forum and a process for collaboration and commitment among governmental agencies, establishing community partnerships throughout the County (County 2021).

Yuba County Emergency Operations Plan

The County of Yuba Emergency Operations Plan (EOP) describes the County's emergency management organization, the Standardized Emergency Management Systems (SEMS), the National Incident Management System (NIMS), roles, responsibilities, and administrative practices. Included in the plan are standard operating procedures (SOPs), memorandums of understanding (MOUs), resource manuals, and agreements that support the plan. The plan is used as a functional guide and strategic planning resource for both the County and its incorporated cities. It is meant to reflect the most recent advances in emergency operations at the local, State, and federal levels. The most significant change to date has been the adoption of the NIMS at all levels of government, and the plan has been updated accordingly.

Yuba County Fire Standards

The County maintains a planning and entitlement review process that documents compliance with state and local standards for fire safety. The County also updates zoning, development, improvement standards, and building standards, as necessary, to maintain compliance with relevant fire codes, including those maintained by Cal Fire. County codes address such topics as landscaping standards and fire-resistant plant materials, fire resistant building materials for exterior walls and other exterior features of structures, defensible space standards for different topographic conditions, sprinklers, emergency access, water supply and pressure for firefighting, building and road construction in areas prone to fire risk and greater slopes, and other relevant topics.

Yuba County Code of Ordinances

Chapter 10.15, *Firebreaks,* enforces measures to protect property owners' new buildings or structures from fire and provide a safe area for firefighters, for the preservation of public peace, health and safety.

Section 11.26.120 applies to fire and explosive hazards, and requires that all activities, processes and uses involving the use of, or storage of, flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion. Firefighting and fire suppression equipment and devices standard in industry shall be approved by local fire district. With the exception of waste allowed by the fire authority and air quality management district, all incineration is prohibited with the exception of those substances such as, but not limited to, chemicals, insecticides, hospital materials and waste products, required by law to be disposed of by burning, and those instances wherein the fire authority deems it a practical necessity.

Yuba County General Plan

Wildfires are addressed within the *Public Health and Safety Element* of the County General Plan (County 2011a).

The *Public Health and Safety Element* contains the following goals, policies, and implementation actions that address wildfires within the County:

- **Goal HS2: Fire Risk.** Protect people and property from wildland and urban fire risk and create more fire-resilient communities.

    - **Policy HS2.1:** Prior to approval, new developments proposed in areas of Very High, High, or Moderate Fire Hazard, as designated on maps maintained by CAL FIRE, shall demonstrate compliance with Fire Safety Regulations and local regulations for defensible space, ignition-resistant construction materials, property maintenance to reduce fuels, natural hazards disclosure requirements, emergency access and multiple access points, availability of water for fire suppression, and other relevant building and development standards.

    - **Policy HS2.2:** The County will communicate with appropriate local, State, and federal fire protection personnel during the development review process and will condition projects considering input from these agencies to require defensible space, fire-wise landscaping, fuel breaks, emergency access, fire flow, hydrants, sprinkler systems, fire stations and other improvements and conditions, as appropriate.

    - **Policy HS2.4:** All community water systems serving new development projects are required to meet or exceed County minimum standards for provision of water for fire flows.

    - **Policy HS2.5:** Road and building construction on slopes of more than 15 percent is strongly discouraged and will only be approved if consistent with County standards and the Yuba County Wildfire Safety Plan.

    - **Policy HS2.7:** The County will use the best available science to evaluate and protect people and property from changes in fire risk attributable to climate change, insects, and disease.

    - **Policy HS2.8:** Communication and electricity infrastructure in areas prone to wildfire should be located and designed to avoid interruptions during periods of fire activity.

    - **Policy HS2.9:** Public trails and unimproved roads should be maintained, where feasible, to provide emergency access, including evacuation and wildfire response. These rights-of-way (ROW) are not considered primary evacuation or emergency access routes and vehicles that cannot successfully navigate these routes shall not make use of them.

    - **Policy HS2.10:** New developments shall provide access that will allow safe evacuation and movement of firefighting equipment during a wildfire. Evacuation routes shall have the capacity to accommodate traffic in relation to the population served.

    - **Policy HS2.11:** New developments in Moderate, High, or Very High fire hazard areas cannot propose limited access roads unless such access limitations do not adversely affect fire response and suppression.

    - **Policy HS2.12:** Property owners may manage fuel load on County road easements and rights-of-way adjacent to their properties with prior approval of the County and in compliance with applicable County standards.

- **Policy HS2.13:** Clustered developments in Rural Community portions of the foothills are encouraged to take advantage of natural and manmade fire breaks, provide defensible space for clusters of buildings (rather than individual buildings), locate and orient buildings and pervious areas to reduce fire risk, avoid areas of steep topography and dense vegetation, and otherwise use a site plan review process in coordination with County staff to ensure that wildfire risk is minimized.

- **Policy HS2.14:** The County will encourage the retrofitting of older buildings to current safety standards in coordination with proposed major remodeling or additions.

- **Policy HS2.15:** Developments in the Valley Growth Boundary shall be planned and constructed to resist the encroachment of uncontrolled fire.

- **Action HS2.1: Fire Standards.** The County will maintain a planning and entitlement review process that documents compliance with state and local standards for fire safety. The County will update zoning, development, improvement standards, and building standards, as necessary, to maintain compliance with relevant fire codes, including those maintained by CAL FIRE. County codes would be anticipated to address such topics as landscaping standards and fire-resistant plant materials, fire resistant building materials for exterior walls and other exterior features of structures, defensible space standards for different topographic conditions, sprinklers, emergency access, water supply and pressure for firefighting, building and road construction in areas prone to fire risk and greater slopes, and other relevant topics. [Goal HS2]

- **Action HS2.2: Yuba County Wildfire Safety Plan.** The County will prepare, adopt, and implement a comprehensive wildfire safety plan for foothills portions of the County with High and Very High wildfire risk. This plan will be designed to reduce fuel loads, ensure emergency access and evacuation routes and provide incentives for property owners to improve properties in order to reduce wildfire risk and improve fire resiliency for existing developed areas. As a part of this planning effort, the County will collaborate with other public agencies and nonprofits to implement fire breaks and fuel reduction projects in areas of high and very high fire risk, including removal of invasive species that increase understory fuel loads. Areas of particular focus could include County roads, ridges surrounding rural communities, and defensible space around existing structures. The County will seek funding from sources, such as the Bureau of Land Management and the U.S. Department of Agriculture for fire fuel reduction projects.

  The County will collaborate with landowners in fire prone areas without adequate secondary access to improve access, add water tanks, or otherwise improve fire safety conditions. The County will seek funding to provide incentives for property owners to retrofit existing structures in high and very high fire risk areas to reduce combustibility.

  Planning for emergency access and evacuation routes will take into account records of historic fire activities affecting foothills portions of the County. Emergency access and evacuation will also take into account fire behavior modeling, including consideration of wildfire driven by winds that could limit the use of existing evacuation routes. The County will analyze and consider planning and fair-share funding of improvements needed to provide for emergency access and evacuation routes generally leading away from the head of a wildfire that has the characteristics of the worst-case predicted wildfire and secondary access allowing egress oriented in a direction of approximately 180 degrees from the previously described route.

The County would examine fair-share funding approaches and grant funding approaches for improvements needed to provide adequate emergency access and evacuation. [Goal HS2]

- **Goal HS9: Emergency Preparedness and Response.** Minimize the loss of life and damage to property from natural and human-caused hazards by ensuring adequate emergency routes and response.
    - **Policy HS9.1:** The County will review development projects, plans, and public investment decisions to ensure consistency with the LHMP.
    - **Policy HS9.2:** The County will provide public access to emergency response procedures in such locations as the Government Center, the County library, and public schools and will otherwise promote awareness of emergency response and evacuation plans.
    - **Policy HS9.3:** The County will coordinate with Caltrans to maintain SRs 20, 70, 49, and 65 in the lower half of the County and the County will maintain Marysville Road, Frenchtown Road, and La Porte–Quincy Road in the upper half of the County as primary emergency access and evacuation routes and improve other roads, as necessary, such as Plumas Arboga Road, to create additional evacuation routes.
- **Action HS9.1: Emergency Access and Evacuation Routes.** The County will seek funding to implement Action Items listed in the Multi-Hazard Mitigation Plan and future revisions to this Plan, including those actions intended to avoid flooding over emergency access routes. The County will consider, as a part of future revisions to the Multi-Hazard Mitigation Plan, whether new growth accommodated under the General Plan will require improvements to circulation or drainage in order to ensure adequate emergency access and evacuation egress, even in the event of a flood. [Goal HS9]

4.14.1.2 Existing Conditions

Wildfire Risk Areas

Fires have the potential to spread rapidly with dry vegetation, rugged topography, and during fire season when hot and dry winds are typically present. The climate in Yuba County provides extensive dry vegetation susceptible to these risks during the dry season, generally summer and early fall. If not contained, these fires can potentially result in loss of life and property (County 2011b).

Urban Fire Risks

Although grasslands fires are a concern within urban areas, the greatest fire threat in these areas is associated with structural fires. Structural fires are a greater threat to life and property than wildland fires in the urbanized areas of Yuba County, since people spend much of their time in homes, offices, stores, and factories. Communities in the foothill areas of the County are at a relatively greater risk as they are located in areas more likely to be subject to wildland fires. Many of Yuba County's residential communities, including Smartsville, Dobbins, Browns Valley, Loma Rica, Brownsville, and Challenge, are located within areas of High and Very High fire hazard (County 2011b).

Fire Hazard Severity Zones

PRC 4201-4204 directs CAL FIRE to map fire hazards within SRA based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified by the department as a major cause of wildfire spread. These zones, referred to as Fire Hazard Severity Zones, classify a wildland zone as Moderate, High, or Very High fire hazard based on the average hazard across the area included in the zone (CAL FIRE 2023).

The foothills of western Yuba County are primarily located within LRA. The eastern portion of the County is primarily located within SRA. In 2023, FHSZ in the SRA were mapped as Moderate, 21,366 acres; High, 69,095 acres; and Very High, 119,276 acres. Other areas in Yuba County are located within FRA, including the Beale Air Force Base and land under the jurisdiction of USFS (CAL FIRE 2023). See Figure 4.14-1, *State Responsibility Area Fire Hazard Severity Zones,* for a map of FHSZ in the Program area (Note: All figures are included in Appendix A).

Fire Protection

Refer to Section 4.10, *Public Services*, of this EIR for additional information on fire protection services in Yuba County.

4.14.2 Significance Thresholds

The CEQA guidelines require that impacts related to wildfire be evaluated for lands in or near SRA or areas classified as FHSZ. According to Appendix G of the CEQA Guidelines, the proposed Program may have a significant impact related to wildfire if the Program would:

1. Substantially impair an adopted emergency response plan or emergency evacuation plan;

2. 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;

3. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment;

4. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

4.14.3 Impact Analysis

FIRE-1 The proposed Program may impair an adopted emergency response plan or emergency evacuation plan.

The proposed Program would allow for individual broadband projects to install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. The installation of underground or overhead cables would be located primarily within existing County maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County. As discussed under Section 4.7, *Hazards and Hazardous Materials*, individual broadband

projects would be required to comply with various federal, State, and local regulations to minimize the potential for emergencies, such as procedures to follow in the event of accidental spills or other releases of hazardous materials into the environment. Compliance with these regulations would ensure that on-site emergencies are addressed quickly and efficiently, and in cooperation with local emergency services providers.

Information on evacuation routes and emergency response plans in Yuba County is contained in the County LHMP. Additionally, the County EOP and Evacuation Plan provide information on emergency procedures, including preparedness, response, mitigation, and recovery. In the event of an emergency, the Yuba County Sheriff's Office is the responsible entity for declaring and directing evacuations. In the event of an emergency, the Yuba County Sheriff's Office and OES would use the CodeRED platform and local media to broadcast evacuation instructions. The entirety of Yuba County is covered by the CodeRED system, however the specific area activated is discretionary and identified by management staff at the County Emergency Operations Center and local public safety officials. The CodeRED interface is a web-based application that allows initiators to gain access where an internet connection is available, eliminates the need for a single designated installation location, and allows County users to utilize GPS coordinates in determining a specific geographic area that receives emergency messages. Additionally, the OES updates evacuation zones during emergencies via the Zonehaven platform.

Construction

Construction of individual broadband projects may require temporary lane closures, which have the potential to impede or interfere with emergency access routes or services. Coordination with local agencies (e.g., CHP and local police and fire departments) for any necessary and temporary road closures would be required, especially for construction within designated emergency access routes or in areas that would impede or otherwise affect evacuation and emergency access or services. Individual broadband projects that would be located in County road ROW would be required to submit an encroachment permit to the County Public Works Department. To minimize or avoid lane closures that could interfere with traffic circulation during emergencies and disrupt access to private properties and roadways, each individual broadband project that would require the issuance of an encroachment permit would be required to develop and implement a Traffic Control Plan as stipulated in Mitigation Measure TRA-1. Standard traffic control measures specified in the Traffic Control Plan would be required for all construction activities along County road ROW, and would be subject to review and approval by the County Public Works Department. With implementation of TRA-1, potentially significant impacts from interference with emergency response or emergency evacuation plans during construction of individual broadband projects along County ROW would be reduced to less than significant.

Operation

Operational activities for individual broadband projects implemented under the proposed Program would be limited to routine maintenance and emergencies. Infrastructure such as circuit cabinets with cooling fans and/or stand-by generators associated with individual broadband projects may be routinely checked, as needed. Operation would not substantially interfere with emergency access. Additionally, implementation of the proposed Program would introduce a wider and more reliable network that would benefit communications to emergency services. The Program would improve public health and safety through enabling faster emergency response, enhanced communication between emergency services, and access to critical information during disasters or emergencies. Therefore, operation of the

Program could benefit emergency communications and emergency access in Yuba County, and the impact would be less than significant.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure TRA-1: Traffic Control Plan

Prior to the issuance of an encroachment permit, a Traffic Control Plan shall be developed for individual broadband projects that require an encroachment permit for construction activities along County road rights-of-way (ROW) to manage traffic during construction. The applicant shall consult with the Yuba County Public Works Department regarding construction activities that may affect area traffic (such as construction staging necessitating lane closure, trenching, etc.) to ensure that the Traffic Control Plan is prepared in conformance with applicable code and ordinance requirements for emergency access. The construction contractor shall implement appropriate traffic controls identified in the Traffic Control Plan in accordance with the California Vehicle Code and other State and local requirements to avoid or minimize impacts on traffic during construction. The Traffic Control Plan shall be submitted along with the encroachment permit to the Yuba County Public Works Department prior to the commencement of construction activities.

Significance with Mitigation: Less than significant impact.

FIRE-2 Due to slope, prevailing winds, and other factors, the proposed Program would not exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

The proposed Program would allow for individual broadband projects to install broadband infrastructure within the unincorporated areas of Yuba County. As the proposed Program is an infrastructure improvement project, there would be no project occupants that would be exposed to wildfire risks. However, individual broadband projects may pass through existing communities in the County.

The area in which future broadband infrastructure could be implemented would be primarily within existing County maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County. The exact alignment of future broadband infrastructure is currently unknown at this time and would be planned based on construction feasibility, local preference, and locations of sensitive environmental resources. As such, individual broadband projects could be constructed in areas characterized by moderate to steep slopes, particularly in the eastern portions of the County. However, as fiber optic lines and/or utility poles would be located primarily along road shoulders, the risk of localized ground failure is assumed to have already been minimized through previous grading, compaction, and use of engineered fills. Design and construction of individual broadband projects would be conducted in accordance with the CBC and other applicable engineering specifications and grading regulations and practices associated with compaction and treatment of soils along the alignment. The proposed Program would not exacerbate wildfire risks due to slope, prevailing winds, or other factors; therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

FIRE-3 The proposed Program would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water

sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

Construction

Individual broadband projects constructed under the proposed Program may pass through Moderate, High, and Very High FHSZ (CAL FIRE 2023). The primary potential fire hazards from construction of broadband infrastructure would involve construction vehicles and equipment that could ignite dry vegetation and cause a fire, particularly during the drier, warmer months from June to October. Additionally, construction activities that could result in sparks, such as welding or grinding, could create a source of ignition. Adherence to the CBC Chapter 7A, Fire Hazard Severity Zones and Building Standards and Materials, and PRC 4291, requiring property owners to maintain clearance of flammable vegetation of 100 feet from structures, would also reduce the risk of fire. Additionally, construction workers would be trained in basic firefighting, and the availability of tools and training would allow construction crews to help control or extinguish minor fires they may arise during construction activities. Therefore, adherence to existing regulations would ensure that impacts related to fire risks from construction would be less than significant.

Operation

The Program would allow for individual broadband projects to install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. The installation of underground or overhead cables would be located primarily within existing County maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County. Operational activities for any individual broadband projects would be limited to routine maintenance and emergencies. Infrastructure such as circuit cabinets with cooling fans and/or stand-by generators associated with individual broadband projects may be routinely checked, as needed.

Buried conduits would not exacerbate fire risk as all infrastructure would be underground. Overhead fiber optic lines would be attached to proposed or existing pole lines. The proposed poles would adhere to the requirements of CBC Chapter 7A, Fire Hazard Severity Zones and Building Standards and Materials, and PRC 4291, requiring property owners to maintain clearance of flammable vegetation of 100 feet from structures, in order to reduce the risk of fire. Additionally, fiber optic lines do not carry an electrical charge, instead they utilize light to transmit signals and are therefore not a source of heat that could exacerbate fire risk (Fluke Networks 2022). Therefore, the impact related to fire risks from operation would be less than significant.

Significance without Mitigation: Less than significant impact.

FIRE-4 The proposed Program would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

The proposed Program would not result in an increase in population, nor would it include the construction of residential or commercial structures. However, individual broadband projects may pass through existing communities within the County. The proposed broadband infrastructure could be constructed on areas characterized by moderate to steep slopes, particularly in the eastern portion of the County. However, as discussed under Impact FIRE-2, proposed fiber optic lines and/or utility poles would be located primarily along road shoulders; therefore, the risk of localized ground failure is

assumed to have already been minimized through previous grading, compaction, and use of engineered fills. Design and construction of individual broadband projects would be conducted in accordance with the CBC and other applicable engineering specifications and grading regulations and practices associated with compaction and treatment of soils along the alignment. Additionally, as outlined in Section 4.8, *Hydrology and Water Quality*, individual broadband projects would implement a Stormwater Pollution Prevention Plan (SWPPP) and Best Management Practices (BMPs) for erosion control, which would reduce potential impacts related to drainage patterns during construction to a less than significant level.

The proposed Program would adhere to the CBC Chapter 7A, Fire Hazard Severity Zones and Building Standards and Materials, and PRC 4291, requiring property owners to maintain clearance of flammable vegetation 100 feet from structures, would reduce the risk of fire during construction and operation of the proposed Program. Therefore, the potential for the proposed Program to exacerbate the risk of downstream flooding or landslides would be less than significant.

Significance without Mitigation: Less than significant impact.

4.14.4 Cumulative Impacts

FIRE-5 The proposed Program would be located in a State Responsibility Area and may contribute to a cumulative impact with respect to wildfire.

The areas considered for cumulative impacts related to wildfire are the SRA, which include the Program area and other cumulative projects in the County. As discussed above under FIRE-1 through FIRE-4, implementation of the proposed Program would result in a less than significant impact related to wildfires with implementation of Mitigation Measure TRA-1. The analysis of cumulative impacts is based on impacts of the proposed Program and the other projects and plans/projections in the County, as listed in Table 4-1, Yuba County Cumulative Projects List, in Chapter 4.0, Environmental Impact Analysis. Construction activities associated with other cumulative projects in the County may require temporary lane closures, which have the potential to impede or interfere with emergency access routes or services. However, standard traffic control measures, specified in a Traffic Control Plan, would be required to be employed for all construction activities along ROW, subject to review and approval by the applicable local, State, or federal agencies for work within their respective limits. With adherence to these requirements, potential impacts during construction would be less than significant.

Implementation of the proposed Program and the cumulative projects could potentially involve construction in areas that are prone to wildland fires which could result in significant loss, damage, or death. Adherence to the CBC Chapter 7A and PRC 4291, requiring property owners to maintain clearance of flammable vegetation of 100 feet from structures, would also reduce the risk of fire. Additionally, fiber optic lines do not carry an electrical charge and are therefore not a source of heat that could exacerbate fire risk. The proposed Program and the cumulative projects would be required to follow the County EOP and LHMP and would adhere to CBC requirements. Therefore, with implementation of Mitigation Measure TRA-1, the project would not contribute to a cumulatively considerable impact with respect to wildfire, and the impact would be less than significant.

Significance without Mitigation: Potentially significant impact.

See Impact FIRE-1 for Mitigation Measure TRA-1.

Significance with Mitigation: Less than significant impact.

4.14.5 References

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5.0 PROJECT ALTERNATIVES

This section of the program Environmental Impact Report (EIR) evaluates whether there may be feasible alternatives to the proposed County of Yuba Broadband Infrastructure Project (herein referred to as the "proposed Program" or "Program") that could avoid or substantially lessen any of the identified significant effects of the proposed Program. Section 15126.6(a), Consideration and Discussion of Alternatives to the Project, of the California Environmental Quality Act (CEQA) Guidelines states that:

> An EIR shall describe a range of reasonable alternatives to the project, or the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

The following discussion is intended to inform the public and decision makers of a reasonable range of feasible alternatives to the proposed Program that would avoid or substantially lessen any significant effect of the proposed Program. This section describes the purpose of the alternative's discussion; provides a summary of the reasonable range of alternatives, including a summary of potentially significant impacts and the relationship of each alternative to the proposed Program objectives; and, as required, identifies the environmentally superior alternative.

5.1 RATIONALE FOR ALTERNATIVE SELECTION

Section 15126.6(c) of the CEQA Guidelines states:

> The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

According to the CEQA Guidelines Section 15364, feasibility is defined as:

> [The capability] of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

5.2 PROJECT OBJECTIVES AND SIGNIFICANT IMPACTS

As described in Chapter 3.0, Project Description, the following objectives have been established for the proposed Program:

- Provide upgradable and expandable high-speed broadband capacity in the service areas with minimum speeds of 25 megabits per second (Mbps) for downloads and 3 Mbps for uploads, which is labeled as "served" areas within California;
- Provide a wireless broadband network in unserved and underserved areas of Yuba County;
- Enable an increase in telecommuting, with a commensurate decrease in vehicle miles traveled (VMT);
- Streamline the environmental review process for individual broadband projects that are implemented in the County;
- Provide a reliable foundation of data and acceptable methodology to assess impacts for any specific broadband deployment project;
- Identify known environmental and cultural assets to be protected and/or restored with an approved set of preservation measures and/or mitigations; and,
- Save time and money for both the County of Yuba and broadband project applicants, resulting in greater government and economic efficiencies, reducing the amount of County staff time required to review broadband projects and avoiding duplication of applicant costs.

As described in Sections 4.1 through 4.14, implementation of the proposed Program would not result in significant and unavoidable impacts.

5.3 ALTERNATIVES ANALYSIS

This program EIR analyzes four project alternatives: (1) the No Project Alternative, (2) the Aerial Installation Only Alternative, (3) the Underground Installation Only Alternative, and (4) the Use of Existing Infrastructure Alternative. The alternatives are evaluated in detail to compare to the proposed Program because of their potential to reduce the potential impacts. The four alternatives are discussed in more detail in the following subsections.

5.3.1 Alternative 1: No Project Alternative

The No Project Alternative is required under Section 15126.6(e) of the CEQA Guidelines and represents a possible scenario that could occur if a proposed project is not approved. According to Section 15126.6 (e)(3)(B) of the CEQA Guidelines, if the proposed project is other than a land use or regulatory plan, for example a development project on identifiable property, the "no project" alternative is the circumstance under which the project does not proceed.

Under the No Project Alternative, the proposed Program would not be implemented, and no actions would be taken to expand broadband availability in the County, and the service area would remain unchanged from current conditions. Further, the No Project Alternative would not meet the identified project objectives. However, as required by CEQA, the No Project Alternative is evaluated in this Draft EIR. Although it is acknowledged that no discretionary action would be taken by the County, and thus no

potential adverse environmental effects would occur, for purposes of comparison with the other project alternatives, conclusions for each environmental topic area are characterized as potential impacts that are "greater", "similar", or "reduced", to describe conditions that are worse than, similar to, or better than those of the proposed Program.

5.3.2 Alternative 2: Aerial Installation Only

The Aerial Installation Only Alternative would include only individual broadband projects that install aboveground fiber optic line that would utilize new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative. This alternative was considered because it would avoid or reduce potential impacts that would be associated with underground installation methods for new fiber optic line or new conduit, such as construction impacts associated with horizontal directional drilling, plowing, trenching, micro trenching, line installation, and pavement repair. Some areas of the County are known to contain naturally occurring asbestos (NOA); the minimized ground disturbance under aerial installation methods would reduce the potential risk of exposure to such hazardous materials. The aerial installation of fiber optic line would also be more feasible for long distance connections, such as in rural areas of the County.

However, the addition of new utility poles may not be feasible in some locations in the County due to the existing terrain and rocky subsurface conditions that would make it nearly impossible to reach the boring depth required for utility poles, which would leave service gaps in those locations. Further, aerial installation may not be feasible in some densely forested and mountainous areas of the County, which may prevent the aerial stringing of fiber optic line or the installation of new utility poles. Aerial fiber optic line also typically requires more frequent maintenance, as compared to underground fiber optic line or conduit. Additionally, this alternative may result in increased impacts to aesthetics and visual resources associated with the construction of new utility poles within the viewshed of scenic vistas or State Route (SR) 49, which is an eligible State Scenic Highway within the County.

5.3.3 Alternative 3: Underground Installation Only

The Underground Installation Only Alternative would include individual broadband projects that would only install underground fiber optic lines and would utilize new or existing underground conduits. No aboveground fiber optic line or new utility poles would be installed under this alternative. This alternative was considered because it would avoid or reduce potential impacts that would be associated with aboveground installation methods for fiber optic line, including impacts to aesthetics and visual resources associated with the construction of new utility poles within the viewsheds of scenic vistas or SR 49, which is an eligible State Scenic Highway within the County. Additionally, this alternative would be more feasible in certain areas of the County, such as densely forested or mountainous areas that would prevent the aerial stringing of fiber optic line or the installation of new utility poles. Lastly, the underground installation of fiber optic line typically requires less frequent maintenance due to fewer disturbances as compared to aerial fiber optic line.

However, the installation of underground fiber optic lines typically requires more ground disturbance and longer construction periods as compared to aerial installation. Increased construction-related impacts could occur due to the increased ground disturbance required for installation, including horizontal directional drilling, plowing, trenching, micro trenching, and line installation. Under this alternative, underground fiber optic lines could be constructed in areas that have existing buried utilities that could contain hazardous waste. Additionally, some areas of the County are known to contain NOA;

the increased ground disturbance resulting from underground installation methods may increase the risk of exposure to hazardous materials including but not limited to NOA. Depending on the prevailing terrain and geological conditions, including bedrock near the surface, it may not be feasible to install underground infrastructure in some parts of the County.

5.3.4 Alternative 4: Use of Existing Infrastructure

The Use of Existing Infrastructure Alternative would include individual broadband projects that install fiber optic line in existing fiber-specific conduit or along existing utility poles. Under this alternative, no new utility poles or underground conduit would be installed. This alternative was considered because it would avoid or reduce most impacts associated with the proposed Program, as outlined in this program EIR, as fewer individual broadband projects would be implemented, and therefore less construction and ground disturbance would occur. This alternative would avoid impacts to aesthetic resources, because the stringing of aerial fiber optic line would occur along existing utility poles, which would not introduce new visible features within the viewshed of scenic vistas or eligible State Scenic Highways in the County. However, this alternative would not meet the basic project objectives associated with providing a reliable system of broadband communications in Yuba County, because it would not provide for the expansion of broadband infrastructure into portions of the service area that do not already include sufficient conduit, utility poles, and supporting infrastructure.

5.3.5 Assumptions and Methodology

The following analysis compares the environmental impacts of the proposed Program alternatives with the Program-related impacts for each of the environmental topics analyzed in detail in Sections 4.1 through 4.14 of this program EIR. Table 5-1, Comparison Project Alternatives to the Proposed Program, summarizes the impacts of each of the alternatives compared to the proposed Program.

Table 5-1
COMPARISON OF PROJECT ALTERNATIVES TO THE PROPOSED PROGRAM

Environmental Topic	No Project	Aerial Installation Only	Underground Installation Only	Use of Existing Infrastructure Only
Aesthetics	-	+	-	-
Air Quality	-	-	+	-
Biological Resources	-	=	=	-
Cultural Resources	-	=	=	-
Geology and Soils	-	-	+	-
Greenhouse Gas Emissions	-	-	+	-
Hazards and Hazardous Materials	-	=	+	-
Hydrology and Water Quality	-	=	=	-
Noise	-	=	=	-
Public Services	-	+	+	+
Transportation	-	=	=	-
Tribal Cultural Resources	-	=	=	-
Utilities and Service Systems	-	=	=	-

Environmental Topic	No Project	Aerial Installation Only	Underground Installation Only	Use of Existing Infrastructure Only
Wildfire	-	=	-	-

Notes:
- \- Reduced impact in comparison to the proposed Program.
- = Similar impact in comparison to the proposed Program.
- \+ Greater impact, or loss of beneficial impact, in comparison to the proposed Program.

5.4 COMPARATIVE IMPACT ANALYSIS

5.4.1 No Project Alternative

Under the No Project Alternative, no actions would be taken to expand broadband availability to communities within Yuba County and the broadband service area would remain unchanged from current conditions. Additionally, none of the identified project objectives would be met under this alternative. The following subsections compare the potential environmental impacts of the No Project Alternative with the proposed Program-related impacts for each of the environmental topics analyzed in detail in Sections 4.1 through 4.14 of this program EIR.

5.4.1.1 Aesthetics

Under the No Project Alternative, no construction would occur, and no new broadband infrastructure would be installed. Therefore, no change would occur for scenic vistas, scenic resources adjacent to a State Scenic Highway, scenic character or views, or scenic regulations within the County. There would be no impact on aesthetics, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.2 Air Quality

Under the No Project Alternative, the proposed broadband infrastructure would not be constructed. Because no construction would occur and the service area would remain unchanged, there would be no change in air quality as a result of this alternative. The No Project Alternative would not have the potential to conflict with applicable air quality plans, increase any criteria pollutant for which the project region is non-attainment, expose sensitive receptors to substantial pollutant concentrations, or result in substantial emissions of odors adversely affecting a substantial number of people. For these reasons, the No Project Alternative would have no impact on air quality, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.3 Biological Resources

No construction, excavation, or ground disturbance would occur under the No Project Alternative; therefore, there would be no effects on biological resources within the County. The No Project Alternative would not affect special-status species or habitat, or riparian habitat or other sensitive natural communities. Additionally, this alternative would not degrade wetlands, interfere with wildlife movement corridors or nursery sites, or conflict with local ordinances or policies. For these reasons, the No Project Alternative would have no impact on biological resources, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.4 Cultural Resources

No construction, excavation, or ground disturbance would occur under the No Project Alternative. Therefore, this alternative would have no potential impacts on historic resources or unique archeological resources. Because no construction would occur under the No Project Alternative, there would also be no risk of disturbing human remains. Additionally, as no new utility poles would be constructed, and thus no change to the visual character of the County, the No Project Alternative would not diminish built-environment cultural resources. For these reasons, the No Project Alternative would have no impact on cultural resources, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.5 Geology and Soils

With the No Project Alternative, no construction, excavation, or ground disturbance would occur. Because no construction activities would occur, the No Project Alternative would not expose people or structures to adverse seismic impacts, result in substantial erosion or loss of topsoil, expose infrastructure to geological hazards, or cause geologic hazards. Similarly, this alternative would not result in the loss of a unique paleontological resource or geologic feature or result in the loss of availability of a known mineral resource or locally important mineral resource recovery site. For these reasons, the No Project Alternative would have no impact on geology and soils, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.6 Greenhouse Gas Emissions

Under the No Project Alternative, no construction or operation of additional broadband infrastructure would occur. As a result, there would be no construction-related GHG emissions, and no GHG emissions would occur from operating new broadband infrastructure. Thus, there would be no impact to greenhouse gas emissions, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.7 Hazards and Hazardous Materials

No construction would occur, and no new broadband infrastructure would be installed under the No Project Alternative. Because there would be no construction or operation of new broadband infrastructure, there would be no risk of exposure to hazards from the routine transport, use, or disposal of hazardous materials. Similarly, there would be no risk of upset or accident conditions or development on a hazardous waste site, and no risk of emitting or handling hazardous materials within one quarter mile of a school. The No Project Alternative would also not result in hazards due to construction near an airport, conflict with an emergency response or evacuation plan, or increase wildfire risk or exposure to wildfire. For these reasons, there would be no impact associated with hazards and hazardous materials under the No Project Alternative, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.8 Hydrology and Water Quality

Because no construction, excavation, or ground disturbance would occur under the No Project Alternative, the alternative would not have the potential to affect hydrology and water quality. With no construction activities or new infrastructure, the No Project Alternative would not violate any water quality standards or degrade surface or groundwater quality, nor would it affect groundwater supply or

result in substantial erosion, flooding, or runoff. The No Project Alternative would also not change the existing risk of the release of pollutants due to inundation for seiche or flood. Therefore, the No Project Alternative would have no impact on hydrology and water quality, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.9 Noise

Under the No Project Alternative, no construction or operation of new broadband infrastructure would occur. As a result, there would be no construction or operational noise, and thus no impact related to noise, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.10 Public Services

The No Project Alternative would have no potential to affect public services because it would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities in order to maintain acceptable service ratios, response times or other performance objectives for any public services including fire protection, police protection, schools, parks, or other public facilities. Therefore, the No Project Alternative would have no impact on public service, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.11 Transportation

The No Project Alternative would have no potential to impact transportation because it would not result in the construction or operation of new broadband infrastructure. Because there would be no construction activities or new broadband infrastructure installed, this alternative would not conflict with plans, ordinances, or policies addressing the circulation system, nor would it affect VMT. Similarly, the No Project Alternative would not increase transportation hazards or result in inadequate emergency access. For these reasons, there would be no impact on transportation and traffic, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.12 Tribal Cultural Resources

No construction, excavation, or ground disturbance would occur under the No Project Alternative. Therefore, there would be no potential effects on historic resources, unique archeological resources, or tribal cultural resources. Because no construction would occur under the No Project Alternative, there would also be no risk of disturbing human remains. For these reasons, the No Project Alternative would have no impact on tribal cultural resources, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.13 Utilities and Service Systems

The No Project Alternative would not affect utilities because it would not result in the construction or operation of new broadband infrastructure. With no new infrastructure, the No Project Alternative would not impact water supplies available and wastewater treatment capacity and would not generate solid waste access that would impact solid waste reduction goals. Additionally, there would be no expansion of existing broadband availability within the County. For these reasons, there would be no impact on utilities and service systems, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.14 Wildfire

The No Project Alternative would not affect wildfires as no construction or operation of new broadband infrastructure would occur. With no new infrastructure, there would be no impact to an adopted emergency response plan or emergency evacuation plan. Additionally, wildfire risks would not be exacerbated, and people or structures would not be exposed to risks as a result of runoff, post-fire slope instability, or drainage changes. For these reasons, there would be no impact on wildfire under the No Project Alternative, and a reduced impact would occur in comparison to the proposed Program. (*Reduced Impact*)

5.4.1.15 Conclusion and Relationship to Project Objectives

The No Project Alternative would result in reduced impacts to aesthetics, air quality, biological resources, cultural and tribal cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, public services, transportation, utilities and service systems, and wildfire as compared to the proposed Program-related impacts. Following is a discussion of the No Project Alternative's ability to attain the identified project objectives:

1. **Provide upgradable and expandable high-speed broadband capacity in the service areas with minimum speeds of 25 megabits per second (Mbps) for downloads and 3 Mbps for uploads, which is labeled as "served" areas within California;**

The No Project Alternative would not expand broadband infrastructure within the County and no change to existing conditions would occur. The No Project Alternative would not achieve this objective.

2. **Provide a wireless broadband network in unserved and underserved areas of Yuba County;**

The No Project Alternative would not expand broadband infrastructure within the County and no change to existing conditions would occur. The No Project Alternative would not achieve this objective.

3. **Enable an increase in telecommuting, with a commensurate decrease in vehicle miles traveled (VMT);**

The No Project Alternative would not expand broadband infrastructure within the County and no change to existing conditions would occur. The No Project Alternative would not achieve this objective.

4. **Streamline the environmental review process for individual broadband projects that are implemented in the County;**

The No Project Alternative would not expand broadband infrastructure within the County and no change to existing conditions would occur. The No Project Alternative would not achieve this objective.

5. **Provide a reliable foundation of data and acceptable methodology to assess impacts for any specific broadband deployment project;**

The No Project Alternative would not expand broadband infrastructure within the County and no change to existing conditions would occur. The No Project Alternative would not achieve this objective.

6. **Identify known environmental and cultural assets to be protected and/or restored with an approved set of preservation measures and/or mitigations; and,**

The No Project Alternative would not expand broadband infrastructure within the County and no change to existing conditions would occur. The No Project Alternative would not achieve this objective.

7. **Save time and money for both the County of Yuba and broadband project applicants, resulting in greater government and economic efficiencies, reducing the amount of County staff time required to review broadband projects and avoiding duplication of applicant costs.**

The No Project Alternative would not expand broadband infrastructure within the County and no change to existing conditions would occur. The No Project Alternative would not achieve this objective.

5.4.2 Aerial Installation Only Alternative

The Aerial Installation Only Alternative would only include individual broadband projects that install aboveground fiber optic line on new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative. The following subsections compare the potential environmental impacts of the Aerial Installation Only Alternative with the proposed Program-related impacts for each of the environmental topics analyzed in detail in Sections 4.1 through 4.14 of this program EIR.

5.4.2.1 Aesthetics

Under the Aerial Installation Only Alternative, individual broadband projects would only install aboveground fiber optic line on new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative. Construction-related impacts under this alternative would be similar to the proposed Program, as all construction activities would be temporary and short-term and would cease following construction of the broadband infrastructure. However, this alternative may result in increased impacts to aesthetics and visual resources associated with the construction of new utility poles within the viewshed of scenic vistas or SR 49, which is an eligible State Scenic Highway within the County. In comparison, under the proposed Program, individual broadband projects could install broadband infrastructure underground within the viewshed of scenic resources, which would avoid or reduce impacts to aesthetics.

Section 4.1, *Aesthetics*, of this program EIR concluded that the proposed Program would result in less than significant impacts with implementation of Mitigation Measure AES-1. Since broadband infrastructure would only be installed on new or existing utilities poles, the Aerial Installation Only Alternative would result in slightly greater impacts as compared to the proposed Program. (*Greater Impact*)

5.4.2.2 Air Quality

Under the Aerial Installation Only Alternative, construction activities would mainly include aerial stringing of fiber optic line and the installation of new utility poles. This alternative would require reduced ground disturbance and would avoid construction activities such as horizontal directional drilling, plowing, trenching, micro trenching, and pavement repair. Section 4.2, *Air Quality*, of this program EIR, concluded that construction-related impacts from the proposed Program would be less than significant with mitigation. Additionally, some areas of the County are known to contain NOA; the reduced ground disturbance impacts associated with the Aerial Installation Only Alternative would result in reduced air quality impacts associated with exposure to pollutant concentrations. Operation under this alternative would be similar to the proposed Program, as this alternative would not generate new

vehicle trips beyond occasional maintenance activities. A backup generator may be used in the event of a power outage or for routine testing, similar to the proposed Program.

Section 4.2, *Air Quality*, of this program EIR concluded that the proposed Program would result in less than significant impacts with implementation of Mitigation Measure AQ-1. Due to reduced ground disturbance and risk of exposure to pollutant concentrations, the Aerial Installation Only Alternative would result in slightly reduced impacts on air quality as compared to the proposed Program. (*Reduced Impact*)

5.4.2.3 Biological Resources

Under the Aerial Installation Only alternative, individual broadband projects would only install aboveground fiber optic line on new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative. However, similar to the proposed Program, individual broadband projects would be required to prepare a Biological Resources Assessment (BRA) and implement applicable project-specific mitigation measures, as outlined in Mitigation Measures BIO-1 through BIO-10 to reduce impacts to special-status species to a less than significant level. Additionally, if sensitive natural communities would be impacted by project implementation, the project proponent would be required to apply to the necessary permits from the U.S. Army Corps of Engineer (USACE), California Department of Fish and Wildlife (CDFW), and the Regional Water Quality Control Board (RWQCB) as outlined in Mitigation Measure BIO-11, and would be required to prepare an oak resources inventory as outlined in Mitigation Measure BIO-12. Similar to the proposed Program, if an individual broadband project would impact federally-protected aquatic resources, Mitigation Measure BIO-11 would be implemented, and if it would impact the movement of wildlife species or wildlife corridors, Mitigation Measures BIO-1 through BIO-10 would be implemented.

Section 4.3, *Biological Resources*, of this program EIR concluded that the proposed Program would result in less than significant impacts with implementation of Mitigation Measures BIO-1 through BIO-12. The Aerial Installation Only Alternative would result in similar impacts on biological resources as compared to the proposed Program. (*Similar Impact*)

5.4.2.4 Cultural Resources

Under the Aerial Installation Only alternative, individual broadband projects would only install aboveground fiber optic line on new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative. Similar to the proposed Program, installation of utility poles under this alternative would introduce a new visual element to areas with concentrations of historical built environment cultural resources such as buildings and structures that comprise historic districts. The use of existing or newly constructed utility poles for the collocation of fiber optic cable would change the visual signature of the poles and their vicinity. However, these collocations and new installations would be relatively minor additions to existing utility corridors in the County already populated with other utility infrastructure, including in and near historic districts and historical resources. The installation of these fiber optic lines, as proposed, would not diminish a built-environment resource's ability to convey its significance or justify the reasons for its qualification as a historical resource, two of the criteria of material impairment in the definition of a substantial adverse change in the significance of a historical resource. Additionally, similar to the proposed Program, individual broadband projects under this alternative could impede or destroy archaeological cultural resources' ability to convey their significance, which can embody scientific and/or traditional cultural

value. Mitigation Measure CUL-1 and CUL-2 would be implemented under this alternative, same as the proposed Program, to mitigate or avoid archaeological cultural resource impact scenarios. Additionally, the County is required to comply with CEQA Guidelines §15064.5, California Health and Safety Code §7050.5, and PRC §5097.9 *et seq.* to avoid or substantially reduce the severity of impacts on human remains.

Section 4.4, *Cultural Resources*, of this EIR concluded that the proposed Program would result in less than significant impacts with implementation of Mitigation Measures CUL-1 and CUL-2. The Aerial Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.2.5 Geology and Soils

Under the Aerial Installation Only Alternative, individual broadband projects would only install aboveground fiber optic line on new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative, which would reduce the amount of ground disturbance as compared to the proposed Program. This alternative would reduce potential soil erosion impacts that would be associated with underground installation methods. As compared to the proposed Program, this alternative would have similar risks of exposing people or structures to landslides, lateral spreading, subsidence, liquefaction, soil erosion, or seismic impacts as construction would occur within County limits. However, this alternative may not be feasible in some locations in the County due to prevailing terrain and rocky subsurface conditions that would make it nearly impossible to reach the boring depth required for utility poles.

Section 4.5, *Geology and Soils*, of this program EIR concluded that the proposed Program would result in a less than significant impact on geology and soils. Due to reduced ground disturbance and soil erosion impacts, the Aerial Installation Only Alternative would result in slightly reduced impacts as compared to the proposed Program. (*Reduced Impact*)

5.4.2.6 Greenhouse Gas Emissions

Under the Aerial Installation Only Alternative, construction activities would mainly include aboveground line installation and aerial stringing. Section 4.6, *Greenhouse Gas Emissions*, of this program EIR, concluded that the proposed Program would result in less than significant construction-related impacts to GHGs. This alternative would require less ground disturbance activities and would avoid construction activities such as horizontal directional drilling, plowing, trenching, micro trenching, and pavement repair, therefore requiring less construction equipment and less GHGs associated with construction. Operation under this alternative would be similar to the proposed Program, as this alternative would not generate new vehicle trips beyond occasional maintenance activities. In addition to the numerous State plans, policies, and regulations adopted for the purpose of reducing GHG emissions, GHG emissions are also addressed within the Yuba County General Plan. Similar to the proposed Program, this alternative would be consistent with the County General Plan and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Section 4.6, *Greenhouse Gas Emissions*, of this program EIR concluded that the proposed Program would result in a less than significant impact to GHG emissions. Due to reduced ground disturbance and construction equipment required for this alternative, the Aerial Installation Only Alternative would result in slightly reduced GHG impacts as compared to the proposed Program. (*Reduced Impact*)

5.4.2.7 Hazards and Hazardous Materials

Under the Aerial Installation Only Alternative, individual broadband projects would only install aboveground fiber optic line on new or existing utility poles. Similar to the proposed Program, small quantities of hazardous materials may be stored, used, and handled during construction activities or during routine maintenance checks, and may be located within one quarter mile of a school. Underground construction under this alternative would be limited to the installation of utility poles, this alternative would avoid impacts associated with the spillage of drilling fluid. However, this alternative would still be required to implement and comply with existing hazardous material regulations. Some areas of the County are known to contain NOA; the reduced ground disturbance associated with aerial installation methods would reduce the potential risk of exposure to hazardous materials. Additionally, as with the proposed Program, this alternative would not include utility poles over 100 feet in height or include permanent structures for human occupancy; therefore, this alternative would not interfere with airport operations or expose residents to airport-related noise. Fire risks associated with construction and operation under this alternative would require adherence to CBC Chapter 7A and Public Resources Code 4291, similar to the proposed Program; however, fiber optic lines themselves do not carry an electrical charge and would, therefore, not exacerbate wildland fire risk. Similar to the proposed Program, Mitigation Measure AES-2 would be required to be implemented under this alternative to reduce potential impacts from asbestos dust and Mitigation Measure HAZ-1 would be required to be implemented to manage traffic during construction.

Section 4.7, *Hazards and Hazardous Materials*, of this program EIR concluded that the proposed Program would result in less than significant impacts with implementation of Mitigation Measure TRA-1. The Aerial Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.2.8 Hydrology and Water Quality

The Aerial Installation Only Alternative would only install aboveground fiber optic line on new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative. Similar to the proposed Program, if individual broadband projects under this alternative would disturb more than one acre of soil, a Stormwater Pollution Prevention Plan (SWPPP) with project-specific Best Management Practices (BMPs) would be required for each individual broadband project. As with the proposed Program, this alternative could involve minor use of water for dust control during construction. Operation under this alternative would require occasional maintenance needs, similar to the proposed Program; however, it is not anticipated this alternative would require additional water supplies during operation.

Section 4.8, *Hydrology and Water*, of this program EIR concluded that the proposed Program would result in less than significant impacts to hydrology and water quality. The Aerial Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.2.9 Noise

The Aerial Installation Only Alternative would only install aboveground fiber optic line on new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative. Similar to the proposed Program, construction of individual broadband projects under this alternative would be required to limit construction hours and implement construction noise BMPs, as outlined

under Mitigation Measure NOI-1. Similar to the proposed Program, the Underground Installation Only Alternative would require emergency backup generators to be located at least 25 feet from an NSLU where feasible; if not feasible, then noise attenuating features shall be incorporated into stationary equipment to reduce generator noise levels to 60 dBA or less, as outlined in Mitigation Measure NOI-2. Additionally, similar to the proposed Program, if construction under this alternative would use a vibratory roller, Mitigation Measure NOI-3 would require vibratory rollers to be used in static mode only (no vibrations) in proximity to occupied buildings or fragile structures. Both the proposed Program and this alternative would not expose people residing or working in the project area to excessive noise levels from public use or private airstrips.

Section 4.9, *Noise*, of this EIR concluded that the proposed Program would result in less than significant impacts with implementation of Mitigation Measures NOI-1 through NOI-3. The Aerial Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.2.10 Public Services

The Aerial Installation Only Alternative would only install aboveground fiber optic line on new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative. Similar to the proposed Program, this alternative would not require the construction of housing and would not contribute to substantial unplanned population growth. Therefore, the proposed Program would not generate additional residential population that would result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities in order to maintain acceptable service ratios, response times or other performance objectives for any public services including fire protection, police protection, schools, parks, or other public facilities. However, this alternative may not be feasible in some locations in the County due to the rocky subsurface conditions that would make it nearly impossible to reach the boring depth required for utility poles. As such, operation under this alternative would not introduce a wider or more reliable network that would improve public health and safety through enabling faster emergency response, enhanced communication between emergency services, and access to critical information during disasters or emergencies. Therefore, impacts under this alternative related to police and fire protection would be slightly greater as compared to the proposed Program.

Section 4.10, *Public Services*, of this program EIR concluded that the proposed Program would result in a less than significant impact to fire protection, police protection, and other public facilities, and no impact to schools and parks. The Aerial Installation Only Alternative would result in slightly greater impacts to fire protection and police protection as compared to the proposed Program, and similar impacts to schools, parks, and other public facilities. (*Greater Impact*)

5.4.2.11 Transportation

Under the Aerial Installation Only Alternative, individual broadband projects would only install aboveground fiber optic line on new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative. Similar to the proposed Program, construction under this alternative may require lane closures within County road rights-of-way (ROW). To minimize or avoid lane closures that could interfere with traffic circulation during emergencies and disrupt access to private properties and roadways, each individual broadband project that would require the issuance of an encroachment permit would be required to develop and implement a Traffic Control Plan as stipulated in Mitigation Measure TRA-1, same as the proposed Program. Standard traffic control

measures, specified in the Traffic Control Plan, would be required for all construction activities within County road ROW, and would be subject to review and approval by the County Public Works Department. However, construction under this alternative would be temporary in nature and would not result in a long-term increase in vehicular trips, similar to the proposed Program. Operation of individual broadband projects would not result in a substantial increase in vehicle trips beyond occasional maintenance needs.

Section 4.11, *Transportation*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measure TRA-1. The Aerial Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.2.12 Tribal Cultural Resources

Under the Aerial Installation Only Alternative, individual broadband projects would only install aboveground fiber optic line on new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative, which would reduce the amount of ground disturbance as compared to the proposed Program. However, similar to the proposed Program, under this alternative Mitigation Measures TCR-1 and TCR-2 would be required to be implemented to address the unanticipated discoveries of tribal cultural resources (TCRs) through Assembly Bill (AB) 52 consultation procedures.

Section 4.12, *Tribal Cultural Resources*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measure TCR-1 and TCR-2. Due to the potential for inadvertent discovery of tribal cultural resources during individual broadband project construction, the Aerial Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.2.13 Utilities and Service Systems

Under the Aerial Installation Only Alternative, individual broadband projects would only install aboveground fiber optic line on new or existing utility poles. No underground fiber optic line or new conduit would be installed under this alternative. Similar to the proposed Program, new aboveground telecommunication facilities would be installed; however, this program EIR analyzes all potential environmental impacts regarding installation of broadband infrastructure. Additionally, similar to the proposed Program, this alternative would not require relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, or natural gas facilities. As with the proposed Program, this alternative could involve minor use of water for dust control during construction; however, it is not anticipated this alternative would require additional water supplies during operation as no population would be generated. Additionally, during construction, it is anticipated that portable toilets could be provided for workers, and waste would be hauled to an approved facility for treatment/disposal. As wastewater associated with portable toilets would be a temporary demand, this alternative would not exceed wastewater treatment requirements of the Central Valley Regional Water Quality Control Board (CVRWQCB), similar to the proposed Program. Due to the minimal amount of solid waste generated by individual broadband projects, this alternative would not adversely affect the County's ability to comply with the State waste diversion requirements.

Section 4.13, *Utilities and Service Systems*, of this program EIR concluded that the proposed Program would result in less than significant impacts to utilities and service systems. The Aerial Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.2.14 Wildfire

Under the Aerial Installation Only Alternative, individual broadband projects would only install aboveground fiber optic line on new or existing utility poles. Although fiber optic lines do not carry an electrical charge, fire risks associated with construction under this alternative would require adherence to CBC Chapter 7A and Public Resources Code 4291, similar to the proposed Program. Additionally, similar to the proposed Program, construction under this alternative may require lane closures within County road ROW and individual broadband projects that require an encroachment permit would be required to submit a Traffic Control Plan, as stipulated under Mitigation Measure TRA-1, to reduce potential impacts to emergency response or evacuation plans during construction.

Section 4.14, *Wildfire*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measure TRA-1. The Aerial Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.2.15 Conclusion and Relationship to Project Objectives

The Aerial Installation Only Alternative would result in reduced impacts to air quality, geology and soils, and greenhouse gas emissions; similar impacts to biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, noise, transportation, tribal cultural resources, utilities and service systems, and wildfire; and greater impacts to aesthetics and public services. Following is a discussion of the Aerial Installation Only Alternative's ability to attain the identified project objectives:

1. **Provide upgradable and expandable high-speed broadband capacity in the service areas with minimum speeds of 25 megabits per second (Mbps) for downloads and 3 Mbps for uploads, which is labeled as "served" areas within California;**

The Aerial Installation Only alternative would install aboveground fiber optic cables on new or existing utility poles. Under this alternative, aerial installation methods may not be feasible in some locations in the County, which would not promote the expansion of high-speed broadband capacity as effectively as the proposed Program. Therefore, the Aerial Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

2. **Provide a wireless broadband network in unserved and underserved areas of Yuba County;**

The Aerial Installation Only alternative would install aboveground fiber optic cables on new or existing utility poles. Under this alternative, aerial installation methods may not be feasible in some locations in the County, which would not provide a wireless broadband network to unserved or underserved areas of the County as effectively as the proposed Program. Therefore, the Aerial Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

3. **Enable an increase in telecommuting, with a commensurate decrease in vehicle miles traveled (VMT);**

The Aerial Installation Only alternative would install aboveground fiber optic cables on new or existing utility poles. Under this alternative, aerial installation methods may not be feasible in some locations in the County, which would not enable an increase in telework and telecommuting, with a commensurate decrease in VMT, as effectively as the proposed Program. Therefore, the Aerial Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

4. Streamline the environmental review process for individual broadband projects that are implemented in the County;

The Aerial Installation Only alternative would install aboveground fiber optic cables on new or existing utility poles. However, this alternative would not serve to streamline the environmental review process for individual broadband projects that seek to utilize underground installation methods. Therefore, the Aerial Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

5. Provide a reliable foundation of data and acceptable methodology to assess impacts for any specific broadband deployment project;

The Aerial Installation Only alternative would install aboveground fiber optic cables on new or existing utility poles. However, this alternative would not provide a foundation of data and acceptable methodology to assess impacts for individual broadband projects that seek to utilize underground installation methods. Therefore, the Aerial Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

6. Identify known environmental and cultural assets to be protected and/or restored with an approved set of preservation measures and/or mitigations; and,

The Aerial Installation Only alternative would install aboveground fiber optic cables on new or existing utility poles. Aerial installation methods may not be feasible in some locations in the County, which would exclude the identification of environmental and cultural assets in those portions of the County under this alternative. Therefore, the Aerial Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

7. Save time and money for both the County of Yuba and broadband project applicants, resulting in greater government and economic efficiencies, reducing the amount of County staff time required to review broadband projects and avoiding duplication of applicant costs.

The Aerial Installation Only alternative would install aboveground fiber optic cables on new or existing utility poles. However, as this alternative would not serve to streamline the environmental review process for individual broadband projects that seek to utilize underground installation methods, this alternative would not save time and money for the County and individual broadband project applicants as effectively as the proposed Program. Therefore, the Aerial Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

5.4.3 Underground Installation Only Alternative

The Underground Installation Only Alternative would only include individual broadband projects that install underground fiber optic lines in new or existing underground conduit. No aboveground fiber optic line would be installed under this alternative. The following subsections compare the potential

environmental impacts of the Underground Installation Only Alternative with the proposed Program-related impacts for each of the environmental topics analyzed in detail in Sections 4.1 through 4.14 of this program EIR.

5.4.3.1 Aesthetics

Under the Underground Installation Only Alternative, individual broadband projects would only install underground fiber optic lines and would utilize new or existing underground conduit. No aboveground fiber optic line or new utility poles would be installed under this alternative. Aesthetic impacts related to construction under this alternative would be similar to the proposed Program, as all construction activities would be temporary and short-term. However, operation under this alternative would avoid impacts to aesthetics and visual resources, as no aboveground fiber optic line or new utility poles would be installed within the viewshed of scenic vistas or SR 49, which is an eligible State Scenic Highway within the County. Therefore, this alternative would result in reduced aesthetic impacts as compared to the proposed Program.

Section 4.1, *Aesthetics*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measure AES-1. The Underground Installation Only Alternative would result in reduced impacts as compared to the proposed Program. (*Reduced Impact*)

5.4.3.2 Air Quality

Under the Underground Installation Only Alternative, construction activities would mainly include horizontal directional drilling, plowing, trenching, micro trenching, line installation, and pavement repair. Under this alternative, the installation of only underground fiber optic lines would require more ground disturbance, and the construction period would generally be longer as compared to aerial installation methods. Further, some areas of the County are known to contain NOA; the increased ground disturbance would result in increased air quality impacts associated with exposure to pollutant concentrations. Operation under this alternative would be similar to the proposed Program, as this alternative would not generate new vehicle trips beyond occasional maintenance activities. A backup generator may be used in the event of a power outage or for routine testing, similar to the proposed Program. Similar to the proposed Program, Mitigation Measure would be required to be implemented under this alternative to reduce potential impacts to reduce potential impacts from fugitive dust and asbestos dust.

Section 4.2, *Air Quality*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measure AQ-1. The Underground Installation Only Alternative would result in slightly greater impacts as compared to the proposed Program. (*Greater Impact*)

5.4.3.3 Biological Resources

Under the Underground Installation Only alternative, individual broadband projects would only install underground fiber optic lines and would utilize new or existing underground conduit. No aboveground fiber optic line would be installed under this alternative. Similar to the proposed Program, individual broadband projects would be required to prepare a BRA and implement applicable project-specific mitigation measures, as outlined in Mitigation Measures BIO-1 through BIO-10, to reduce impacts to special-status species to a less than significant level. Additionally, if sensitive natural communities would

be impacted by project implementation, the project proponent would be required to apply for the necessary permits from the USACE, CDFW, and the RWQCB as outlined in Mitigation Measure BIO-11, and would prepare an oak resources inventory as outlined in Mitigation Measure BIO-12. Similar to the proposed Program, if an individual broadband project would impact federally protected aquatic resources, Mitigation Measure BIO-11 would be required to be implemented, and if it would impact the movement of wildlife species or wildlife corridors, Mitigation Measures BIO-1 through BIO-10 would be implemented.

Section 4.3, *Biological Resources*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measures BIO-1 through BIO-12. The Underground Installation Only Alternative would result in similar impacts with mitigation as compared to the proposed Program. (*Similar Impact*)

5.4.3.4 Cultural Resources

Under the Underground Installation Only alternative, individual broadband projects would only install underground fiber optic lines and would utilize new or existing underground conduit. No aboveground fiber optic line would be installed under this alternative. As this alternative would only install underground fiber optic lines and would be located underground, operation of individual broadband projects would not introduce a new visual element to areas with concentrations of historical built environment cultural resources such as buildings and structures that comprise historic districts. There would be no change in the visual signature of the vicinity. However, similar to the proposed Program, individual broadband projects under this alternative could impede or destroy archaeological cultural resource's ability to convey their significance, which can embody scientific and/or traditional cultural value. Mitigation Measure CUL-1 and CUL-2 would be required to be implemented under this alternative, same as the proposed Program, to mitigate or avoid archaeological cultural resource impact scenarios.

Section 4.4, *Cultural Resources*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measures CUL-1 and CUL-2. The Underground Installation Only Alternative would result in similar impacts with mitigation as compared to the proposed Program. (*Similar Impact*)

5.4.3.5 Geology and Soils

Under the Underground Installation Only Alternative, individual broadband projects would only install underground fiber optic lines and would utilize new or existing underground conduit. No aboveground fiber optic line would be installed under this alternative. This alternative may result in increased soil erosion impacts due to increased ground disturbance required for underground installation, including construction impacts associated with horizontal directional drilling, plowing, trenching, micro trenching, and line installation. However, compared to the proposed Program, this alternative would have similar risks of exposing people or structures to landslides, lateral spreading, subsidence, liquefaction, soil erosion, or seismic impacts as construction would occur within County limits. Further, construction methods under this alternative, including horizontal directional drilling, plowing, trenching, micro trenching, and line installation may not be feasible in some locations in the County due to the rocky subsurface conditions that would make it nearly impossible to reach the boring depth required for underground conduit.

Section 4.5, *Geology and Soils*, of this program EIR concluded that the proposed Program would result in a less than significant impact to geology and soils. The Underground Installation Only Alternative would result in slightly greater impacts as compared to the proposed Program. (*Greater Impact*)

5.4.3.6 Greenhouse Gas Emissions

Under the Underground Installation Only Alternative, construction activities would mainly include horizontal directional drilling, plowing, trenching, micro trenching, line installation, and pavement repair. This alternative would avoid construction activities such as aerial stringing. Under this alternative, the installation of only underground fiber optic lines would require more ground disturbance and increased construction equipment needed for construction methods such as horizontal directional drilling, plowing, trenching, and micro trenching. As such, this alternative would result in slightly increased impacts to GHGs associated with construction as compared to the proposed Program. Operation under this alternative would be similar to the proposed Program, as this alternative would not generate new vehicle trips beyond occasional maintenance activities. In addition to the numerous State plans, policies, and regulations adopted for the purpose of reducing GHG emissions, GHG emissions are also addressed within the Yuba County General Plan. Similar to the proposed Program, this alternative would be consistent with the County General Plan and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Section 4.6, *Greenhouse Gas Emissions*, of this program EIR concluded that the proposed Program would result in a less than significant impact to GHG emissions. Due to the increased ground disturbance and construction activities required for underground installation, the Underground Installation Only Alternative would result in slightly greater impacts as compared to the proposed Program. (*Greater Impact*)

5.4.3.7 Hazards and Hazardous Materials

Under the Underground Installation Only Alternative, individual broadband projects would only install underground fiber optic lines and would utilize new or existing underground conduit. No aboveground fiber optic line would be installed under this alternative. Similar to the proposed Program, small quantities of hazardous materials may be stored, used, and handled during construction activities or during routine maintenance checks, and may be located within one quarter mile of a school. However, this alternative could be susceptible to hazard and hazardous material impacts due to possible digging into existing, unmarked infrastructure. Some areas of the County are known to contain NOA; the increased ground disturbance resulting from underground installation methods may increase the risk of exposure to these hazardous materials. This alternative would not include the construction of utility poles or include permanent structures for human occupancy; therefore, this alternative would not interfere with airport operations or expose residents to airport-related noise. Fire risks associated with construction and operation under this alternative would require adherence to CBC Chapter 7A and Public Resources Code 4291, similar to the proposed Program; however, fiber optic lines themselves do not carry an electrical charge and would therefore not exacerbate wildland fire risk. Similar to the proposed Program, Mitigation Measure TRA-1 would be required to be implemented to manage traffic during construction.

Section 4.7, *Hazards and Hazardous Materials*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measure TRA-

1. The Underground Installation Only Alternative would result in slightly greater impacts as compared to the proposed Program. (*Greater Impact*)

5.4.3.8 Hydrology and Water Quality

The Underground Installation Only Alternative would only install underground fiber optic lines and would utilize new or existing underground conduit. No aboveground fiber optic line would be installed under this alternative. Similar to the proposed Program, if this alternative would disturb more than one acre of soil, a SWPPP with project-specific BMPs would be required for each individual broadband project. As with the proposed Program, this alternative could involve minor use of water for dust control during construction. Operation under this alternative would require occasional maintenance needs, similar to the proposed Program; however, this alternative would not require additional water supplies during operation.

Section 4.8, *Hydrology and Water Quality*, of this program EIR concluded that the proposed Program would result in a less than significant impact to hydrology and water quality. The Underground Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.3.9 Noise

The Underground Installation Only Alternative would only install underground fiber optic lines and would utilize existing or newly installed underground conduit. No aboveground fiber optic line would be installed under this alternative. Similar to the proposed Program, construction of individual broadband projects under this alternative would be required to limit construction hours and implement construction noise BMPs, as outlined under Mitigation Measure NOI-1. Additionally, similar to the proposed Program, the Underground Installation Only Alternative would require emergency backup generators to be located at least 25 feet from an NSLU where feasible; if not feasible, then noise attenuating features shall be incorporated into stationary equipment to reduce generator noise levels to 60 dBA or less, as outlined in Mitigation Measure NOI-2. Additionally, similar to the proposed Program, if construction under this alternative would use a vibratory roller, Mitigation Measure NOI-3 would require vibratory rollers to be used in static mode only (no vibrations) in proximity to occupied buildings or fragile structures. Similar to the proposed Program, this alternative would not expose people residing or working in the Project area to excessive noise levels from public use or private airstrips.

Section 4.9, *Noise*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measures NOI-1 through NOI-3. The Underground Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.3.10 Public Services

Under the Underground Installation Only Alternative, individual broadband projects would only install underground fiber optic lines and would utilize existing or newly installed underground conduit. No aboveground fiber optic line would be installed under this alternative. Similar to the proposed Program, this alternative would not require the construction of housing and would not contribute to substantial unplanned population growth. Therefore, the proposed Program would not generate additional residential population that would result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities in order to maintain acceptable service

ratios, response times or other performance objectives for any public services including fire protection, police protection, schools, parks, or other public facilities. However, construction methods under this alternative, including horizontal directional drilling, plowing, trenching, micro trenching, and line installation may not be feasible in some locations in the County due to the rocky subsurface conditions that would make it nearly impossible to reach the boring depth required for underground conduit. As such, operation under this alternative would not introduce a wider or more reliable network that would improve public health and safety through enabling faster emergency response, enhanced communication between emergency services, and access to critical information during disasters or emergencies. Therefore, impacts under this alternative related to police and fire protection would be slightly greater as compared to the proposed Program.

Section 4.10, *Public Services*, of this program EIR concluded that the proposed Program would result in a less than significant impact to fire protection, police protection, schools, and other public facilities, and no impact to parks. The Underground Installation Only Alternative would result in slightly greater impacts to fire protection and police protection as compared to the proposed Program, and similar impact to schools, parks, or other public facilities. (*Greater Impact*)

5.4.3.11 Transportation

Under the Underground Installation Only Alternative, individual broadband projects would only install underground fiber optic lines and would utilize existing or newly installed underground conduit. No aboveground fiber optic line would be installed under this alternative. Similar to the proposed Program, construction under this alternative may require lane closures within County road ROW. To minimize or avoid lane closures that could interfere with traffic circulation during emergencies and disrupt access to private properties and roadways, each individual broadband project that would require the issuance of an encroachment permit would be required to develop and implement a Traffic Control Plan as stipulated in Mitigation Measure TRA-1, same as the proposed Program. Standard traffic control measures specified in the Traffic Control Plan would be required for all construction activities within County road ROW, and would be subject to review and approval by the County Public Works Department. However, construction under this alternative would be temporary in nature and would not result in a long-term increase in vehicular trips, similar to the proposed Program. Operation of individual broadband projects would not result in a substantial increase in vehicle trips beyond occasional maintenance needs.

Section 4.11, *Transportation*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measure TRA-1. The Underground Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.3.12 Tribal Cultural Resources

Under the Underground Installation Only Alternative, individual broadband projects would only install underground fiber optic lines and would utilize new or existing underground conduit. No aboveground fiber optic line would be installed under this alternative. This alternative may result in increased soil erosion impacts due to increased ground disturbance required for underground installation, including construction impacts associated with horizontal directional drilling, plowing, trenching, micro trenching, and line installation. However, similar to the proposed Program, under this alternative, Mitigation

Measures TCR-1 and TCR-2 would be required to be implemented to address the unanticipated discoveries of TCRs through AB 52 consultation procedures.

Section 4.12, *Tribal Cultural Resources*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measure TCR-1 and TCR-2. Due to the potential for inadvertent discovery of tribal cultural resources during individual broadband project construction, the Underground Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.3.13 Utilities and Service Systems

Under the Underground Installation Only Alternative, individual broadband projects would only install underground fiber optic lines and would utilize new or existing underground conduit. No aboveground fiber optic line would be installed under this alternative. Similar to the proposed Program, new underground telecommunication facilities would be installed; however, this EIR analyzes all potential environmental impacts regarding installation of broadband infrastructure. Additionally, similar to the proposed Program, this alternative would not require relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, or natural gas facilities. As with the proposed Program, this alternative could involve minor use of water for dust control during construction; however, it is not anticipated this alternative would require additional water supplies during operation. Additionally, during construction, it is anticipated that portable toilets could be provided for workers, and waste would be hauled to an approved facility for treatment/disposal. As wastewater associated with portable toilets would be a temporary demand, this alternative would not exceed wastewater treatment requirements of the CVRWQCB, similar to the proposed Program. Due to the minimal amount of solid waste generated by individual broadband projects, this alternative would not adversely affect the County's ability to comply with the State waste diversion requirements.

Section 4.13, *Utilities and Service Systems*, of this program EIR concluded that the proposed Program would result in less than significant impacts to utilities and service systems. The Underground Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.3.14 Wildfire

Under the Underground Installation Only Alternative, individual broadband projects would only install underground fiber optic lines and would utilize new or existing underground conduit. Although fiber optic lines do not carry an electrical charge, fire risks associated with construction under this alternative would require adherence to CBC Chapter 7A and Public Resources Code 4291, similar to the proposed Program. Similar to the proposed Program, construction under this alternative may require lane closures and would be required to submit a Traffic Detour Plan, as required under Mitigation Measure TRA-1, to reduce potential impacts to emergency response or evacuation plans during construction.

Section 4.14, *Wildfire*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measure TRA-1. The Underground Installation Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.3.15 Conclusion and Relationship to Project Objectives

The Underground Installation Only Alternative would result in reduced impacts to aesthetics; similar impacts to biological resources, cultural resources, hydrology and water quality, noise, population and housing, transportation, tribal cultural resources, utilities and service systems, and wildfire; and greater impacts to air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, and public services. Following is a discussion of the Underground Installation Only Alternative's ability to attain the identified project objectives:

1. **Provide upgradable and expandable high-speed broadband capacity in the service areas with minimum speeds of 25 megabits per second (Mbps) for downloads and 3 Mbps for uploads, which is labeled as "served" areas within California;**

The Underground Installation Only alternative would install fiber optic cables in new or existing underground conduit. Under this alternative, underground installation methods may not be feasible in some locations in the County, which would not promote the expansion of high-speed broadband capacity as effectively as the proposed Program. Therefore, the Underground Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

2. **Provide a wireless broadband network in unserved and underserved areas of Yuba County;**

The Underground Installation Only alternative would install fiber optic cables in new or existing underground conduit. Under this alternative, underground installation methods may not be feasible in some locations in the County, which would not provide a wireless broadband network to unserved or underserved areas of the County as effectively as the proposed Program. Therefore, the Underground Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

3. **Enable an increase in telecommuting, with a commensurate decrease in vehicle miles traveled (VMT);**

The Underground Installation Only alternative would install fiber optic cables in new or existing underground conduit. Under this alternative, underground installation methods may not be feasible in some locations in the County, which would not enable an increase in telework and telecommuting, with a commensurate decrease in VMT, as effectively as the proposed Program. Therefore, the Underground Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

4. **Streamline the environmental review process for individual broadband projects that are implemented in the County;**

The Underground Installation Only alternative would install fiber optic cables in new or existing underground conduit. However, this alternative would not serve to streamline the environmental review process for individual broadband projects that seek to utilize aerial installation methods. Therefore, the Underground Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

5. **Provide a reliable foundation of data and acceptable methodology to assess impacts for any specific broadband deployment project;**

The Underground Installation Only alternative would install fiber optic cables in new or existing underground conduit. However, this alternative would not provide a foundation of data and acceptable

methodology to assess impacts for individual broadband projects that seek to utilize aerial installation methods. Therefore, the Underground Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

6. Identify known environmental and cultural assets to be protected and/or restored with an approved set of preservation measures and/or mitigations; and,

The Underground Installation Only alternative would install fiber optic cables in new or existing underground conduit. Under this alternative, underground installation methods may not be feasible in some locations in the County, which would exclude the identification of environmental and cultural assets in those portions of the County under this alternative. Therefore, the Underground Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

7. Save time and money for both the County of Yuba and broadband project applicants, resulting in greater government and economic efficiencies, reducing the amount of County staff time required to review broadband projects and avoiding duplication of applicant costs.

The Underground Installation Only alternative would install fiber optic cables in new or existing underground conduit. However, as this alternative would not serve to streamline the environmental review process for individual broadband projects that seek to utilize aerial installation methods, this alternative would not save time and money for the County and individual broadband project applicants as effectively as the proposed Program. Therefore, the Underground Installation Only alternative would attain this objective, but not as effectively as the proposed Program.

5.4.4 Use of Existing Infrastructure Only Alternative

The Use of Existing Infrastructure Only Alternative would only include individual broadband projects that install fiber optic line in existing fiber-specific conduit or along existing utility poles in the County. The following subsections compare the potential environmental impacts of the Use of Existing Infrastructure Only Alternative with the proposed Program-related impacts for each of the environmental topics analyzed in detail in Sections 4.1 through 4.14 of this program EIR.

5.4.4.1 Aesthetics

Under the Use of Existing Infrastructure Only Alternative, fiber optic line would be installed in existing fiber-specific conduit or along existing utility poles. Aesthetic impacts related to construction under this alternative would be similar to the proposed Program, as all construction activities would be temporary and short-term. However, individual broadband projects under this alternative would utilize existing infrastructure and would not construct new utility poles within the viewsheds of scenic vistas or SR 49, which is an eligible State Scenic Highway within the County. Therefore, this alternative would result in reduced aesthetic impacts as compared to the proposed Program.

Section 4.1, *Aesthetics*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measure AES-1. The Use of Existing Infrastructure Alternative would result in slightly reduced impacts as compared to the proposed Program. (*Reduced Impact*)

5.4.4.2 Air Quality

Under the Use of Existing Infrastructure Only Alternative, fiber optic line would be installed in existing fiber-specific conduit or along existing utility poles. Section 4.2, *Air Quality*, of this program EIR, concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measure AQ-1. Although ground disturbance would be required to install fiber optic line into existing underground conduit, it is anticipated that ground disturbance would be slightly reduced as compared to the proposed Program, as fiber optic line could be pulled through the existing conduit, and no new conduit would be installed. Construction methods required for aerial installation under this alternative would be limited to the aerial stringing of fiber optic line along existing utility poles. Some areas of the County are known to contain NOA; the reduced ground disturbance impacts associated with the Use of Existing Infrastructure Only Alternative would result in reduced air quality impacts associated with exposure to pollutant concentrations. Operation under this alternative would be similar to the proposed Program, as this alternative would not generate new vehicle trips beyond occasional maintenance activities. A backup generator may be used in the event of a power outage or for routine testing, similar to the proposed Program.

Section 4.2, *Air Quality*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measure AQ-1. As this alternative would utilize existing fiber-specific conduit or along existing utility poles, the Use of Existing Infrastructure Only Alternative would result in slightly reduced impacts as compared to the proposed Program. (*Reduced Impact*)

5.4.4.3 Biological Resources

Under the Use of Existing Infrastructure Only Alternative, fiber optic line would be installed in existing fiber-specific conduit or along existing utility poles. However, similar to the proposed Program, individual broadband projects would be required to prepare a BRA and implement applicable project-specific mitigation measures, as outlined in Mitigation Measures BIO-1 through BIO-10 to reduce impacts to special-status species to a less than significant level. Additionally, if sensitive natural communities would be impacted by project implementation, the project proponent would be required to apply to the necessary permits from the USACE, CDFW, and the RWQCB as outlined in Mitigation Measure BIO-11 and would be required to prepare an oak resources inventory as outlined in Mitigation Measure BIO-12. Similar to the proposed Program, if the individual broadband project would impact federally protected aquatic resources, Mitigation Measure BIO-11 would be required to be implemented, and if individual broadband projects would impact the movement of wildlife species or wildlife corridors, Mitigation Measures BIO-1 through BIO-10 would be implemented. However, as less construction and ground disturbance would occur under this alternative, and as individual broadband projects would be implemented within existing utility easements, the potential impacts on biological resources would be slightly reduced as compared to the proposed Program.

Section 4.3*, Biological Resources*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measures BIO-1 through BIO-12. The Use of Existing Infrastructure Only Alternative would result in reduced impacts as compared to the proposed Program. (*Reduced Impact*)

5.4.4.4 Cultural Resources

Under the Use of Existing Infrastructure Only Alternative, fiber optic line would be installed in existing fiber-specific conduit or along existing utility poles. As this alternative would not install new utility poles, individual broadband projects would not introduce new visual elements to areas with concentrations of historical built environment cultural resources such as buildings and structures that comprise historic districts. There would be no change in the existing visual signature of the vicinity. Therefore, this alternative would result in slightly reduced impacts as compared to the proposed Program. Similar to the proposed Program, individual broadband projects under this alternative could impede or destroy archaeological cultural resource's ability to convey their significance, which can embody scientific and/or traditional cultural value. Mitigation Measure CUL-1 and CUL-2 would be required to be implemented under this alternative, and under the proposed Program, to mitigate or avoid archaeological cultural resource impact scenarios. However, as less construction and ground disturbance would occur under this alternative, and as individual broadband projects would be implemented within existing utility easements, the potential impacts on cultural resources would be slightly reduced as compared to the proposed Program.

Section 4.4, *Cultural Resources*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measures CUL-1 and CUL-2. The Use of Existing Infrastructure Only Alternative would result in slightly reduced impacts as compared to the proposed Program. (*Reduced Impact*)

5.4.4.5 Geology and Soils

Under the Use of Existing Infrastructure Only Alternative, fiber optic line would be installed in existing fiber-specific conduit or along existing utility poles, which would result in reduced aboveground construction activities as compared to the proposed Program. As compared to the proposed Program, this alternative would have similar risks of exposing people or structures to landslides, lateral spreading, subsidence, liquefaction, soil erosion, or seismic impacts as construction would occur within County limits. However, as less construction and ground disturbance would occur under this alternative, this alternative would result in a slightly reduced impact to soil erosion.

Section 4.5, *Geology and Soils*, of this program EIR concluded that the proposed Program would result in a less than significant impact to geology and soils. The Use of Existing Infrastructure Alternative would result in slightly reduced impacts as compared to the proposed Program. (*Reduced Impact*)

5.4.4.6 Greenhouse Gas Emissions

Under the Use of Existing Infrastructure Only Alternative, fiber optic line would be installed in existing fiber-specific conduit or along existing utility poles. Section 4.6, *Greenhouse Gas Emissions*, of this EIR, concluded that the proposed Program would result in a less than significant impact to GHGs associated with construction. This alternative would result in slightly reduced impacts to GHGs associated with construction, as construction activities would be limited to the installation of fiber optic line in existing fiber-specific conduit or along existing utility poles. Operation under this alternative would be similar to the proposed Program, as this alternative would also not generate new vehicle trips beyond occasional maintenance activities. In addition to the numerous State plans, policies, and regulations adopted for the purpose of reducing GHG emissions, GHG emissions are also addressed within the Yuba County General Plan. Similar to the proposed Program, this alternative would be consistent with the County

General Plan and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Section 4.6, *Greenhouse Gas Emissions*, of this program EIR concluded that the proposed Program would result in a less than significant impacts to GHG emissions. As individual broadband projects would utilize existing infrastructure, construction activities would be reduced. Therefore, the Use of Existing Infrastructure Alternative would result in slightly reduced impacts as compared to the proposed Program. (*Reduced Impact*)

5.4.4.7 Hazards and Hazardous Materials

Under the Use of Existing Infrastructure Only Alternative, fiber optic line would be installed in existing fiber-specific conduit or along existing utility poles, which would result in reduced aboveground construction activities as compared to the proposed Program. Although ground disturbance would be required to install fiber optic line into existing underground conduit, it is anticipated that ground disturbance would be slightly reduced as compared to the proposed Program, as fiber optic line could be pulled through the existing conduit, and no new conduit would be installed. Similar to the proposed Program, small quantities of hazardous materials may be stored, used, and handled during construction activities or during routine maintenance checks, and may be located within one quarter mile of a school. Individual broadband projects under this alternative would be required to implement and comply with existing hazardous material regulations, similar to the proposed Program. Some areas of the County are known to contain NOA; the reduced ground disturbance under this alternative would reduce the potential risk of exposure to hazardous materials. Further, this alternative would not construct any new utility poles or include permanent structures for human occupancy; therefore, individual broadband projects would not interfere with airport operations or expose residents to airport-related noise. As this alternative would utilize existing conduit and/or utility poles in previously disturbed areas, the area would have already been evaluated for hazardous materials; therefore, individual broadband projects under this alternative would not be required to prepare a Phase I ESA. Similar to the proposed Program, Mitigation Measure TRA-1 would be required to be implemented to manage traffic during construction.

Section 4.7, *Hazards and Hazardous Materials*, of this program EIR concluded that the proposed Program would result in less than significant impact with implementation of Mitigation Measure TRA-1. The Use of Existing Infrastructure Only Alternative would result in a reduced impact as compared to the proposed Program. (*Reduced Impact*)

5.4.4.8 Hydrology and Water Quality

Under the Use of Existing Infrastructure Only Alternative, fiber optic line would be installed in existing fiber-specific conduit or along existing utility poles. Under this alternative, individual broadband projects would be constructed on existing broadband infrastructure primarily within existing utility easements. Similar to the proposed Program, if this alternative would disturb more than one acre of soil, a SWPPP with project-specific BMPs would be required for each individual broadband project. Operation under this alternative would require occasional maintenance needs and all construction areas would be cleared, similar to the proposed Program. As with the proposed Program, this alternative could involve minor use of water for dust control during construction; however, it is not anticipated that this alternative would require additional water supplies. However, as this alternative would utilize existing infrastructure, less construction and ground disturbance would occur, which would result in slightly reduced impacts to hydrology and water quality.

Section 4.8, *Hydrology and Water Quality*, of this program EIR concluded that the proposed Program would result in a less than significant impact to hydrology and water quality. The Use of Existing Infrastructure Alternative would result in a reduced impact as compared to the proposed Program. (*Reduced Impact*)

5.4.4.9 Noise

Under the Use of Existing Infrastructure Only Alternative, fiber optic line would be installed in existing fiber-specific conduit or along existing utility poles. Similar to the proposed Program, construction of individual broadband projects under this alternative would be required to limit construction hours and implement construction noise BMPs, as outlined under Mitigation Measure NOI-1. Similar to the proposed Program, the Underground Installation Only Alternative would require emergency backup generators to be located at least 25 feet from an NSLU where feasible; if not feasible, then noise attenuating features shall be incorporated into stationary equipment to reduce generator noise levels to 60 dBA or less, as outlined in Mitigation Measure NOI-2. Additionally, similar to the proposed Program, if construction under this alternative would use a vibratory roller, Mitigation Measure NOI-3 would require vibratory rollers to be used in static mode only (no vibrations) in proximity to occupied buildings or fragile structures. Both the proposed Program and this alternative would not expose people residing or working in the project area to excessive noise levels from public use or private airstrips. However, as this alternative would utilize existing infrastructure, less construction and ground disturbance would occur, which would result in slightly reduced impacts related to noise.

Section 4.9, *Noise*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measures NOI-1 through NOI-3. The Use of Existing Infrastructure Only Alternative would result in slightly reduced impacts as compared to the proposed Program. (*Reduced Impact*)

5.4.4.10 Public Services

Under the Use of Existing Infrastructure Only Alternative, fiber optic line would be installed in existing fiber-specific conduit or along existing utility poles. Similar to the proposed Program, this alternative would not require the construction of housing and would not contribute to substantial unplanned population growth. Therefore, the proposed Program would not generate additional residential population that would result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities in order to maintain acceptable service ratios, response times or other performance objectives for any public services including fire protection, police protection, schools, parks, or other public facilities. However, under this alternative, broadband infrastructure would not be expanded throughout areas of the County that do not already have existing broadband infrastructure. As such, operation under this alternative would not introduce a wider or more reliable network that would improve public health and safety through enabling faster emergency response, enhanced communication between emergency services, and access to critical information during disasters or emergencies. Therefore, impacts under this alternative related to police and fire protection would be slightly greater as compared to the proposed Program.

Section 4.10, *Public Services*, of this program EIR concluded that the proposed Program would result in a less than significant impact to fire protection, police protection, schools, and other public facilities, and no impact to parks. The Use of Existing Infrastructure Only Alternative would result in slightly greater

impacts to fire protection and police protection as compared to the proposed Program, and similar impact to schools, parks, and other public facilities. (*Greater Impact*)

5.4.4.11 Transportation

Under the Use of Existing Infrastructure Only Alternative, fiber optic line would be installed in existing fiber-specific conduit or along existing utility poles. Similar to the proposed Program, construction under this alternative may require lane closures within County road ROW. Similar to the proposed Program, construction under this alternative may require lane closures within County road ROW. To minimize or avoid lane closures that could interfere with traffic circulation during emergencies and disrupt access to private properties and roadways, each individual broadband project that would require the issuance of an encroachment permit would be required to develop and implement a Traffic Control Plan as stipulated in Mitigation Measure TRA-1, same as the proposed Program. Standard traffic control measures, specified in the Traffic Control Plan, would be required for all construction activities within County road ROW, and would be subject to review and approval by the County Public Works Department. However, construction under this alternative would be temporary in nature and would not result in a long-term increase in vehicular trips, similar to the proposed Program. Since this alternative would only include existing infrastructure, it is expected that less construction would occur, and therefore fewer potential lane closures. As such, this alternative would result in a slightly reduced impact on transportation as compared to the proposed Program.

Section 4.11, *Transportation*, of this program EIR concluded that the proposed Program would result in less than significant impact with implementation of Mitigation Measure TRA-1. The Use of Existing Infrastructure Alternative would result in a slightly reduced impact on transportation as compared to the proposed Program. (*Reduced Impact*)

5.4.4.12 Tribal Cultural Resources

Under the Use of Existing Infrastructure Only Alternative, fiber optic line would be installed in existing fiber-specific conduit or along existing utility poles. Similar to the proposed Program, under this alternative, Mitigation Measures TCR-1 and TCR-2 would be required to be implemented to address the unanticipated discoveries of TCRs through AB 52 consultation procedures.

Section 4.12, *Tribal Cultural Resources*, of this program EIR concluded that the proposed Program would result in a less than significant impact with implementation of Mitigation Measure TCR-1 and TCR-2. Due to the potential for inadvertent discovery of tribal cultural resources during individual broadband project construction, the Use of Existing Infrastructure Only Alternative would result in similar impacts as compared to the proposed Program. (*Similar Impact*)

5.4.4.13 Utilities and Service Systems

Under the Use of Existing Infrastructure Only Alternative, fiber optic line would be installed in existing fiber-specific conduit or along existing utility poles. This alternative would not include the construction of new underground conduit or utility poles; as such, the broadband network would not be expanded into areas of the County that lack existing infrastructure to support the installation of fiber optic line. Therefore, this alternative would result in reduced telecommunication impacts as compared to the proposed Program. However, similar to the proposed Program, this alternative would not require relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, or natural gas facilities. As with the proposed Program, this alternative could involve

minor use of water for dust control during construction; however, it is not anticipated this alternative would require additional water supplies during operation as no population would be generated. Additionally, during construction, it is anticipated that portable toilets could be provided for workers, and waste would be hauled to an approved facility for treatment/disposal. As wastewater associated with portable toilets would be a temporary demand, this alternative would not exceed wastewater treatment requirements of the CVRWQCB, similar to the proposed Program. Due to the minimal amount of solid waste generated by individual broadband projects, this alternative would not adversely affect the County's ability to comply with the State waste diversion requirements. However, as this alternative would utilize existing infrastructure, less construction and ground disturbance would occur, which would result in slightly reduced impacts to utilities and service systems because solid waste generation and water for dust suppression would be slightly reduced.

Section 4.13, *Utilities and Service Systems*, of this program EIR concluded that the proposed Program would result in a less than significant impact to utilities and service systems. The Use of Existing Infrastructure Alternative would result in a slightly reduced impact as compared to the proposed Program. (*Reduced Impact*)

5.4.4.14 Wildfire

Under the Use of Existing Infrastructure Only Alternative, individual broadband projects would utilize existing utility poles or underground fiber-specific conduit. Although fiber optic lines do not carry an electrical charge, fire risks associated with construction under this alternative would require adherence to CBC Chapter 7A and Public Resources Code 4291, similar to the proposed Program. Similar to the proposed Program, construction under this alternative may require lane closures and would be required to submit a Traffic Control Plan, as required under Mitigation Measure TRA-1. However, as less construction would occur under this alternative, and therefore fewer potential lane closures, this alternative would result in a slightly reduced impact on wildfire.

Section 4.14, *Wildfire*, of this program EIR concluded that the proposed Program would result in less than significant impact with implementation of Mitigation Measure TRA-1. The Use of Existing Infrastructure Alternative would result in a slightly reduced impact as compared to the proposed Program. (*Reduced Impact*)

5.4.4.15 Conclusion and Relationship to Project Objectives

The Use of Existing Infrastructure Only Alternative would result in reduced impacts to aesthetics, air quality, biological resources, cultural resources, geology and soils, greenhouse gases, hazards and hazardous materials, hydrology and water quality, noise, transportation, tribal cultural resources, utilities and service systems, and wildfire; and greater impacts to public services. The following is a discussion of the Use of Existing Infrastructure Only Alternative's ability to attain the identified project objectives:

1. **Provide upgradable and expandable high-speed broadband capacity in the service areas with minimum speeds of 25 megabits per second (Mbps) for downloads and 3 Mbps for uploads, which is labeled as "served" areas within California;**

The Use of Existing Infrastructure Only Alternative would install fiber optic line in existing fiber-specific conduit or along existing utility poles. Under this alternative, fiber optic line would only be installed in areas of the County with existing broadband infrastructure, which would not promote the expansion of

high-speed broadband capacity as effectively as the proposed Program. Therefore, the Use of Existing Infrastructure Only alternative would attain this objective, but not as effectively as the proposed Program.

2. Provide a wireless broadband network in unserved and underserved areas of Yuba County;

The Use of Existing Infrastructure Only Alternative would install fiber optic line in existing fiber-specific conduit or along existing utility poles. Under this alternative, fiber optic line would only be installed in areas of the County with existing broadband infrastructure, which would not provide a wireless broadband network to unserved or underserved areas of the County as effectively as the proposed Program. Therefore, the Use of Existing Infrastructure Only alternative would attain this objective, but not as effectively as the proposed Program.

3. Enable an increase in telecommuting, with a commensurate decrease in vehicle miles traveled (VMT);

The Use of Existing Infrastructure Only Alternative would install fiber optic line in existing fiber-specific conduit or along existing utility poles. Under this alternative, fiber optic line would only be installed in areas of the County with existing broadband infrastructure, which would not enable an increase in telework and telecommuting, with a commensurate decrease in VMT, as effectively as the proposed Program. Therefore, the Use of Existing Infrastructure Only alternative would attain this objective, but not as effectively as the proposed Program.

4. Streamline the environmental review process for individual broadband projects that are implemented in the County;

The Use of Existing Infrastructure Only Alternative would install fiber optic line in existing fiber-specific conduit or along existing utility poles. However, this alternative would not serve to streamline the environmental review process for individual broadband projects that seek to construct new underground conduit or new utility poles. Therefore, the Use of Existing Infrastructure Only alternative would attain this objective, but not as effectively as the proposed Program.

5. Provide a reliable foundation of data and acceptable methodology to assess impacts for any specific broadband deployment project;

The Use of Existing Infrastructure Only Alternative would install fiber optic line in existing fiber-specific conduit or along existing utility poles. However, this alternative would not provide a foundation of data and acceptable methodology to assess impacts for individual broadband projects that seek to construct new underground conduit or new utility poles. Therefore, the Use of Existing Infrastructure Only alternative would attain this objective, but not as effectively as the proposed Program.

6. Identify known environmental and cultural assets to be protected and/or restored with an approved set of preservation measures and/or mitigations; and,

The Use of Existing Infrastructure Only Alternative would install fiber optic line in existing fiber-specific conduit or along existing utility poles. However, because fiber optic line would only be installed in areas of the County with existing broadband infrastructure, this alternative would exclude the identification of environmental and cultural assets in areas of the County without existing broadband infrastructure.

Therefore, the Use of Existing Infrastructure Only alternative would attain this objective, but not as effectively as the proposed Program.

7. **Save time and money for both the County of Yuba and broadband project applicants, resulting in greater government and economic efficiencies, reducing the amount of County staff time required to review broadband projects and avoiding duplication of applicant costs.**

The Use of Existing Infrastructure Only Alternative would install fiber optic line in existing fiber-specific conduit or along existing utility poles. However, because fiber optic line would only be installed in areas of the County with existing broadband infrastructure, this alternative would not serve to streamline the environmental review process for individual broadband projects that seek to construct new underground conduit or utility poles. As such, this alternative would not save time and money for the County and individual broadband project applicants as effectively as the proposed Program. Therefore, the Use of Existing Infrastructure Only alternative would attain this objective, but not as effectively as the proposed Program.

5.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The environmentally superior alternative is the alternative expected to generate the least significant impact. In addition to the discussion and comparison of impacts of the project and the alternatives, Section 15126.6 of the CEQA Guidelines requires that an "environmentally superior" alternative be identified. Identification of the environmentally superior alternative is an informational procedure, and the alternative identified may not be the alternative that best meets the goals or needs of Yuba County.

The No Project Alternative has the least impact on the environment because it would not involve any construction of broadband infrastructure within the County. However, the No Project Alternative would not meet any of the project objectives presented in Section 5.2. When the environmentally superior alternative is the No Project Alternative, the CEQA Guidelines (Section 15126[d][2]) require selection of an environmentally superior alternative from among the other action alternatives evaluated.

The Aerial Installation Only Alternative would induce a greater impact to aesthetics because individual broadband projects would not have the ability to be installed underground within the viewshed of scenic resources to avoid or reduce impacts to aesthetics. Additionally, this alternative would induce a greater impact related to public services, as it would not introduce a wider or more reliable network that would improve public health and safety through enabling faster emergency response, enhanced communication between emergency services, and access to critical information during disasters or emergencies when compared to the proposed Program. However, because no underground fiber optic line or new conduit would be installed under this alternative, no underground installation methods would occur and the amount of ground disturbance would be reduced. Therefore, this alternative would result in slightly reduced impacts related to air quality, geology and soils, and greenhouse gas emissions as compared to the proposed Program. For these reasons, the Aerial Installation Only Alternative would not be the environmentally superior alternative. While this alternative is feasible and would achieve most project objectives, it would not achieve the project objectives effectively as the proposed Program because it would not include individual broadband projects that seek to utilize underground installation methods.

The Underground Installation Only Alternative would result in greater impacts to public services, as it would not introduce a wider or more reliable network that would improve public health and safety

through enabling faster emergency response, enhanced communication between emergency services, and access to critical information during disasters or emergencies, thereby increasing impacts on police and fire protection as compared to the proposed Project. Additionally, underground installation methods typically require more ground disturbance and longer construction periods as compared to aerial installation methods. Increased construction-related impacts could occur due to horizontal directional drilling, plowing, trenching, micro trenching, and line installation methods. As such, impacts related to air quality, geology and soils, and greenhouse gas emissions would be slightly greater than the proposed Program. Additionally, underground fiber optic lines could be constructed in areas that have existing buried utilities that could contain hazardous waste or in areas that contain NOA; the increased ground disturbance required for underground installation methods may increase the risk of exposure to hazards and hazardous materials. However, as this alternative would not include the construction of new utility poles, it would avoid potential aesthetic impacts resulting from construction of new aboveground infrastructure within the viewshed of scenic resources in the County. For these reasons, the Aerial Installation Only Alternative would not be the environmentally superior alternative. While this alternative is feasible and would achieve most project objectives, it would not achieve the project objectives effectively as the proposed Program because it would not include individual broadband projects that seek to utilize aerial installation methods.

Under the Use of Existing Infrastructure Only Alternative, individual broadband projects would utilize existing poles or conduit and would not include the construction of new underground conduit or utility poles. As this alternative would utilize existing infrastructure, it would avoid or reduce impacts to aesthetics, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, transportation, tribal cultural resources, utilities and service systems, and wildfire. However, this alternative would result in slightly greater impacts on public services as this alternative would not introduce a wider or more reliable network that would improve public health and safety through enabling faster emergency response, enhanced communication between emergency services, and access to critical information during disasters or emergencies. Therefore, as shown in Table 5-1, the Use of Existing Infrastructure Only Alternative is environmentally superior to the proposed Program, and the other alternatives identified, as it would most greatly reduce potential impacts associated with the proposed Program. While this alternative is feasible and would achieve most project objectives, it would not achieve the project objectives effectively as the proposed Program because it would not include individual broadband projects that seek to utilize aerial installation methods.

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6.0 ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT

The California Environmental Quality Act (CEQA) stipulates that an Environmental Impact Report (EIR) shall focus on the potentially significant effects on the environment, discussing the effects with emphasis in proportion to their severity and probability of occurrence. As concluded in the Notice of Preparation (NOP) (included within the Scoping Memorandum, Appendix D of this program EIR) for the County of Yuba Broadband Infrastructure Project (herein referred to as the "proposed Program" or "Program), after consideration of all comments received by the County on the scope of this Draft program EIR and documented in the County of Yuba's (County) administrative record, the following environmental subjects were determined by the County to have no potential to be significantly impacted by the proposed Program: Agriculture and Forestry Resources, Energy, Land Use and Planning, Mineral Resources, Population and Housing, and Recreation. The following sections summarize the environmental impacts found not to be significant as a result of Program implementation.

6.1 AGRICULTURE AND FORESTRY RESOURCES

Typically, agricultural land is considered under CEQA in terms of its designation as Important Farmland under the Farmland Mapping and Monitoring Program (FMMP), which is maintained by the California Department of Conservation (DOC; DOC 2024a). According to the FMMP 2018-2020 Land Use Conversion Report, there were 82,795 acres of Important Farmland within the County in 2020, which includes 38,969 acres of Prime Farmland; 33,300 acres of Unique Farmland; and 10,526 acres of Farmland of Statewide Importance (DOC 2020). Important Farmland is generally concentrated in the western portion of the County, with the rest of the County comprised of primarily Grazing Land and Other Land. Yuba County does not participate in the Williamson Act Program, as such, there are no parcels within the County under Williamson Act contract (County 2011).

The majority of the County's forest resources are located on protected federal lands outside of the rural community boundaries. However, approximately 245 acres of land within rural community areas in the County are zoned Timber or Timber Preserve Zone. These lands are generally concentrated in the eastern portion of the County (County 2011). However, because the proposed Program would primarily be located within existing County maintained road rights-of-way (ROW), public utility easements, and/or overhead public utility easements of record throughout the County, construction, staging, and equipment lay-down areas of broadband infrastructure would not be sited on lands that are currently in agricultural production by the respective landowners. The proposed Program would consist of underground fiber optic lines and/or aboveground aerial stringing using existing or new utility poles in areas where trenching would be difficult. It is anticipated that fiber optic lines would not cross any U.S. Forest Service (USFS) managed lands. The installation of broadband infrastructure would not interfere with the continuation of existing aboveground uses after construction is completed. Therefore, impacts on agricultural resources would be less than significant. This environmental topic area is not addressed further in this program EIR.

6.2 ENERGY

The proposed Program would not generate additional energy demand beyond existing conditions within the Program area but rather seeks to improve the connectivity of rural communities in the County through improved broadband access. The Program would comprise multiple segments of new fiber optic lines throughout Yuba County, which would require the use of heavy-duty construction equipment. Energy would be consumed in the form of gasoline and diesel fuel to power this equipment, and would be consumed in worker commute vehicles. However, this energy use would be inherently short-term and not substantial, and would be a necessary energy expenditure to facilitate the expansion of Yuba County's broadband network, which could ultimately result in a decrease in gasoline consumption as rural workers are provided with better telecommuting opportunities. Because the proposed Program would not induce a new long-term energy demand and would not conflict with a local or Statewide plan for renewable energy or energy efficiency, energy impacts from Program implementation would be less than significant. This environmental topic area is not addressed further in this Program EIR.

6.3 LAND USE AND PLANNING

The proposed Program area would be located within the unincorporated areas of Yuba County. The area in which future broadband infrastructure could be implemented includes all unincorporated areas of the County and excludes federal lands, private roads, and highway rights-of-ways. The County includes a total of approximately 650 miles of County-maintained roads. The future broadband would be installed within existing County maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County. Future broadband would be placed within areas of the County that are currently unserved or underserved. The exact alignment of future broadband infrastructure is currently unknown at this time and would be based on such considerations as construction feasibility, local preference, and locations of sensitive environmental resources. There are various General Plan land use designations and zoning designations within the County. Public roads are currently designated in the County General Plan, zoning codes, and ordinances to accommodate utility infrastructure. Although some temporary construction-related traffic disturbances could occur, the proposed Program would not permanently divide an established community. Potential construction-related transportation impacts are evaluated in Section 4.11, *Transportation*, of this program EIR. Prior to issuance of use permits, grading, and/or encroachment permits by Yuba County, the proposed Program would be required to demonstrate compliance with all applicable laws, regulations, policies, and ordinances. Impacts related to land use and planning would be less than significant. This environmental topic area is not addressed further in this Program EIR.

6.4 MINERAL RESOURCES

The County includes a total of ten (10) mines and two (2) Surface Mining and Reclamation Act of 1975 (SMARA) mineral land classification studies (DOC 2024b). However, because the individual broadband projects under the proposed Program would be located within existing County maintained road ROW, public utility easements, or overhead public utility easements of record throughout the County, construction, staging, and equipment lay-down areas of broadband infrastructure would not interfere with the existing mines or mineral land classification studies. Therefore, impacts on minerals resources would be less than significant. This environmental topic area is not addressed further in this Program EIR.

6.5 POPULATION AND HOUSING

The proposed Program does not involve the construction of housing and, thus, would not contribute to unplanned population growth. Instead, the Program would include installation of broadband infrastructure within existing County-maintained road ROW, public utility easements, and/or overhead public utility easements of record throughout the County. The Program would not displace people or housing, as it would improve broadband within areas of the County that are currently unserved or underserved. The potential for the Program to have indirect growth-inducing effects is addressed throughout this program EIR, including Chapter 8.0, *Growth Inducement*. Therefore, the proposed Program would have a less than significant impact on population and housing. This environmental topic area is not addressed further in this Program EIR.

6.6 RECREATION

The County owns and operates numerous public parks and provides park services in unincorporated areas of the County. In total, there are nine (9) local parks and one (1) regional park in the County. Several agencies provide park and recreation services in Yuba County in addition to County parks, including the Olivehurst Public Utilities District, River Highlands Community Services District, Browns Valley Irrigation District, and Yuba County Water Agency (County 2011). The proposed Program would not generate population growth that would increase the use of existing recreational facilities in the County or require the construction or expansion of recreational facilities. The Program would have a less than significant impact on recreation. This environmental topic area is not addressed further in this Program EIR.

6.7 REFERENCES

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7.0 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the California Environmental Quality Act (CEQA) Guidelines requires an Environmental Impact Report (EIR) to discuss the extent to which a proposed project or plan would commit nonrenewable resources to uses that future generation would probably be unable to reverse. Significant irreversible changes include the use of nonrenewable resources, the commitment of future generations to similar use, irreversible damage resulting from environmental accidents associated with the project, and irretrievable commitments of resources. The CEQA-required categories of irreversible changes are discussed below for the proposed County of Yuba Broadband Infrastructure Project (herein referred to as the "proposed Program" or "Program").

7.1 IRREVERSIBLE DAMAGE FROM ENVIRONMENTAL ACCIDENTS

Potential environmental accidents of concern include those that would have adverse effects on the environment or public health due to the nature or quantity of material released during an accident and the receptors exposed to that release. Construction activities associated with future individual broadband projects under the proposed Program would involve some risk for environmental accidents. However, these activities would be monitored by local, State, and federal agencies that would follow industry standards governing the use, storage, transport, and disposal of hazardous materials. Additionally, the proposed land use would not include any activities that are likely to contribute to or be the cause of a significant environmental accident. As a result, the proposed Program would not pose a substantial irreversible risk of environmental accidents.

7.2 LARGE COMMITMENT OF NON-RENEWABLE RESOURCES

Non-renewable resources include fossil fuels and metals. Energy would be consumed during both construction and operation of future individual broadband projects under the proposed Program. Materials that could be used for the installation of individual broadband projects could include rocks, wood, concrete, glass, and steel. However, the use of non-renewable resources would account for only a minimal portion of the region's resources and would not affect the availability of these resources for other needs within the region. Construction contractors for individual broadband projects would use best available engineering techniques, construction and design practices, and equipment operating procedures. The operational phase of individual broadband project would consume minimal energy for potential security lighting. Energy in the form of fossil fuels could be used by vehicles traveling within the Program area for routine maintenance trips or for emergency purposes; however, the proposed Program would not require new, permanent staff compared to existing conditions. Therefore, implementation of the proposed Program would not result in inefficient use of energy or large commitment of non-renewable resources.

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8.0 GROWTH INDUCEMENT

Section 15126.2(d) of the California Environmental Quality Act (CEQA) Guidelines requires that an Environmental Impact Report (EIR) discuss the ways in which a proposed project or plan could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. A proposed project could be considered to have growth-inducing effects if it: 1) either directly or indirectly fosters economic or population growth or the construction of additional housing in the surrounding area; 2) removes obstacles to population growth; 3) requires the construction of new community facilities that could cause significant environmental effects; or, 4) encourages and facilitates other activities that could significantly affect the environment, either individually or cumulatively. Growth-related impacts are those that are expected to occur later in time or are farther removed in distance, but are still reasonably foreseeable.

A project's potential to induce growth does not automatically mean that it will result in economic or population growth. This potential growth-inducing effect is regulated by local governments in California through the development, adoption, and implementation of land use plans and policies intended to avoid or minimize the growth inducing potential or pressure created by projects, individually or cumulatively. Growth occurs through capital investment in new economic opportunities from both public and private entities. Development occurs as a result of economic investment in a particular region. New economic (i.e., employment) opportunities will naturally create the need for infrastructure to support an increased population.

Growth typically is the result of numerous factors that affect the location, size, direction, timing, type, and rate of population increase and does not necessarily result from a single project or factor. Such factors include local government planning, availability of public services, natural resources, the economic climate, and political and environmental concerns. Local planning agencies adopt and administer general and specific plans, zoning maps and ordinances, and other planning documents that contain policies and maps to identify the intensity and type of development allowed in specific locations.

Although local governments play a major role in growth management, the location and timing of growth also depends on economic factors such as the availability and cost of developable land, regional and national economic cycles, and mortgage interest rates and the demand for new housing. Political factors that affect growth include state and local laws that mandate businesses to comply with certain rules and regulations, permitting requirements that address environmental and community concerns, and tax incentives designed to attract businesses.

8.1 GROWTH INDUCING IMPACTS

Economic growth in a community that is caused by a project can induce secondary development or growth. The following discussion focuses on the proposed County of Yuba Broadband Infrastructure Project's (herein referred to as the "proposed Program" or "Program") potential to result in physical changes in the environment resulting from the expansion of broadband infrastructure throughout the unincorporate areas of Yuba County (County).

8.1.1 Additional Infrastructure

The County is proposing to expand access to broadband technology throughout the unincorporated areas of the County. The proposed Program would install fiber optic conduit either underground in buried conduits, overhead on pole lines, or in a combination of both. Individual connections typically would be located in previously disturbed and/or developed areas (e.g., in County roadway rights-of-way [ROW] or public utility easements). This proposed Program would help attract broadband infrastructure investors to bring broadband service to a County in need of reliable connectivity for increasing health and safety factors, as well as for economic and quality of life reasons.

Although the proposed Program would expand high-speed broadband throughout the unincorporated areas of the County, the proposed Program would not directly induce economic or population growth, because the Program would not create a significant number of jobs, promote the construction of homes, or remove any obstacles that currently serve to impede or control growth within the County. Construction of individual broadband projects is anticipated to begin as early as fall 2025 and could occur over many years. Operation of individual broadband projects would be limited to routine maintenance activities or emergencies. It is anticipated that the construction or operation of individual broadband projects under the proposed Program would not generate a sufficient number of jobs, either temporarily or during maintenance operation, to generate population growth in the County. Implementation of the proposed Program would be expected to contribute to the retention of existing residents and businesses, which could indirectly contribute to a limited amount of future growth. However, the introduction of improved internet access would not be expected to trigger an influx beyond the anticipated growth evaluated and mitigated in the County General Plan EIR. For these reasons, the proposed Program would not induce additional growth beyond what has been evaluated in this program EIR.

8.1.2 Additional Economic Growth

Construction of individual broadband projects under the proposed Program would result in short-term and incremental economic growth for the area as it is anticipated that jobs would be filled by local residents, employees, and suppliers in the area. Given that construction of individual broadband projects generates temporary jobs, it would be speculative to assume that these jobs would induce substantial new housing or commercial development.

Existing public facilities within the Program area would adequately serve the incremental economic growth induced during the construction of individual broadband projects. As discussed in Section 4.10, *Public Services,* the proposed Program would be adequately served by the existing fire protection, police protection, library, recreation, and other services in the County and would not require expansion of these services that could induce substantial growth. As discussed in Section 4.13, *Utilities and Service Systems,* the proposed Program would construct new telecommunication facilities, and other utilities, including water, wastewater treatment or storm water drainage, electric power, and natural gas, would continue to adequately serve the proposed Program activities and would not require expansion which could potentially induce growth beyond the proposed Program.

One of CEQA's primary purposes in addressing "growth-inducing impacts" is to identify the environmental impacts or consequences of growth that results from implementing a project. To attempt to predict specifically where growth would occur within the County would be speculative. It is known that indirect growth could result in impacts related to transportation, air quality, noise, public services,

hydrology and water quality. However, the severity of these impacts would depend on the size and location of the induced growth. Based upon the limited potential growth that could occur as a result of the proposed Program, the Program would not result in a significant growth inducing impact.

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9.0 SIGNIFICANT UNAVOIDABLE IMPACTS

9.1 BACKGROUND

Sections 21067, 15126(b), and 15126.2(b) of the California Environmental Quality Act (CEQA) Guidelines require that an Environmental Impact Report (EIR) describe potentially significant project impacts, including those that can be mitigated but not reduced to a less than significant level.

9.2 PROJECT SIGNIFICANT AND UNAVOIDABLE IMPACTS

This program EIR identified no significant and unavoidable impacts that would result from implementation of the proposed County of Yuba Broadband Infrastructure Project.

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10.0 LIST OF PREPARERS

This document has been completed by the County of Yuba, as the California Environmental Quality Act (CEQA) Lead Agency for the proposed County of Yuba Broadband Infrastructure Project, with support from the following organizations and professional staff:

ENVIRONMENTAL IMPACT REPORT

County of Yuba

Ian Scott, MPA, Community Development and Services Agency

HELIX Environmental Planning, Inc.

Robert Edgerton, AICP CEP, Project Manager
Steve Banks, Senior Planner
Emmaline deBecker, Environmental Planner
Anviti Singh, Environmental Planner
Julia Pano, Air Quality Specialist
Martin Rolph, Senior Air Quality/Noise Specialist
John DeMartino, Senior GIS Specialist
Clarus Backes, Senior Archaeologist
David Bise, Principal Biologist
Carrie Murch, Biologist

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