

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: Nevada County Narrow Gauge Railroad Museum Rail Extension ProjectLead Agency: City of Nevada CityContact Name: Lisa McCandlessEmail: lisa.mccandless@nevadacityca.govPhone Number: 530-265-2496Project Location: Nevada City, Nevada County*City**County*

Project Description (Proposed actions, location, and/or consequences).

The project consists of building a new section of rail within the roadbed of Railroad Avenue of approximately 0.43 miles (2,270 feet). The vast majority of the rail alignment will be located within the Railroad Avenue right-of-way which is city owned land. The alignment will also extend from the roadway down an old road grade which is unpaved. This short 40-foot section of rail will meet the existing track and will be both within the right-of-way and on the Northern Queen Inn property at 420 Railroad Ave. At this location the new track will tie into and connect to an existing section of track. The existing track crosses over Gold Run Creek with an existing culvert. The existing culvert will remain in place along with the existing track sections and the new rail line will connect without having to work in the waterway. The section of track that will be constructed from the roadway to the existing track section is approximately 40-feet in length. Construction activities will include removing pavement of sufficient width to accommodate the narrow gauge rail then preparing the rail bed before placing the track.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

BIOLOGICAL RESOURCES: Limit construction periods near stream to periods of extended dry weather. Establish the area around the active stream channel as an Environmentally Sensitive Area (ESA) where those areas will be protected and not impacted by construction (place orange construction fencing around stream to minimize encroachment into the stream zone). Implement Best Management Practices during and following construction.

NOISE: All construction shall be limited to daytime hours(7 am to 9 pm). Sounding of the steam locomotive's whistle shall be limited. No sounding of the whistle shall occur when the steam engine is directly adjacent to the Northern Queen Inn or residences on Railroad Avenue (except in emergency or as a warning because of an immediate threat).

TRANSPORTATION: All crossings, signals, signs, and safety features must be designed by a qualified traffic engineer to meet current auto and pedestrian train grade crossing standards. The CA Manual on Uniform Traffic Control Devices (CA MUTCD) shall be referenced and the project features for traffic exclusion shall be designed and built to a level of satisfaction that meets the standards of the CA MUTCD and the City of Nevada City. The applicant shall notify local first responders (fire and police) at least 48 hours in advance of operating the steam engines within the roadway. The qualified traffic engineer shall ensure that the project is designed so that emergency access vehicles can enter the closed area in case of emergency.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

The City is not aware of any public concern regarding this project.

Provide a list of the responsible or trustee agencies for the project.

Northern Sierra Air Quality Management District
California Department of Fish and Wildlife



City of Nevada City
Planning Department
317 Broad Street
Nevada City, California 95959

Phone: (530) 265-2496
E-mail: lisa.mccandless@nevadacityca.gov

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

This notice is to inform the public and interested agencies that in accordance with the California Environmental Quality Act (CEQA), the City of Nevada City is circulating Initial Study/Mitigated Negative Declaration (MND) 2025-01 for public comment.

PROJECT TITLE: Nevada County Narrow Gauge Railroad Museum Rail Extension Project

PROJECT LOCATION: The proposed project is located within the right-of way of Railroad Avenue beginning near the intersection of Railroad Avenue and Sacramento Street. The alignment of the proposed rail line extends south from there to 420 Railroad Avenue at which point it leaves the roadway and enters onto 420 Railroad Avenue where it will connect to an existing section of track that traverses land owned by the Northern Queen Inn and continues to the Railroad Museum (a map of the proposed rail alignment is attached).

PROJECT DESCRIPTION: The project consists of building a new section of rail within the roadbed of Railroad Avenue of approximately 0.43 miles (2,270 feet). The vast majority of the rail alignment will be located within the Railroad Avenue right-of-way which is city owned land. The alignment will also extend from the roadway down an old road grade which is unpaved. This short 40-foot section of rail will meet the existing track and will be both within the right-of-way and on the Northern Queen Inn property at 420 Railroad Ave. At this location the new track will tie into and connect to an existing section of track. The existing track crosses over Gold Run Creek with an existing culvert. The existing culvert will remain in place along with the existing track sections and the new rail line will connect without having to work in the waterway. The section of track that will be constructed from the roadway to the existing track section is approximately 40-feet in length.

PROJECT IMPACTS: Based on the findings of the Initial Study, it has been determined that the project will not have a significant effect upon the environment. A Mitigated Negative Declaration (MND 2025-01) has been prepared outlining a Mitigation Monitoring and Reporting Plan to mitigate the potentially significant impact to nesting birds to less than significant impact, require protection of Gold Run Creek, prevent noise impacts from the train whistle to nearby properties, and ensure that the project is constructed safely within the roadway so that emergency personnel can access the roadway during project operations and to protect life and safety of others in the vicinity through sound design. Additionally, the project site is not known to contain any significant hazardous waste contamination under Section 65962.5 of the Government Code.

DOCUMENT AVAILABILITY: The Initial Study/MND will be available for review at the following locations beginning May 19, 2025: City of Nevada City website <https://www.nevadacityca.gov/197/Current-Projects> and City Hall 317 Broad Street Nevada City, CA 95959.

The 30-day public review period for the IS/MND is from May 20, 2025 to June 18, 2025. Any person who wishes to comment on the City's intent to adopt the MND must submit written comments no later than 5:00 pm on Wednesday June 18, 2025 (see above contact email). The City of Nevada City is not required to respond to any comments received after this date.

PUBLIC HEARING: The date, time, and place of future public hearings will be appropriately notified per City and CEQA requirements.



City of Nevada City
Planning Department
317 Broad Street
Nevada City, California 95959

Phone: (530) 265-2496
E-mail: lisa.mccandless@nevadacityca.gov

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

PROJECT TITLE: Nevada County Narrow Gauge Railroad Museum Rail Extension Project

PROJECT LOCATION: The proposed project is located within the right-of way of Railroad Avenue beginning near the intersection of Railroad Avenue and Sacramento Street. The alignment of the proposed rail line extends south from there to 420 Railroad Avenue at which point it leaves the roadway and enters onto 420 Railroad Avenue where it will connect to an existing section of track that traverses land owned by the Northern Queen Inn and continues to the Railroad Museum (a map of the proposed rail alignment is attached).

PROJECT DESCRIPTION: The project consists of building a new section of rail within the roadbed of Railroad Avenue of approximately 0.43 miles (2,270 feet). The vast majority of the rail alignment will be located within the Railroad Avenue right-of-way which is city owned land. The alignment will also extend from the roadway down an old road grade which is unpaved. This short 40-foot section of rail will meet the existing track and will be both within the right-of-way and on the Northern Queen Inn property at 420 Railroad Ave. At this location the new track will tie into and connect to an existing section of track. The existing track crosses over Gold Run Creek with an existing culvert. The existing culvert will remain in place along with the existing track sections and the new rail line will connect without having to work in the waterway. The section of track that will be constructed from the roadway to the existing track section is approximately 40-feet in length.

Construction activities will include removing pavement of sufficient width to accommodate the narrow gauge rail then preparing the rail bed before placing the track. Utility relocation may be necessary in some sections of the project area. The rail bed will be prepared to meet compaction and drainage requirements, soils and materials will be compacted and prepped (including aggregate base), the rail will be placed and then asphalt pavement added.

FINDINGS:

- A. The proposed project is consistent with the goals and objectives of the Nevada City General Plan.
- B. The proposed project is consistent with the provisions of the Nevada City Zoning Ordinance.
- C. Potential adverse environmental impacts will not exceed thresholds of significance, either individually or cumulatively.
- D. Based upon the environmental evaluation of the proposed project, the Planning Department finds that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic and historic resources; the local economy; public health, safety, and welfare. This constitutes a Mitigated Negative Declaration Finding for the Mandatory Findings required by Section 15065 of the CEQA Guidelines.

The 30-day public review period for this Draft Initial Study/Mitigated Negative Declaration will expire on June 18, 2025. The City of Nevada City is not required to respond to any comments received after this date.

Additional information is available from the Nevada City Planning Department. Please contact City Planner, Lisa McCandless if you have any questions regarding this project.



Planning Department
317 Broad Street
Nevada City, California 95959

Phone: (530) 265-2496

E-Mail: lisa.mccandless@nevadacityca.gov

NEVADA CITY PLANNING DEPARTMENT

APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

1. Project title: Nevada County Narrow Gauge Railroad Museum Rail Extension Project
2. Lead agency name and address: City of Nevada City 317 Broad Street Nevada City, CA 95959
3. Contact person and phone number: Lisa McCandless 530-265-2496
4. Project location: The Project area is located within city limits of Nevada City east of Highway 49/20 and just south of the intersection of Sacramento Street and Railroad Avenue.
5. Project sponsor's name and address: Nevada County Narrow Gauge Museum Address: 5 Kidder Court Nevada City, CA 95959
6. General Plan designation: Employment Center and Service Commercial
7. Zoning: Local Business-Scenic Corridor, Service Lodging-Scenic Corridor, Single Family Residential-Scenic Corridor (abuts a small portion of the project site)
8. Description of project: The Nevada County Narrow Gauge Railroad Museum NCGRR proposes to extend the track from the Northern Queen Inn grounds into the paved roadbed of Railroad Avenue. On selected weekends and special holidays, they will run an original steam locomotive, Old No. 5 or an alternate, along with selected rolling stock, from the museum yard to the intersection of Railroad Avenue and Sacramento Street, where the engine will be on display to the public. The operation will present living history, where the public can actually see, hear, and experience the steam locomotive in operation, as well as be able to examine the equipment while on display.
9. Surrounding land uses and setting: The rail project location is situated between commercial businesses on the east side of Railroad Avenue and the Northern Queen Inn which provides lodging on the west side of Railroad Avenue. There are three residential parcels adjacent to the project area. Two are on the east side of the alignment and one is more centralized.
10. Other public agencies whose approval is required: None
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun? The Native American Heritage Commission was notified of the project, and they provided a list of tribes to be notified. Tribal notification letters were sent out in late February 2025. To date, no replies have been received.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION

On the basis of this initial evaluation:

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

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

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

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

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

Name: Lisa McCandless

Date: May 16, 2025

NEVADA CITY PLANNING DEPARTMENT ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<u>I. AESTHETICS</u> – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista? <i>No, the project site is within the combining district of Scenic Corridor. The proposed project does not create any structures or signage that are inconsistent with either the General Plan or the zoning code provisions regarding the scenic corridor. Therefore, there will be no impact to a scenic vista.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? <i>The project area is proposed to be constructed primarily within the roadway of Railroad Avenue therefore no scenic resources will be degraded as a result of the proposed project. No impact to scenic resources, trees, rock outcroppings, or historic buildings will occur..</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? <i>No, the proposed project proses rail in the roadway and the views of the site and surroundings will be unaffected.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? <i>No, the railroad tracks will be at ground level and no glare producing elements are included in the project. The safety lighting will only be used during the day as the steam engines are only proposed to run during the day on weekends.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including The Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology Provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? <i>No, the project is not located on land designated as farmland.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <i>No, the project is not located on land zoned for agriculture and no Williamson Act Contracts exist for the site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				

No, the project is not zoned for forest or timberland.

d) Result in the loss of forest land or conversion of forest land to non-forest use? <i>No, the project is not located on forestland.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? <i>No, the project is not located on farmland.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Currently, there is no adopted air quality plan for the project's general location which is located within the Northern Sierra Air Quality Management District (NSAQMD) in Nevada County, California. However, on August 26, 2024, the (NSAQMD) Board approved guidelines for assessing and mitigating air quality impacts of land use projects as they relate to Federal Ambient Air Quality Standards (criteria pollutants) and State Ambient Air Quality Standards which also apply to criteria pollutants. Therefore, an analysis of how the proposed project expansion compares to those guidelines, and state and federal standards is most appropriate for this air quality impact analysis.

The project proposes a 2,200 foot expansion to an existing 3 gauge historic rail system utilizing a steam powered locomotive and is consistent with the (NSAQMD) guidelines, will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations with respect to criteria pollutants or delay timely attainment of air quality standards or the interim emission reduction standards of an adopted air quality plan.

As determined by the California Emissions Estimator Model, the project would not exceed regional or localized thresholds for any criteria pollutant during construction or during long-term operation. Accordingly, the projects air pollutant emissions would not contribute substantially to an existing or potential future air quality violation or delay the attainment of the State and Federal Ambient Air Quality Standards.

Furthermore, the (NSAQMD) guideline document details Nevada County's plans to eventually adopt an enforceable State Implementation Plan (SIP) in accordance with the Clean Air Act. As such, the Project would be consistent with the (NSAQMD) Guidelines, August 2024, as the projects construction emissions nor long term operations will trigger mitigation requirements as they pertain to the (NSAQMD) mitigation threshold guidelines, Nevada County's future intent to adopt an (SIP), and impacts would be less than significant.

The (NSAQMD) guideline document details that Western Nevada County is non-attainment for the Federal 8-hour ozone standard and all of Nevada County is non-attainment for the 1-hour ozone standard. These exceedances are primarily transported from the Broader Sacramento and San Francisco Bay Area. The following table shows attainment status by (NSAQMD) of State and Federal Air Quality Standards:

Potentially Significant Less Than Significant With Mitigation Incorporated Less Than Significant Impact No Impact

Table 1. Attainment Status: Northern Sierra Air Quality Management District (Counties of Plumas, Sierra and Nevada)

Attainment Status by Northern Sierra Air Quality Management District of State and Federal Air Quality Standards		
Pollutant	State Designation	Federal Designation
Ozone (O3)	Nevada County: Non-attainment (due to overwhelming transport); Sierra and Plumas County: Unclassified	<u>2008 O3 Standard (75 ppb) Western</u> Nevada County: Serious Non-attainment; Sierra, Plumas, Eastern Nevada County: Unclassifiable.
		<u>2015 O3 Standard (70 ppb) Western</u> Nevada County: Serious Non-attainment; Sierra, Plumas, Eastern Nevada County: Unclassifiable.
PM10	Nevada, Sierra and Plumas Counties: Non-attainment	Unclassified
PM2.5	Portola area in Plumas County: Non-attainment Nevada, Sierra and Remainder of Plumas County: Unclassified	<u>2012 Annual Standard (12µg/m³) Portola</u> area in Plumas County: Moderate Non-attainment; Nevada, Sierra and Remainder of Plumas County: Unclassifiable/Attainment
		<u>2012 24-hour Standard (35µg/m³)</u> Unclassifiable/Attainment
CO	Plumas County: Attainment; Nevada, Sierra County: Unclassified	Unclassifiable/Attainment

In addition, the entire district is either Attainment or Unclassified for all State and federal NO2, SO2, Pb, H2S, visibility reducing particles, sulfates, and vinyl chloride standards.

b) Result in a cumulative 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 2,150 feet of expansion to the existing historic narrow-gauge railroad system utilizing a steam powered locomotive with the track extension being embedded into the existing roadway of Railroad Avenue is most similar to a Muni-Line. The project will involve site preparation and construction including clearing, cut-and-fill activities, grading, sub-grading, compaction, partially removing, and improving an existing roadway, re-paving the disturbed roadway surfaces where applicable, and the pouring of 35 (8) yard truckloads of concrete for all phases of the project. During construction, short-term degradation of air quality is expected from the release of particulate emissions (airborne dust) generated by excavation, grading, hauling, and other activities related to construction. Emissions from construction equipment and on road vehicles powered by gasoline and diesel engines are also anticipated and would include CO, NOX, ROG, directly emitted PM10 and PM2.5, and toxic air contaminants (TACs) such as diesel exhaust particulate matter. Construction activities in the area may temporarily increase traffic congestion and slow the speed of traffic, resulting in a temporary increase in on-road emissions. These emissions would be limited to the immediate area impacted by construction-related traffic.

As determined by the California Emissions Estimator Model and included as (attachment "X"), the project is consistent with the (NSAQMD) guidelines and will not result in a violation of any air quality standard or contribute substantially to an existing or projected air quality violation. As such, impacts would be less than significant.

	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Expose sensitive receptors to substantial pollutant concentrations.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*As determined by the California Emissions Estimator Model Report conducted for the project scope and included as The California Emissions Model Estimator Annual Construction Emissions Report, the project is consistent with the (NSAQMD) guidelines and will not result in a cumulative 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. Furthermore, the California Air Resources Board (CARB) adopted In-Use Locomotive Regulations on April 27, 2023. The In-Use Locomotive Regulation (Regulation) will achieve emission reductions from **diesel-powered** locomotives and increase the use of zero-emission (ZE) technology. The Regulation will help meet California’s public health, air quality and climate goals by reducing criteria pollutants, toxic air contaminants, and greenhouse gas emissions for locomotives in-use. The regulatory document defines railroad locomotive emissions into various classes:*

Class 1:

Class I locomotive operators are those earning revenue greater than \$900 million annually. California has two Class I locomotive operators: Union Pacific and BNSF Railway Company.

Class I locomotive operators operate two basic types of locomotives:

***Switch Locomotives**, called “Class I switchers” in this fact sheet, are smaller locomotives that pull freight throughout railyards or for short distances outside railyards. They create harmful emissions in the communities where they operate. The Class I locomotive operators operate approximately 500-600 switchers in California.*

***Line Haul Locomotives**, called “line haul locomotives” in this fact sheet, are large locomotives that haul freight over long distances throughout the country. Class I locomotive operators operate approximately 11,000-12,000 unique line haul locomotives annually in California.*

Neither of these types of locomotives represent what will be used in the proposed project but it is important to discuss the various classifications of locomotives and their contributing factors to greenhouse gas emissions for the purposes of this analysis.

Class 2, 3, Industrial:

***Class 2:** Class II locomotive operators pull freight over short and medium distances, generally between a small number of states.*

***Class 3:** Class III locomotive operators pull freight over short distances, generally between a port and railyard or between a railyard and an industrial client. Class III locomotive operators generally use switch locomotives or “switchers” – locomotives 2,300 horsepower or less.*

***Industrial:** Typically, industrial locomotive operators use locomotives to move freight out to a main track so that it can be connected to a larger train. Industrial locomotive operators generally use switch locomotives or “switchers” – locomotives 2,300 horsepower or less.*

As of 2022, the Class III and industrial locomotive populations consist of predominantly Pre-Tier 0 locomotives, which is the oldest and highest-polluting type. In addition, Class II, Class III, and industrial switchers often idle for long periods, bringing continuous emissions into surrounding communities.

None of the three types of locomotives represent what will be used in the proposed project but it is important to discuss the various classifications of locomotives and their contributing factors to greenhouse gas emissions for the purposes of this analysis.

Passenger:

Passenger locomotives propel passenger cars and use head-end power for functions such as heating, lighting, and air conditioning. Head-end power may be supplied by the primary engine or a separate diesel generator. Travel routes for these locomotives range from short, local commuter distances to long, cross-country trips. Passenger locomotive operators in California include: Metrolink, Caltrain, Amtrak Pacific Surfliner, Capital and San Joaquin Valley Corridors, Altamont Commuter Express, and the North Coast Transit District.

Given the fact that there is no quantified data on historic railroad emissions due to low population date, Passenger Rail emissions are the best comparable for this project because the Nevada County Narrow Gauge Railroad Project locomotive while designated an historic steam powered locomotive, is also a form of passenger railroad operations even if on a much smaller scale which in this case is less than 2 miles of existing and proposed narrow gauge rail track.

Historic:

Historic locomotives are kept in their original configuration to help interpret historical experiences and serve educational purposes transporting passengers. There are currently 23 operational diesel-powered historic locomotives in California. Historic locomotive operators

Potentially Significant Less Than Significant With Mitigation Incorporated Less Than Significant Impact No Impact

have worked with CARB staff to identify a compliance path that limits emissions, and retains reporting requirements, but allows historic locomotives to continue in their educational and interpretive roles. Emissions from historic locomotives are not fully documented; due to this insufficient information, emissions from historic locomotives are not included in the emissions inventory for the Regulation.

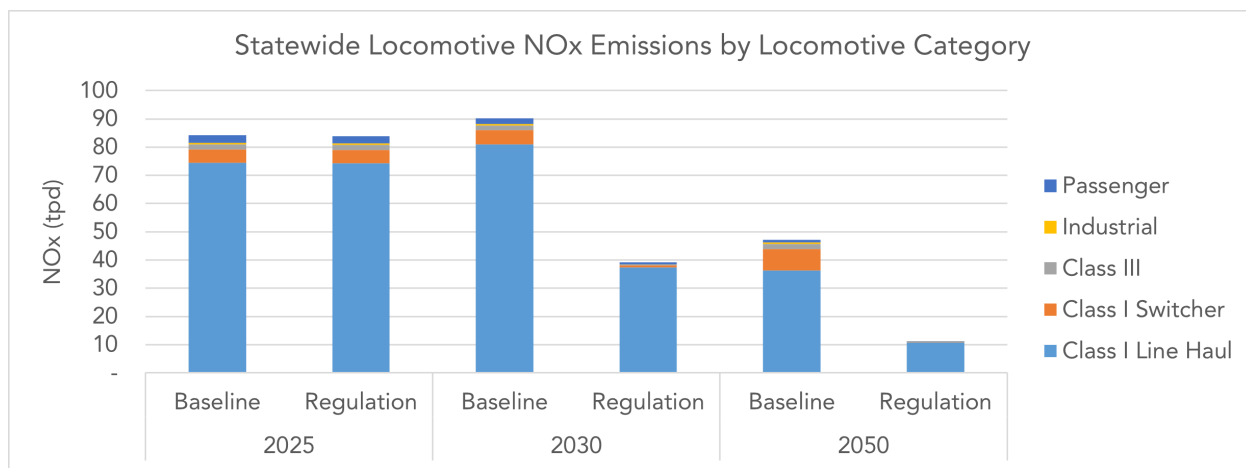
Idling Limit:

• Locomotives with automatic shutoff: locomotives will be required to shut off no more than 30 minutes after the locomotive becomes stationary. A locomotive will be permitted to exceed 30 minutes of idling for only for an exempt reason, the Regulation lists reasons for exemption and is detailed as follows:

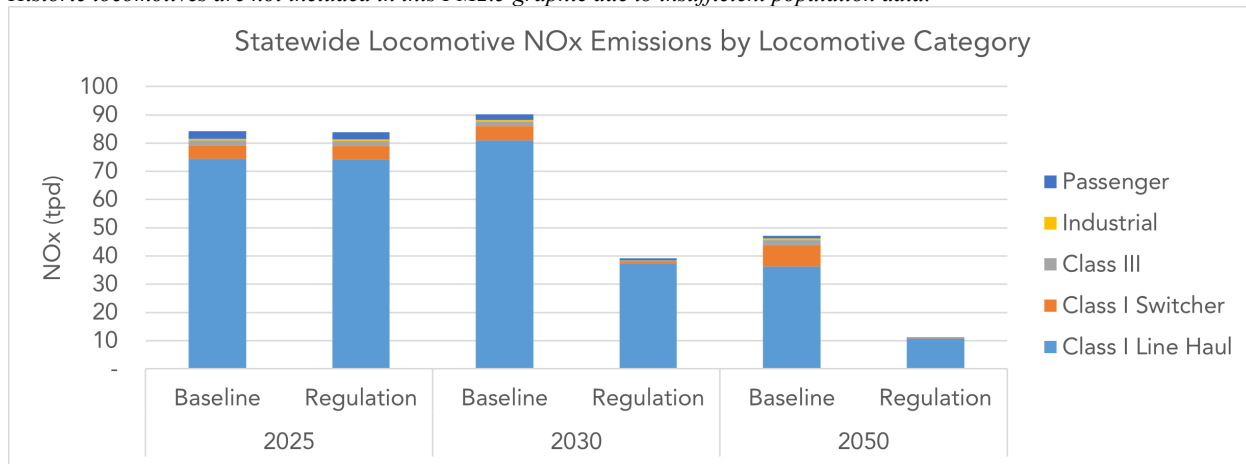
Historic Railroad Low-Use Exemption: Historic locomotive operators that meet specific requirements may receive permission to be exempt from obligations under the Spending Account and/or the In-Use Operational Requirements. This is determined by (CARB).

Registration and Reporting:

- The Steam Powered Historic Locomotive will be required to register with (CARB) unless already registered under the existing project.
- Locomotive activity, emission levels, and idling data must be reported annually to (CARB) in order to gather emission data that is currently unavailable and unquantified due to low population data.



Historic locomotives are not included in this PM2.5 graphic due to insufficient population data.



Historic locomotives are not included in this NOx graphic due to insufficient population data.

While the regulation document defines and discusses historic railroad locomotives, it fails to quantify their annual emissions due to the lack of population data. However, it is still appropriate to evaluate the proposed projects Historic Narrow Gauge Passenger Rail Line Extension to the most applicable standard. The (CARB) Locomotive Emissions Report, 2023 shows that commercial passenger rail is the smallest contributor annually to Statewide GHG emissions pertaining to PM2.5 and NOx, each representing less than 4% of those annual emission thresholds. As such, commercial passenger rail emissions are the best comparable to use to evaluate the potential impacts of expanding the existing historic rail line and because of the lack of population data on emission levels relating to historic railroads. As such, the Project would be consistent with the (NSAQMD) Guidelines, August 2024, which include State and Federal Air Quality Standards and impacts would be less than significant.

	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) Expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors (i.e. children, senior citizens, and acutely chronically ill people) are more susceptible to the effects of air pollution than the general population. Land Uses that are considered sensitive receptors typically include residences, schools, playgrounds, and childcare centers. Hospitals, convalescent homes, and retirement homes. To the north, the project is bordered by a Campground for Tents, Cabins, and Recreational Vehicles where the current Historic Narrow Gauge Railroad track begins, and then ultimately returns to the railroad museum where the railroad attraction rail line completes its currently configured track circuit and or configuration. To the south the project is bordered by a public parking lot which helps serve patrons frequenting the historic railroad museum, considerable open space and or undeveloped land, various commercial business, and multiple single-family residences. To the west, there is an existing mortuary and approximately 15-20 single family residences. To the east is primarily commercial businesses. The residential uses adjacent to the project site are considered sensitive receptors.

As indicated by the projects Air Quality Impact Analysis, the project would not exceed any of the (NSQMD) thresholds of significance during near-term construction or long-term operation. According to the (CARB) Locomotive Emissions Report, 2023, Historic Narrow Gauge Railroad Emissions are not quantified due to the low population statistics available regarding their emission levels to annual thresholds. This is directly related to the low number of Historic Narrow-Gauge Railroads currently in use in the State of California. In fact, the (CARB) Locomotive Emissions Report, 2023 shows that commercial passenger rail is the smallest contributor annually to Statewide GHG emissions pertaining to PM2.5 and NOx, each representing less than 4% of those annual emission thresholds.

Furthermore, the low trip usage of the Historic Narrow-Gauge Railroad, smaller steam engine size compared to that of commercial rail locomotives, the limited distances traveled while in use, are all compounding factors which contribute to substantial reductions for the potential of producing substantial pollutant concentrations for sensitive receptors. Therefore, the project will not create a CO hot spot and project related localized emissions would not expose sensitive receptors to substantial pollutant concentrations during construction or long-term operations and impacts would be less than significant.

e) Would the project create objectional odors affecting a substantial number of people?

During construction, there is the potential for the generation of objectional odors in the form of diesel exhaust and volatile organic compounds (from road striping paint), and asphalt paving in the immediate vicinity of the site. However, these emissions will dissipate rapidly and be diluted by the atmosphere downwind of the site. Long term operation of the historic steam powered locomotive involves limited hours of operation during the spring and summer months, often limited to Saturdays and Sundays as an economic tourism incentive for the community. The limited use of the historic locomotive, will eliminate impacts associated to odors to large numbers of people.

Examples of projects which can or do create objectional odors include but are not limited to: Asphalt Batch Plants, Chemical manufacturing plants, Composting/green waste facilities, Food packaging plants, Painting/Coating operations, Petroleum Refineries, Recycling facilities, Rendering plants, Sanitary landfills, and wastewater treatment plants. This project does not include any of the land use types listed above. However, other types of objectional odors include but are not limited to: Diesel exhaust from heavy equipment during construction, diesel exhaust from trucks such as from a truck terminal or truck stop, and paints and architectural coatings applied during building construction.

In addition to vetting whether the project meets the criteria to produce odors affecting a large number of people, an analysis of the project's proximity to existing uses which already create objectional odors to a substantial number of people is also needed. Typical thresholds of determining whether a project emits objectional odors requires the impacts to affect 500 people or more in the immediate project area. The project is not within one mile of any Asphalt Batch Plants, Chemical manufacturing plants, Composting/green waste facilities, Food packaging plants, Painting/Coating operations, Petroleum Refineries, Recycling facilities, Rendering plants, Sanitary landfills, or wastewater treatment plants. Therefore, since none of the aforementioned land use types exist within one mile of the project site, the project will not subject a substantial number of people to objectional odors and impacts are less than significant.

IV. BIOLOGICAL RESOURCES: Would the project:

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

Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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A Biological Survey of the proposed project was conducted in November 2022 by Greg Matuzak, Principal Biologist and owner of Greg Matuzak Environmental Consulting LLC. The survey report states that there are many large trees near the project area that could host nesting birds. The report states that construction or development activities during the breeding season (March 1st to August 31st) could disturb or remove occupied nests of migratory birds or raptors. Specifically, the CDFW watch list species Cooper’s Hawk is of concern. The biologist recommends a pre-construction raptor nesting survey within 250-feet of the construction area prior to site disturbance and the start of construction activities. As such, Mitigation Measure BIO-1 is included. No other species of plants or animals were identified as being present within the project area during the biological survey. Habitat was determined to be unsuitable or to not occur within the project area (determined by field survey) for most species identified in the report. In addition, the report states that there is a low-potential or no potential impact to all species identified in the report.

The biological report can be found at: <https://www.nevadacityca.gov/314/Nevada-County-Narrow-Gauge-Railroad-Muse>

BIO-1: If construction will take place between March 1 and August 31st a pre-construction nesting bird survey must be completed to include areas within 250-feet of the project site. Pre-construction nesting surveys shall be conducted by a qualified biologist. If any nesting raptors or migratory birds are identified during surveys, active nests shall be avoided and a no-disturbance buffer shall be established around the nesting site to avoid disturbance or destruction of the nest site until after the breeding season or after a wildlife biologist determines that the young have fledged.

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

The proposed new section of rail starts at a location near Gold Run Creek. There is an existing section of rail that crosses over the creek with an existing culvert. The proposed project will have no dredge, fill, or other changes to the creek bed. The new section of rail will be constructed within the city’s standard 100-foot non-disturbance buffer of the creek (riparian habitat). The biological report provides mitigation measures for the encroachment into the non-disturbance buffer. As such, Mitigation Measures BIO-2 and BIO-3 are included.

BIO-2: To avoid impacts to the stream during and after construction the following are required:

- Limit construction to periods of extended dry weather;
- The design engineer shall identify on plans and contractor shall establish the area around the active stream channel as an Environmentally Sensitive Area (ESA) where those areas will be protected and not impacted by construction (place orange construction fencing around stream to minimize encroachment into the stream zone);
- No fill or dredge material will enter or be removed from the stream channel during construction;
- Use appropriate machinery and equipment to limit disturbance in the proposed disturbance areas;
- No dewatering of the stream will occur during construction; and
- Implement Best Management Practices during and following construction.

BIO-3: The contractor and project applicant shall implement Best Management Practices (BMPs) during construction to protect the stream channel and riparian habitat that exists within the project area. These BMPs include but are not limited to:

- Minimize the number and size of work areas for equipment and spoil storage sites in the vicinity of the stream. Place staging areas outside of the 100-foot non-disturbance buffers. The design engineer shall identify all staging areas on plans.
- The contractor shall exercise reasonable precaution to protect Gold Run Creek and adjacent non-disturbance buffers from pollution with fuels, oils, and other harmful materials. Construction byproducts and pollutants such as oil, cement, and wash water shall be prevented from discharging into or near these resources and shall be collected for removal off the site. All construction debris and associated materials and litter shall be removed from the work site immediately upon completion.
- No equipment for vehicle maintenance or refueling shall occur within the 100-foot non-disturbance buffer. The contractor shall immediately contain and clean up any petroleum or other chemical spills with absorbent materials such as sawdust or kitty litter. For other hazardous materials, follow the cleanup instruction on the label.
- For ground disturbing and construction related activities occurring within the 100-foot non-disturbance buffer zone, straw bales, straw wattles, or another accepted erosion control and sedimentation BMP should be located between the ground disturbance or construction area(s) and the top of the bank of the stream channel within the Project area. This is to minimize any potential runoff from erosion and sedimentation caused by the proposed Project.

	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No, there are no wetlands within the project site and the site is not located within a wetland as depicted on the USFWS National Wetlands Inventory Mapping Tool.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is almost entirely within the roadway of Railroad Avenue and the small section that connects the existing rail to the roadway is previously disturbed. The biological report evaluates critical deer habitat and states that the project area does not contain any known major deer migration corridors, known deer holding areas, or critical deer fawning areas. No other wildlife corridors are identified in the biological report.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project would not conflict with local policies. No trees would be removed or impacted as part of the project.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Nevada County does not currently have a county-wide Habitat Conservation Plan (HCP) or Natural Community Conservation Plan. No conflict will occur.

Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES: Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the entire project area has been previously disturbed and is almost entirely within the existing roadway of Railroad Avenue. A cultural resources assessment report was completed for the project in January 2023, which included a records search. The results of the record search state that “with respect to cultural resources, it appears that the proposed project area is not sensitive”. In the unlikely event an archaeological or cultural resource is discovered on the site during any future development, work shall immediately stop and Nevada City Planning Department staff shall immediately be notified to determine next steps. Therefore, the project will not cause an adverse change in the significance of an archaeological resource.

The Cultural Resource Assessment can be found at: <https://www.nevadacityca.gov/314/Nevada-County-Narrow-Gauge-Railroad-Muse>

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, an archaeological resource assessment was completed for the project in January 2023. The results of the record search indicated that there is a low potential for locating indigenous-period/ethnographic-period cultural resources within the project area and states that “with respect to cultural resources, it appears that the proposed project area is not sensitive”. In the unlikely event an archaeological or cultural resource is discovered on the site during any future development, work shall immediately stop and Nevada City Planning Department staff shall immediately be notified to determine next steps. Therefore, the project will not cause an adverse change in the significance of an archaeological resource if by chance one is discovered.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, there are no known human remains or burial sites within the project area. Refer to the response to (see question V.b above) for the potential for archaeological resources. While unlikely, human remains are a potential archaeological resource, and will be handled similar to other archaeological resources, as outlined in (V.b).

VI. ENERGY: Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is an extension of rail line for engines on display; it will not require large amounts of energy to construct or operate..

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project does not intend to utilize electricity and therefore does not conflict with the Nevada City Energy Action Plan or any other local or state plans.

VII. GEOLOGY AND SOILS: Would the project:

a) Directly or indirectly cause substantial adverse effects, including the risk of loss injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the project is not within any of the Alquist-Priolo active fault zones delineated by the Alquist-Priolo Earthquake Fault Zoning Act. The rail extension project does not increase the present surface rupture hazard nor construct habitable structures in these areas. The risk of fault rupture is a less than significant impact based on existing published data of officially recognized faults and proximity of the project area to such faults.

	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>No, as discussed above (VII. a.i), the proposed project would not include any habitable structures, and no historic record can be found of past earthquakes effecting this area of Nevada City.</i>				
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>No, the geotechnical report provided by NV5 concludes that based on site observations, the geology of the region, and experience working in the area, the risk of seismically induced hazards such as slope instability, liquefaction, and surface rupture are remote at the project site.</i>				
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>No, the project site is virtually flat and does not contain slopes in the surrounding area that would be subject to landslides.</i>				
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>The grading for this project is very minimal as 99% of the rail alignment is within the right-of-way of Railroad Avenue. Erosion is not anticipated to be an issue as the railbed will be compacted before the tracks are put down.</i>				
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>No, the project site is essentially flat, and the immediate surrounding landscape does not contain slopes that would be subject to landslides. Repair of the existing railroad grade would not lend itself to potential lateral spreading, subsidence, or liquefaction.</i>				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>No, the proposed project is not located in an area with a known expansive soil type.</i>				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>No, the proposed project area does not include any septic tanks or other alternative waste disposal systems.</i>				
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>No, the Cultural Survey did not find any unique paleontological resource or site or unique geologic features.</i>				
<u>VIII. GREENHOUSE GAS EMISSIONS:</u> Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>The Historic Narrow-Gauge Railroad track extension project will create direct and indirect GHG emissions during construction and during long term operations. A detailed report of the proposed project's projected greenhouse gas emissions as determined by the California Emissions Estimator Model (CalEEmod) has been conducted (the results are available on the City's project website: https://www.nevadacityca.gov/314/Nevada-County-Narrow-Gauge-Railroad-Muse). As shown in the results of the CalEEmod modeling, the project is below the thresholds established by the (NSAQMD) and the project will not generate greenhouse gas emissions that will have a significant environmental impact.</i>				

	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Historic Narrow-Gauge Railroad track extension project was evaluated against the following applicable plans, policies, and regulations:

1) *AB 32 Climate Change Scoping Plan:*

The project is proposing the following measures consistent with the Plan:

- *The Project will be constructed in compliance with the most recently adopted edition of the applicable California Building Code Title 24 requirements.*
- 2) *Nevada City General Plan, 1980-2000*
 - *The proposed expansion to the Nevada County Historic Narrow-Gauge Railroad is consistent with the four major land use and economic development policies outlined in the Nevada City General Plan. Specifically, major principal (2) and (4) found on page 23.*
 - 3) *The California Emission Estimator Model Guidebook 2024*
 - 4) *Northern Sierra Air Quality Management District Guidelines for Assessing and Mitigating Air Quality Impacts of Land Use Projects*
 - 5) *California Air Resources Board (CARB) Locomotive Annual Emissions Report*
 - 6) *Traffic Impact Analysis for Nevada County Narrow Gauge Railroad Museum's Railroad Avenue Living History Project*
 - 7) *Nevada City Energy Action Plan, May 13, 2015*

The comprehensive analysis above clearly identifies that the proposed project will not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases and therefore impacts are less than significant, and no mitigation measures are required.

Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

No, construction activities would be temporary and would not involve any use of hazardous materials other than fueling and servicing of construction equipment. In general, this type of handling would be done on the museum property while the equipment is stored during down times. Transporting or using hazardous materials will not occur; no impact.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

No, construction activities may involve limited transport use, or disposal of some hazardous materials, such as limited on site fueling/servicing of construction equipment and the transport of such materials. These types of materials are not acutely hazardous, and compliance with existing federal, state, and local regulations would ensure that construction impacts related to reasonably foreseeable accident conditions involving the release of hazardous materials would be minimal. Fueling/servicing of railroad equipment is always done at the Museum where the operating rail equipment and engines are stored.

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

No, the proposed project is not within one-quarter mile of an existing or proposed school, nor will it emit hazardous emissions, or handle acutely hazardous materials, substances or waste.

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

No, the proposed project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. There are no DTSC sites mapped within or adjacent to the project area on Geotracker or EnviroStor databases.

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

No, the project is not included in an airport land use plan or within two miles of a public or public use airport.

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

No, the rail project would not interfere with an emergency response plan or emergency evacuation plan.

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

No, the proposed project would not expose people or structures to risk of loss, injury, or death because of wildfire. If a wildfire is present or imminent in the area, the museum will cease any train operations, thus not further exposing the visiting public to the risk of wildfire.

X. HYDROLOGY AND WATER QUALITY:

Would the project:

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

Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

No, long term operation of the proposed project would include routine monitoring and maintenance to inspect the performance of the railroad grade, establishment of vegetation, and the potential for soil erosion or differential settlement. Project operation and construction would not violate applicable water quality standards. No operational or construction related impacts to water quality would occur. Mitigation is included as BIO-2 and BIO-3 to avoid impacts to surface water during construction.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project would install railroad track on the existing historic railroad grade and within Railroad Avenue. It would not alter present groundwater recharge nor use any groundwater in the vicinity.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No, the rail is proposed within an existing roadway and in a disturbed road grade. Mitigation measures BIO- and BIO-2 will protect water quality during construction.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project is not located in or near a flood hazard, tsunami or seiche zone.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is does not conflict with or obstruct any water quality control plans or sustainable groundwater management plan.

XI. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project site is intended to only operate a few times per month and would not divide an established community.

	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No, the proposed project is compatible with the General Plan which states that "The City has expressed favor toward the concept of the reactivation of a portion of the narrow gauge railroad track along Railroad Avenue. Development in this area should strive to allow the roadway, railroad, and pedestrian/bike paths to exist in harmony." The zoning code requires that a variance be granted for any project that requires building within 100 feet of any stream or 25 feet from a seasonal swale unless a variance is granted. The section of rail that will connect with the existing track will be located within 100 feet of Gold Run Creek and therefore will require a variance. For work within the stream zone and mitigation measures are included as BIO-2 and BIO-3 to address work within the no disturbance buffer. Less than significant impact is anticipated.

XII. MINERAL RESOURCES: Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, there are no known mineral resources that exist in the project area.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project site is not delineated as a locally important mineral resource recovery site in the Nevada County or Nevada City General Plan. Further, no active mines or mineral prospects exist on or near the proposed project site.

XIII. NOISE: Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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No, as stated in the noise assessment provided by the project applicant, the project would not increase ambient noise levels in the vicinity of the project in excess of the standards. Construction noise could result in a substantial increase in short-term noise exposure. Because project construction activities would be of limited duration and would occur during daytime hours, no adverse noise impacts are anticipated. The noise assessment evaluates exterior noise levels in relation to the standards for sensitive uses (transient lodging and residential uses) and determined that the noise levels generated by the rolling stock/engines on display are expected to be equal to or below the existing maximum noise levels currently experienced by the nearest sensitive receptors due to local traffic. Mitigation measure NOISE-1 is included to ensure environmental impacts related to noise are brought to a less than significant impact.

***NOISE-1:** All construction shall be limited to daytime hours(7 am to 9 pm). Sounding of the steam locomotive's whistle shall be limited. No sounding of the whistle shall occur when the steam engine is directly adjacent to the Northern Queen Inn or residences on Railroad Avenue (except in emergency or as a warning because of an immediate threat).*

b) Generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, although the engines on display will generate some noise and vibration as rolling stock runs along the track, These vibrations and noise should not affect neighboring properties or people as the street will be closed while the engine is on the roadway and vibration will not extend beyond the public street.

c) For a project located within the vicinity of a private airstrip or, an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project is not within two miles of an airport and therefore the proposed location is not subject to exposure of noise from airport operations.

Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIV. POPULATION AND HOUSING: Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, no new homes are proposed and no new city roads are proposed or other types of development aside from the rail line extension into the right of way. Population growth is not anticipated; no impact.

b) Displace a significant amount of people or housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, people or housing will not be displaced.

XV. PUBLIC SERVICES: Would the project:

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

Fire Protection?

No, the proposed project would not physically alter any government facilities or cause a need for new facilities.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Police protection?

No, the proposed project would not physically alter any government facilities or cause a need for new facilities.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Schools?

No, the proposed project would not physically alter any schools. The rail extension project would not cause a need for more school services in the area.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Parks?

No, no new parks will be required because of this project.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Other public facilities?

No, no other public facilities are located in the vicinity.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XVI. RECREATION: Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, this project would not increase the use of park facilities in either the city or county and therefore no impacts to recreation facilities would occur.

	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed does not include any recreational components.

XVII. TRANSPORTATION:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project will not significantly increase traffic, and will not affect public transit, bicycle, or pedestrian facilities. Railroad Avenue is not included in the Nevada County Regional Transportation Plan, the Nevada County Active Transportation Plan, or any Nevada City plans as a preferred bikeway or transit route.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project consists of the extension of railroad track of about 0.43-miles for a living history exhibit/engines on display. The project will not generate car trips and therefore will not be in conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). A significant increase of visitors due to the track extension is not anticipated. Based on this information, it can be determined that the average daily trips are less than the 100 trips that would require a detailed traffic analysis on the project. Therefore, the Project will result in less than significant impacts to this resource. The subject site is not within one-half mile of either an existing major transit stop or high-quality transit corridor.

c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The proposed project will include a rail within a roadway which could be considered an incompatible use. TRANS-1 Mitigation Measure is included.

TRANS-1: All crossings, signals, signs, and safety features must be designed by a qualified traffic engineer to meet current auto and pedestrian train grade crossing standards. The CA Manual on Uniform Traffic Control Devices (CA MUTCD) shall be referenced and the project features for traffic exclusion shall be designed and built to a level of satisfaction that meets the standards of the CA MUTCD and the City of Nevada City.

d) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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During times when the engines are on display, the road would be closed to through traffic to prevent unauthorized vehicles to interfere with the living history exhibit but would be opened in case of emergency to allow fire trucks or other emergency vehicles access to that area. TRANS-2 Mitigation Measure is included. Traffic control will be provided during construction, and the project will not block emergency responders from entering the project area.

TRANS-2: The applicant shall notify the Nevada City Police Department, the Nevada City Fire Department, CalFire Station 20, and the Nevada County Consolidated Fire District Station 84 at least 48 hours in advance of operating the steam engines within the roadway. The qualified traffic engineer shall ensure that the project is designed so that emergency access vehicles can enter the closed area of the street in case of emergency. Once constructed the applicant shall have an on-site meeting with all agencies listed above to ensure that each department is aware of how to enter the roadway when it is closed.

XVIII. TRIBAL CULTURAL RESOURCES: Would the project:

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

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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No, the cultural sensitivity letter provided by the North Central Information Center (NCIC) does not identify any listed or eligible for listing historic resources except for the old narrow-gauge railroad track that used to exist where Railroad Avenue is today. The track was removed when the road was built.

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the NCIC cultural sensitivity letter states that there are no recorded indigenous-period/ethnographic-period resources (tribal cultural resources) identified within the project area. The entire alignment of the proposed rail project is previously disturbed and the likelihood of encountering a cultural resource is very low.

Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIX UTILITIES AND SERVICE SYSTEMS:

Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, no utility systems or facilities need to be constructed or moved as a result of the proposed project. Underground utilities in the street may need to be moved to accommodate the rail construction but will remain in the right of way of Railroad Avenue and are not proposed to be expanded.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the passenger rail operations would not require any water for operations.

c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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No, the passenger rail line extension will not increase demand on the Nevada City wastewater treatment system. The museum is adequately served and it is not expected that the proposed project will dramatically increase sewage or demand on the system in the foreseeable future.

d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, waste will be generated during construction, such as asphalt removal from the roadbed. The asphalt will be crushed and recycled by Hansen Brothers Enterprises, Grass Valley (or similar company).

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project will comply with Nevada County's solid waste standards, as required by the Nevada County Department of Environmental Health.

XX. WILDFIRE:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project area is not in conflict with the Nevada County Local Hazard Mitigation Plan or any other emergency response or evacuation plan.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, there is no site conditions that exacerbate wildfire risk. The location is within the town in a flat area. If a fire were to occur all railroad operations would be suspended during fire suppression activities.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project does not change the need for fire prevention related infrastructure.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the area of the proposed project is flat. There would be no new structures and the only improvement is railroad tracks extended into railroad avenue.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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No, the mitigation measures that have been included for biological resources, noise, and transportation will prevent and minimize any potential environmental impacts and bring them to less than significant levels.

Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project does not have impacts that are individually limited, but cumulatively considerable. Due to the lack of disturbance to plant or animal habitat, and the fact that this is the restoration of a historic use at this location, it is well suited for the proposed rail line extension project.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the proposed project has no known environmental effects which will cause substantial adverse effects on human beings either directly or indirectly. The proposed project would not adversely impact the surrounding area and may have some positive impacts resulting from the enhancement of the public's museum experience at the Nevada County Narrow Gauge Railroad Museum by adding to their understanding of the history of the Nevada City narrow gauge railroad and also familiarize them with the experience of rail travel and movement of goods in the late 19th and early 20th centuries.

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.), the City of Nevada City (City) prepared an Initial Study/Mitigated Negative Declaration (IS/MND) that identified adverse environmental impacts related to implementation of the Alta Sierra Reservoir Replacement Project (project). The IS/MND also identifies mitigation measures that would clearly reduce the identified impacts to a less-than-significant level, or that would eliminate these impacts all together.

CEQA Guidelines require public agencies “to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment.” A Mitigation Monitoring and Reporting Program (MMRP) is required for the project because the IS/MND identifies potential significant adverse impacts related to project implementation, and mitigation measure have been identified to reduce those impacts. Adoption of the MMRP would occur along with approval of the project.

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This MMRP has been prepared as a mechanism for CITY OF NEVADA CITY to monitor that all required mitigation measures are implemented and completed in a satisfactory manner before and during project construction and operation. The MMRP may be modified by CITY OF NEVADA CITY during project implementation, as necessary, in response to changing conditions or other refinements. The attached table has been prepared to assist the responsible parties in implementing the mitigation measures. The table identifies individual mitigation measures, monitoring/mitigation timing, person/agency responsible for implementing each measure, monitoring and reporting procedures, and provides space to confirm implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the IS/MND.

ROLES AND RESPONSIBILITIES

Unless otherwise specified herein, CITY OF NEVADA CITY is responsible for taking all actions necessary to implement the mitigation measures under its jurisdiction according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. CITY OF NEVADA CITY, at its discretion, may delegate implementation responsibility or portions thereof to a licensed contractor or other designated agent.

CITY OF NEVADA CITY is responsible for overall administration of the MMRP and for verifying that the construction contractor has completed the necessary actions for each measure. CITY OF NEVADA CITY will designate a project manager to oversee implementation of the MMRP. Duties of the project manager include the following:

- ▲ Verify routine inspections of the construction site are conducted by appropriate CITY OF NEVADA CITY staff; check plans, reports, and other documents required by the MMRP; and conduct report activities.
- ▲ Serve as a liaison between CITY OF NEVADA CITY and the contractor regarding mitigation monitoring issues.
- ▲ Complete forms and maintain reports and other records and documents generated for the MMRP.
- ▲ Coordinate and ensure that corrective actions or enforcement measures are taken, if necessary.

REPORTING

CITY OF NEVADA CITY's project manager will prepare a monitoring report upon completion of project construction describing compliance with the required mitigation measures. Information regarding inspections and other requirements will be compiled and explained in the report. The report will be designed to simply and clearly identify whether mitigation measures have been adequately implemented. At a minimum, each report will identify the mitigation measures or conditions to be monitored for implementation, whether compliance with the mitigation measures or conditions has occurred, the procedures used to assess compliance, and whether further action is required. The report will be retained in the CITY OF NEVADA CITY project files.

MITIGATION MONITORING AND REPORTING PLAN TABLE

The categories identified in the attached MMRP table are described below.

- ▲ Mitigation Measure – This column provides the text of the mitigation measures identified in the IS/MND.
- ▲ Timing – this column identifies the time frame in which the mitigation will be implemented.
- ▲ Enforcement – this column identifies the party responsible for enforcing compliance with the requirements of the mitigation measure.
- ▲ Dated Signature for Verification of Compliance – this column is to be dated and signed by the person (either project manager or his/her designee) responsible for verifying compliance with the requirements of the mitigation measure.

Nevada County Narrow Gauge Railroad Museum Rail Extension Project - Mitigation Monitoring and Reporting Program Table

Mitigation Measure	Timing	Implementation	Enforcement	Dated Signature for Verification of Compliance
BIOLOGICAL RESOURCES				
<p>BIO-1 If construction will take place between March 1 and August 31st a pre-construction nesting bird survey must be completed to include areas within 250-feet of the project site. Pre-construction nesting surveys shall be conducted by a qualified biologist. If any nesting raptors or migratory birds are identified during surveys, active nests shall be avoided and a no-disturbance buffer shall be established around the nesting site to avoid disturbance or destruction of the nest site until after the breeding season or after a wildlife biologist determines that the young have fledged.</p> <p>The proposed new section of rail starts at a location near Gold Run Creek. There is an existing section of rail that crosses over the creek with an existing culvert. The proposed project will have no dredge, fill, or other changes to the creek bed. The new section of rail will be constructed within the city's standard 100-foot non-disturbance buffer of the creek (riparian habitat). The biological report provides mitigation measures for the encroachment into the non-disturbance buffer. As such, Mitigation Measures BIO-2 and BIO-3 are included.</p>	<p>Prior to construction, during construction as applicable, and following construction.</p>	<p>Construction Contractor</p>	<p>City of Nevada City: Contractor shall provide evidence of nesting bird survey (as required) to City Planner immediately preceding project construction.</p>	
<p>BIO-2: To avoid impacts to the stream during and after construction the following are required:</p> <ul style="list-style-type: none"> • Limit construction to periods of extended dry weather; • The design engineer shall identify on plans and contractor shall establish the area around the active stream channel as an Environmentally Sensitive Area (ESA) where those areas will be protected and not impacted by construction (place orange construction fencing around stream to minimize encroachment into the stream zone); • No fill or dredge material will enter or be removed from the stream channel during construction; • Use appropriate machinery and equipment to limit disturbance in the proposed disturbance areas; • No dewatering of the stream will occur during construction; and • Implement Best Management Practices during and following construction. 	<p>During and after construction</p>	<p>Construction Contractor</p>	<p>City of Nevada City: Contractor shall provide evidence of ESA protection prior to project construction activities occurring (via email to City Planner and City Engineer to verify on site).</p>	

Mitigation Measure	Timing	Implementation	Enforcement	Dated Signature for Verification of Compliance
<p>BIO-3: The contractor and project applicant shall implement Best Management Practices (BMPs) during construction to protect the stream channel and riparian habitat that exists within the project area. These BMPs include but are not limited to:</p> <ul style="list-style-type: none"> • Minimize the number and size of work areas for equipment and spoil storage sites in the vicinity of the stream. Place staging areas outside of the 100-foot non-disturbance buffers. The design engineer shall identify all staging areas on plans. • The contractor shall exercise reasonable precaution to protect Gold Run Creek and adjacent non-disturbance buffers from pollution with fuels, oils, and other harmful materials. Construction byproducts and pollutants such as oil, cement, and wash water shall be prevented from discharging into or near these resources and shall be collected for removal off the site. All construction debris and associated materials and litter shall be removed from the work site immediately upon completion. • No equipment for vehicle maintenance or refueling shall occur within the 100-foot non-disturbance buffer. The contractor shall immediately contain and clean up any petroleum or other chemical spills with absorbent materials such as sawdust or kitty litter. For other hazardous materials, follow the cleanup instruction on the label. • For ground disturbing and construction related activities occurring within the 100-foot non-disturbance buffer zone, straw bales, straw wattles, or another accepted erosion control and sedimentation BMP should be located between the ground disturbance or construction area(s) and the top of the bank of the stream channel within the Project area. This is to minimize any potential runoff from erosion and sedimentation caused by the proposed Project. 	<p>During and after construction</p>	<p>Construction Contractor</p>	<p>City of Nevada City: City Engineer to verify BMPs are in place before and during construction.</p>	
NOISE				
<p>NOISE-1: All construction shall be limited to daytime hours (7 am to 9 pm). Sounding of the steam locomotive's whistle shall be limited. No sounding of the whistle shall occur when the steam engine is directly adjacent to the Northern Queen Inn or residences on Railroad Avenue (except in emergency or as a warning because of an immediate threat).</p>	<p>Construction Contractor NCRGRR Staff</p>	<p>Nevada County Narrow Gauge Railroad Operators</p>	<p>City of Nevada City: Police department will enforce noise standards.</p>	

Mitigation Measure	Timing	Implementation	Enforcement	Dated Signature for Verification of Compliance
TRANSPORTATION				
<p>TRANS-1: All crossings, signals, signs, and safety features must be designed by a qualified traffic engineer to meet current auto and pedestrian train grade crossing standards. The CA Manual on Uniform Traffic Control Devices (CA MUTCD) shall be referenced and the project features for traffic exclusion shall be designed and built to a level of satisfaction that meets the standards of the CA MUTCD and the City of Nevada City.</p>	<p>Before construction</p>	<p>Qualified traffic engineer / Contractor</p>	<p>City of Nevada City: City Manager and City Engineer shall review to ensure acceptable by City's Insurer.</p>	
<p>TRANS-2: The applicant shall notify the Nevada City Police Department, the Nevada City Fire Department, CalFire Station 20, and the Nevada County Consolidated Fire District Station 84 at least 48 hours in advance of operating the steam engines within the roadway. The qualified traffic engineer shall ensure that the project is designed so that emergency access vehicles can enter the closed area of the street in case of emergency.</p> <p>Once constructed the applicant shall have an on-site meeting with all agencies listed above to ensure that each department is aware of how to enter the roadway when it is closed.</p>	<p>48 hours in advance of operating steam engines in the roadway</p> <p>Before, during, and after construction</p>	<p>Project Operator/Applicant</p>	<p>City of Nevada City police department and all fire departments listed including Nevada City Office of Emergency Services department.</p>	

