NEVADA COUNTY
CALIFORNIA
INITIAL STUDY

To: Applicant; DOTS; EH; Ag Commissioner; CDF-Fire Planner (Hostetter); DFG-Environmental Services; Higgins Fire District; NID; NSAQMD; State Dept. of Conservation, Farmlands Mapping & Monitoring (Larelle Burkham-Graydanus); SNCCC & Sierra Nevada Group/Sierra Club (NOA only)

Date of Initial Study Preparation: April 11, 2007

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File No(s): PM06-030, EIS06-039, MGT07-004 **Assessors Parcel No:** 57-240-12

Project Location: 23619 Hidden Ranch Road, off State Highway 49, Grass Valley, California

Applicants: Brian & Patricia Warren
12621 Ranchero Way, Grass Valley, CA 95949
Telephone: (530) 308-2663 FAX: (530) 268-3775

Agent: N/A

General Plan: Rural-5 **Zoning:** AG-5-SC & AG-5

Project Description: Tentative Parcel Map application proposing to subdivide a 71.31-acre parcel into four parcels ranging from 5 to 22 acres in size. Application includes a Management Plan for encroachment into Farmlands of Local Importance (Sec. L-II 4.3.4). Access to the property is from State Highway 49 via Hidden Ranch Road (adjacent to the western and northern property boundaries), a privately maintained road that is shared with other properties. Due to the cumulative length of the road serving proposed Parcel 4, a secondary access road is shown on the Tentative Map, which connects to Linnet Lane on the southern side of the property.

The following land use permits are needed for this project:

1. Tentative Parcel Map

Other Permits Which May Be Necessary:

Based on initial comments received, the following permits may be required from the designated agencies:

INITIAL STUDY AND CHECKLIST

Introduction:

This checklist is to be completed for all projects, which are not exempt from environmental review under the California Environmental Quality Act (CEQA). The information, analysis and conclusions contained in the checklist are the basis for deciding whether an Environmental Impact Report (EIR) or Negative Declaration is to be prepared. Additionally, the checklist shall be used to focus an EIR o n the effects determined to be potentially significant.

Project Environmental Setting: This 71.31-acre property is currently undeveloped, but it contains several dirt roads. The project location is approximately one and one-half miles south of Higgins Corner and approximately one and one-half miles west of Lake Combie in southern Nevada County. The property is within the Lake of the Pines basin of the Bear River watershed at an elevation of approximately 1,240 to 1,450 feet. It occurs on the Lake Combie USGS quadrangle, Township 14 north, Range 8 east, in the southwestern quarter of Section 33, and in Township 13 north, Range 8 east, in the northwest quarter of Section 4. Adjacent land uses are low density rural residential. Two areas in the western portion of the property are mapped as Farmlands of Local Importance as defined by the State Department of Conservation's Important Farmland Map.

The Bear River forms the southern boundary and Highway 49 forms the western boundary of the project area. Other Waters of the United States located on the property include an intermittent stream (and tributary to the Bear River) near the center of the property, and a third drainage occurs near the western boundary. Foothill hardwood woodlands of blue oak and interior live oak dominate the project area, which also includes some large and small pockets of annual grassland, a small stand of foot pine woodland, and a narrow strip of riparian vegetation along the Bear River and the mouth of the unnamed, seasonal drainage. With the exception of some isolated oak trees in the open grasslands, all of the mapped oak groves meet the criteria for landmark oak groves greater than 33 percent canopy closure. No landmark oak trees (greater than 36 inches diameter-at-breat-height [DBH] were found on the property. No state- or federally-listed threatened or endangered plant or animal species were found on the property. No other special-status plants were found; however, surveys were conducted too late in the season to rule out the presence of Brandegee's clarkia, a California Native Plant Society List 1B plant that is known to occur in the Bear River corridor near the Highway 49 crossing. Some suitable habitat is available for nesting Cooper's hawks, a state species of special concern, as well as suitable roosting and foraging habitats for several special-status bat species.

Relationship to Other Projects: A Management Plan (MGT05-038) application, requesting encroachment into non-disturbance canal setbacks, was approved in conjunction with a driveway-grading permit for this property in January 2006.

SUMMARY OF PROPOSED MITIGATION MEASURES

Environmental Factors Potentially Affected:

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

✓	1.Land Use / Planning	__	2. Population / Housing	✓	3. Geology / Soils
__	4. Hydrology / Water Quality	✓	5. Air Quality	__	6. Transportation / Circulation
✓	7. Biological Resources	__	8. Mineral Resources	__	9. Hazards / Hazardous Materials
✓	10. Noise	__	11. Public Services	__	12. Utilities / Service Systems
__	13. Aesthetics	✓	14. Agriculture Resources	✓	15. Cultural Resources
__	16. Recreation	__	17. Mandatory Findings of Significance		

RECOMMENDED MITIGATION MEASURES

1. **LAND USE IMPACTS:** In order to protect open space values, the following mitigation measure is recommended:

A. **Record map with designated building envelopes.** Designated building envelopes as shown on the proposed tentative map for each parcel shall be delineated on the Supplemental Map recorded concurrently with the tentative map. The building envelopes shall avoid all sensitive resources, including slopes, which exceed 30 percent, and landmark oak woodlands. All above ground non-agricultural structures shall be limited to the designated building envelopes.

3. **GEOLOGY / SOILS:** To avoid potentially adverse impacts associated with road improvements, grading and driveway improvement, the following mitigation measure shall be required, with the following note placed on the Supplemental Sheet, recorded concurrently with the Tentative Map, and on all Improvement Plans, Grading and Building Permits:

A. Erosion control measures shall be implemented to stabilize areas disturbed for road or other on-site improvements. Prior to any on site disturbance, the Nevada County Building Department shall determine if a grading permit is required. If no permit is required, the developer shall provide verification from the Nevada County Natural Resource Conservation District that adequate erosion control measures are developed and implemented.

5. **AIR QUALITY:** Construction activities may have short-term impacts to the environment; the following notes shall be shown on the Supplemental Information recorded concurrently with the Map and on all applicable grading/building plans:

A. The project applicant shall use alternatives to open burning of vegetative material on the project site unless deemed infeasible by the Air Pollution Control Officer. Among suitable alternatives are chipping, mulching, or conversion to biomass fuel. Any burning associated with project development must be done under the authority of an Air Pollution Permit from the Northern Sierra Air Quality Management District (NSAQMD)(referred to as the District). Prior to approval of improvement or grading plans for driveway or road construction, an approval letter from the NSAQMD shall be obtained, indicating the approved method of cleared vegetation disposal. Such methods shall be noted on the improvement or grading plans. At no time shall open burning of materials generated by this project occur at another site unless approved in advance by the NSAQMD.

B. Pursuant to District Rule 226, a Dust Control Plan must be submitted to and approved by the Air Pollution Control Officer before topsoil is disturbed on any project where more than one (1) acre of natural surface area is to be altered or where the natural ground cover is removed. The disturbance of topsoil includes any clearing or grading. The Dust Control Plan is typically fulfilled by clearly phrased and enforceable conditions included on the project grading plans, preferably under its own heading.

C. This site is not mapped as having ultramafic rock/serpentine, and is therefore not subject to the Asbestos ATCM for Construction unless ultramafic rock is subsequently determined to exist on the project site, in which case, the District must be contacted no later than the following business day.

7. **BIOLOGICAL RESOURCES:** To reduce potential biological impacts created by development on plant and animal species and habitats, the following mitigation measures shall be required and shall be shown on the Supplemental Sheet of the recorded map as well as on all Improvement Plans, grading and building permits:

A. **Establish the seasonal stream, ponds, canal, seasonal wetland, the seasonal swale near the western property line, the Bear River and its floodplain and riparian vegetation as Environmentally Sensitive Areas (ESAs) during construction.** If work is proposed within 50 feet of any of these areas, work shall not begin until the ESAs are delineated on the ground with orange safety netting. The ESA fences shall remain in place for the entire duration of construction. No earth-moving activities, vehicles, heavy equipment, or other construction shall be permitted within the ESAs, unless part of a mitigation plan approved by the appropriate permitting agencies. The boundaries of the ESAs shall be clearly shown on all final plans and specifications.

If any activity is proposed within these features, such as the replacement of culverts or widening of existing roads, the applicant shall also prepare a Management Plan to ensure consistency with the Nevada County Land Use and Development Code for non-disturbance buffers near streams. If activity is proposed within the ordinary high water mark for the seasonal stream, the applicant shall also coordinate with California Department of Fish and Game, U. S. Army Corps of Engineers, and the Central Valley Regional Water Quality Control Board prior to construction to determine if permits are required. The pre-construction notification shall include a copy of the Biological Inventory prepared for this project (Biological Inventory Warren Property, APN 57-240-12, 23619 Hidden Ranch Road, Nevada County, CA, prepared by Susan Sanders Biological Consulting, dated September 7, 2006) and a site plan and elevation drawing clearly indicating the position of the work relative to the ordinary high water mark. The applicant shall comply with all terms and conditions of the permit. established where these features occur within

close proximity of construction, vegetation removal, staging areas, equipment storage or parking areas and shall be clearly shown on all final plans and specifications.

B. **Avoid Impacts to Nesting Raptors and Migratory Birds.** To avoid potentially significant impacts to nesting raptors and migratory birds, the following mitigation measure shall apply to tree removal:

Potential impacts to nesting migratory birds can be avoided by removing trees only during the non-breeding season (August 1 through February 29). Alternatively, pre-construction surveys by a qualified wildlife biologist can be conducted to verify that the construction/site disturbance zone does not support nesting migratory birds if tree removal must occur during the nesting season (March 1 – July 31).

Surveys for nesting raptors and migratory birds, including a focused survey for Cooper's hawk, are required prior to any construction-related activities or other site disturbances initiated during the breeding/nesting season (March 1-July 31). Surveys shall be conducted no sooner than two weeks prior to the initiation of construction activities or other site disturbances.

An additional survey may be required if periods of construction inactivity (i.e., gaps of activity during grading, tree removal, road building, or structure assembly) exceed a period of three weeks, an interval during which bird species, in the absence of human or construction-related disturbances, may establish a nesting territory and initiate egg laying and incubation.

Should any active nests or breeding areas be discovered, a buffer zone (protected area surrounding the nest, the size of which is to be determined by a qualified biologist)) and monitoring plan, if needed, shall be developed. Nest locations shall be mapped and submitted, along with a report stating the survey results, to the Nevada County Planning Department within one week of survey completion. A qualified wildlife biologist shall monitor the progression of reproductive stages of any active nests discovered during the preconstruction survey until a determination is made that nestlings have fledged and that a sufficient time for fledgling dispersal has elapsed; construction activities shall be prohibited within the buffer zone until such determination is made.

C. **Prior to building permit issuance, conduct pre-construction surveys required for Brandegee's clarkia.** To minimize impacts to the special-status plants, a qualified botanist shall conduct a pre-construction survey for Brandegee's clarkia. The survey shall be conducted between late May and early July to coincide with the bloom period for Brandegee's clarkia and focus on areas containing suitable habitat. If found, a Sensitive Plant Management Plan shall be prepared to avoid or minimize direct and indirect impacts, and to compensate for any unavoidable impacts to special-status plants.

D. **Minimize Construction Impacts to Oaks.** Direct impacts to landmark oak groves were minimized by identifying building envelopes within existing grassland openings. To avoid potential direct harm to preserved oaks and oak groves during construction, and to minimize indirect impacts to oaks following construction, the following mitigation measures shall be implemented during construction for oaks to be retained:

1. Establish any landmark oak groves adjacent to construction as Environmentally Sensitive Areas during construction. The boundaries of the oak ESAs shall be established at the dripline of the oak groves. The ESA boundaries shall be shown on plans and specifications shown to contractors.

2. Plans and specifications shall clearly state protection procedures for oaks to be preserved on the project site. The specifications should also require contractors to stay within designated work areas and shall include a provision for penalties if oak trees are damaged unintentionally.

3. The following activities **shall not occur within the driplines of oaks within the landmark groves**:
   - No vehicles, construction equipment, mobile offices, or materials should be parked or located within the driplines.
   - No irrigation, or ornamental plantings requiring irrigation, shall be installed. Mulches or drought-tolerant, non-irrigated plantins are suitable within the dripline.
   - Soil surface removal greater than one foot shall not occur.
   - No cuts or trenching shall occur. If these areas cannot be avoided, then the tree shall be added to the list of oaks to be replaced through an on-site planting.
   - Earthen fill greater than one foot deep shall not be placed, and no fill shall be placed within five feet of their trunks, except for those trees marked for mitigation.
   - No paving shall be placed
   - No underground utility line trenching. If it is absolutely necessary to install underground utilities, the trench shall not be dug within five feet of the trunk to avoid killing or weakening the tree.

4. A copy of the publication *Living Among the Oaks: A Management Guide for Landowners* (Appendix H of the Biological Inventory prepared for this project) shall be provided by the seller to new landowners upon sale of the lots.

5. If construction would remove more than a small number of oaks, a Management Plan must be prepared to ensure consistency with Nevada County land use regulations governing the protection of oak resources (Section L-II 4.3.15C.2 and Section L-II 4.3.15C.3 of the Nevada County Land Use and Development Code. The Plan would include measures for compensating oak losses through restoration or replacement planting, and specifications for implementation, maintenance, and monitoring, and a contingency plan as necessary to ensure mitigation success.

10. **NOISE:** In order to provide consistency with established exterior noise limits for Rural zoning designations, the following mitigation measure shall apply:

A. **Building Envelope for Parcel 1.** The entire building envelope for proposed parcel 1 shall be located a distance of at least 540 feet from the centerline of State Highway 49, or incorporate recommendations from a noise study, conducted by a qualified noise consultant, such that the exterior noise in the area of the building envelope does not exceed a 55 dBA maximum and 40 dBA Leq between 10 pm and 7 am per General Plan Policy 9.1.

14. **AGRICULTURAL RESOURCES:** The following mitigation measures are required in order to protect the Farmlands of Local Importance along the westerly property line of the subject parcel from encroachment by non-agricultural development:

A. The following note shall be shown on the Supplemental Information Sheet of the recorded map: "No non-agricultural structures are to be located within the locally important farmland area on the western portion of the property. Minimum useable sewage disposal areas (MUSDAs) can be located within the farmlands area provided that the maximum MUSDA area per parcel is limited to 18,000 square feet, and that each MUSDA shall be fenced to protect the MUSDA from damage resulting from agricultural use. Fencing shall be placed at, or as near to the edge of the MUSDA as possible, to minimize the area removed from agricultural use.

B. A Disclosure shall be recorded concurrently with the recording of the Parcel Map, citing the Nevada County Right to Farm Notice adopted by Ordinance 1627, codified in Section L-XIV 1.4

of the Nevada County Land Use and Development Code, as may be amended. The document number for the recorded Declaration shall be noted on the Supplemental Map recorded concurrently with the Parcel Map. Wording of the disclosure is as follows:

"NEVADA COUNTY RIGHT TO FARM DISCLOSURE: The subject properties are located adjacent to important farmlands. The County of Nevada recognizes and supports the right to farm agricultural lands in a manner consistent with accepted customs and standards. Residents on or near agricultural lands should be prepared to accept some inconveniences or discomforts with agricultural operations, including timber harvesting, falling and removal, including, but not limited to, noise, odors, fumes, dust, operation of machinery, the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments and pesticides. Nevada County has determined that inconveniences or discomforts with such agricultural operations shall not be considered to be a nuisance if such operations are consistent with accepted customs and standards. Article 1 of Chapter XIV of the Nevada County Land Use and Development Code recognizes agricultural lands and operations and establishes a grievance committee to assist in the resolution of any disputes, which might arise between residents regarding agricultural operations (for more details see said Article)."

15. **CULTURAL RESOURCES**: To offset the potentially adverse impacts associated with development activities and the discovery of cultural or historic resources, the following mitigation measure shall be required:

A. The following requirement shall be incorporated into improvement plans/grading/ construction plans submitted to the Department of Transportation and Building Permit Department.

"Contractors and construction personnel involved in any form of ground disturbance (i.e. utility placement or maintenance, grading, etc.) shall be advised of the remote possibility of encountering subsurface cultural resources. If such resources are encountered or suspected, work shall be halted immediately, and the Planning Department and a professional archaeologist shall be consulted who shall access any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are found and appear to be human, California Law requires that the Nevada County Coroner and the Native American Heritage Commission be contacted. If Native American resources are involved, Native American Organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment."

Mitigation Monitoring Matrix:

MEASURE	MONITORING AUTHORITY	WHEN IMPLEMENTED
1A	Planning	Prior to Map Recordation
3A	Planning and Building Department	Prior to Map Recordation and during review of improvement plans.
5A-C	Planning and Building Department	Prior to map recordation & during review of improvement, grading & construction plans & inspections.
7A-7D	Planning & Building Department	Prior to map recordation & during review of improvement, grading & construction plans & inspections.
10A	Planning Department	Prior to map recordation
14A	Planning Department	Prior to map recordation
14B	Planning & DOTS Departments	At map recordation
15A-B	DOTS, Planning and Building Department.	Prior to map recordation & during review of improvement plans and construction inspections.

CHECKLIST

1. LAND USE / PLANNING

Environmental Setting: The Nevada County General Plan designates this 71.31-acre parcel as Rural-5, with a General Agricultural, 5-acre minimum parcel size (AG-5), zoning designation, and a Scenic Corridor Combining District overlay on the property located along State Highway 49 . The proposed tentative map will create three additional parcels. Properties surrounding the subject parcel are also zoned General Agricultural, 5-acre minimum parcel size (AG-5), with a Rural-5 General Plan designation. Single-family dwellings are permitted in this zoning district.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Structures and/or land-use incompatible with existing land-use?	___	___	✓	___	16,17,A
b. The induction of growth or concentration of population?	___	___	___	✓	A
c. The extension of sewer trunk lines or access roads with capacity to serve new development beyond this proposed project?	___	___	___	✓	B,C
d. The loss of open space?	___	✓	___	___	A
e. Conflict with general plan designation or zoning?	___	✓	___	___	16,17

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
f. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	____	✓	____	____	16,17
g. Disrupting or dividing the physical arrangement of an established community including a low-income or minority community?	____	____	____	✓	A

Impact Discussion: The project is consistent with the parcel's land use designation and zoning densities, and with surrounding land uses. The proposed tentative map shows a clustering option that is consistent with the General Plan Policy 1.18. The intention of the clustering option is to retain the rural residential character of this area of Nevada County and to protect sensitive environmental resources. With mitigation, the proposed project will have a less than significant impact to Land Use and Planning. The Planning Department will include conditions of approval, consistent with the Scenic Corridor combining district standards, pursuant to Section L-ll 2.7.7

Mitigation & Residual Impact: In order to avoid adverse impacts to land use, and to protect open space values, the following mitigation measure is recommended:

Mitigation Measure 1A: Record map with designated building envelopes. Designated building envelopes as shown on the proposed tentative map for each parcel shall be delineated on the Supplemental Map recorded concurrently with the tentative map. The building envelopes shall avoid all sensitive resources. All above ground non-agricultural structures shall be limited to the designated building envelopes.

2. POPULATION / HOUSING

Environmental Setting: The property is currently undeveloped. A 2005 residential building permit application submitted on this property has expired. This project would create three additional parcels.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
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)?	____	____	____	✓	P

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	____	____	____	✓	P
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	____	____	____	✓	P

Impact Discussion: The zoning of this site allows for no more than one primary dwelling unit per parcel. The proposed project is consistent with the County's General Plan Goals, Policies, and Objectives and the County Zoning Regulations; therefore the impact is less than significant.

Mitigation & Residual Impact: No mitigation is required.

3. GEOLOGY / SOILS

Environmental Setting: Soils on the property are dominated by well-drained very stony loams in the Boomer-Rock outcrop complex, containing 5-30 percent slopes. This soils are underlain by weathered diabase (gabbro or metamorphosed volcanics), described as having a slight to moderate hazard of erosion and slow to medium runoff. Boomer loam, 5-15 percent slopes, occurs on the gentler slopes in the northeast portion of the project area. Runoff is medium to rapid and the hazard of erosion is high. Occasional outcrops of metasedimentary rock were observed in the steeper portions of the Bear River canyon. Soils in the western portion of the project area also include well-drained loams in the Sobrante soil series, 2-15 percent slopes. In terms of seismic hazard, all of Western Nevada County falls within Zone I-Low with probable damage in the event of an earthquake being minor to moderate. According to the Nevada County General Plan Epicenters and Faults Map, a Quaternary Fault (younger than 2 million years) runs along State Highway 49 to the west of the subject parcel.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Exposure to or production of unstable earth conditions such as landslides, earthquakes, liquefaction, soil creep, mudslides, ground failure (including expansive, compressible, collapsible soils), or similar hazards?	____	____	____	✓	6,11
b. Disruptions, displacements, compaction or over covering of the soil by cuts, fills, or extensive grading?	____	✓	____	____	A
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?	____	____	____	✓	6,18,14

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
d. 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?	____	____	____	✓	C,11
e. Any increase in wind or water erosion of soils, on or off the site?	____	✓	____	____	11
f. Changes in siltation, deposition or erosion, which may modify the channel of a river, or stream, or the bed any bay, inlet or lake?	____	____	____	✓	11
g. Excessive grading on slopes of over 30 percent?	____	____	____	✓	A,P

Impact Discussion: A standard mitigation measure is included to require that all potentially significant impact to soils associated with road improvements and future home construction will be further addressed and mitigated during the review of improvement plans, grading permits and individual building permit applications.

Mitigation & Residual Impact: To avoid potentially adverse impacts associated with road improvements, grading and driveway improvement, the following mitigation measure shall be required, with the following note placed on the Supplemental Sheet, recorded concurrently with the Tentative Map, and on all Improvement Plans, Grading and Building Permits:

Mitigation Measure 3.A: Erosion control measures shall be implemented to stabilize areas disturbed for road or other on-site improvements. Prior to any on site disturbance, the Nevada County Building Department shall determine if a grading permit is required. If no permit is required, the developer shall provide verification from the Nevada County Natural Resource Conservation District that adequate erosion control measures are developed and implemented.

4. HYDROLOGY / WATER QUALITY

Environmental Setting: The Bear River forms the southern boundary of this 71-plus acre parcel, located within the Lake of the Pines basin of the Bear River watershed. In addition to the Bear River, the biological inventory identified on-site Waters of the U.S. including an intermittent stream and tributary to the Bear River near the center of the property. A third drainage occurs near the western boundary, but lacks a defined bed and bank or evidence of annual flows, and an irrigation canal in the northern portion of the property supports a permanent pond; however both were created in uplands and are supported entirely by irrigation.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Violate any water quality standards or waste discharge requirements?	____	____	____	✓	C,26

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	____	____	____	✓	C
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	____	____	____	✓	P,26
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	____	____	____	✓	P,26
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	____	____	____	✓	P
f. Otherwise substantially degrade water quality?	____	____	____	✓	A,26
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	____	____	____	✓	15
h. Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	____	____	____	✓	15
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	____	____	____	✓	15

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
j. Inundation by mudflow?	____	____	____	✓	11

Impact Discussion: County Zoning Regulations establish maximum impervious surfacing standards for all development. Within the "General Agricultural" zoning district, with a Rural General Plan designation, no more than 10% of each parcel may be developed with impervious surfacing. The project is not expected to increase aggregate runoff substantially. Planning Department conditions of approval include minimum setbacks from the highwater mark of streams and rivers, as well as from the 100-year floodplain of the Bear River, consistent with Nevada County Zoning Ordinance Sections L-II 4.3.10 and 4.3.17. Biological Resources Mitigation Measure 7A also provides protection for water resources.

The Environmental Health Department does not anticipate any significant or potentially significant impacts to water quality as a result of the approval of the proposed project. The Department has included conditions of approval to insure that all proposed well and MUSDA locations meet minimum standards.

Mitigation & Residual Impact: No mitigation is required.

5. AIR QUALITY

Environmental Setting: The overall air quality in Nevada County is declining. Western Nevada County has exceeded the California Ambient Air Quality Standard (CAAQS) for ozone and particulate matter (PM10), and the eight-hour National Ambient Air Quality Standard (NAAQS) for ozone. Western Nevada County's ozone problem is primarily due to upwind transport from the broader Sacramento area (overwhelming) and the San Francisco Bay Area (significant). In mid-1997, the Environmental Protection Agency declared a National Ambient Air Quality Standard for PM2.5 (particulate matter with an aerodynamic diameter of 2.5 microns or less). PM2.5 is primarily a product of combustion processes, e.g. firewood and yard debris burning common in the populated areas of Nevada County.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Substantial air emissions or deterioration of ambient air quality?	____	____	____	✓	22
b. A violation of any air quality standard or contribute to an existing or projected air quality violation?	____	____	____	✓	22
c. Exposure of sensitive receptors to pollutants?	____	____	____	✓	21,P
d. The creation of objectionable smoke, ash or odors?	____	✓	____	____	A,P
e. Dust generation?	____	✓	____	____	A,P

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
f. Exceeding any potentially significant thresholds adopted in County Plans and Goals?	____	____	✓	____	16,18
g. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	____	____	✓	____	1

Impact Discussion: This project site is not mapped as having a high potential for ultramafic rock containing asbestos. Depending on the timing of construction and weather conditions, dust may be generated by this activity, with short-term potentially significant impacts unless adequately mitigated. As a result of this project, vegetation removal will occur during home construction and road improvements.

Mitigation & Residual Impact: Construction activities may have short-term impacts to the environment; the following notes shall be shown on the Supplemental Information recorded concurrently with the Map and on all applicable grading/building plans:

Mitigation Measure 5.A: The project applicant shall use alternatives to open burning of vegetative material on the project site unless deemed infeasible by the Air Pollution Control Officer. Among suitable alternatives are chipping, mulching, or conversion to biomass fuel. Any burning associated with project development must be done under the authority of an Air Pollution Permit from the Northern Sierra Air Quality Management District (NSAQMD)(referred to as the District). Prior to approval of improvement or grading plans for driveway or road construction, an approval letter from the NSAQMD shall be obtained, indicating the approved method of cleared vegetation disposal. Such methods shall be noted on the improvement or grading plans. At no time shall open burning of materials generated by this project occur at another site unless approved in advance by the NSAQMD.

Mitigation Measure 5.B: Pursuant to District Rule 226, a Dust Control Plan must be submitted to and approved by the Air Pollution Control Officer before topsoil is disturbed on any project where more than one (1) acre of natural surface area is to be altered or where the natural ground cover is removed. The disturbance of topsoil includes any clearing or grading. The Dust Control Plan is typically fulfilled by clearly phrased and enforceable conditions included on the project grading plans, preferably under its own heading.

Mitigation Measure 5.C. This site is not mapped as having ultramafic rock/serpentine, and is therefore not subject to the Asbestos ATCM for Construction unless ultramafic rock is subsequently determined to exist on the project site, in which case, the District must be contacted no later than the following business day.

6. TRANSPORTATION / CIRCULATION:

Environmental Setting: The property takes access from Hidden Ranch Road, a privately maintained road that is shared with other properties, which has frontage on both the northern and western property lines. Along the western property line, Hidden Ranch Road runs parallel to State Highway 49, just north of the Nevada and Placer County lines.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (a substantial increase in the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			✓		B,P
b. A need for private or public road maintenance, or need for new roads?			✓		B,P
c. Effects on existing parking facilities, or demand for new parking?			✓		P
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓	P
e. A substantial impact upon existing transit systems or alteration of present patterns of circulation or movement of people and/or goods?				✓	16
f. An alteration of waterborne, rail or air traffic?				✓	n/a
g. An increase in traffic hazards to motor vehicles, bicyclists or pedestrians, including short-term construction and long-term operational?			✓		B,24
h. Inadequate:					
Sight distance?			✓		B
Ingress/egress?			✓		P
General road capacity?			✓		B
Emergency access (4290 Standard)?			✓		B,K
i. Conflicts with adopted policies supporting alternative transportation, e.g. bus turnouts, bicycle racks?				✓	16

Impact Discussion: All of the proposed parcels would be accessed from State Highway 49 via Hidden Ranch Road. Due to the cumulative length of the raod serving Parcel 4, a secondary access road has been shown on the Tentative Map, connecting to Linnet Lane, which is located to the south of the subject parcel. Conditions of approval from the Department of Transportation and Sanitation and the Nevada County Consolidated Fire Protection Planner will be included as conditions of project approval. No additional mitigation measures are required.

Mitigation & Residual Impact: No mitigation is required.

7. BIOLOGICAL RESOURCES

Environmental setting: An approximately one-half mile reach of the Bear River forms the southern boundary of the property. Other Waters of the U. S. include an intermittent stream (and tributary to the Bear River) near the center of the property. A third drainage occurs near the western boundary but lacks a defined bed and bank or evidence of annual flows. The irrigation canal in the northern portion of the property supports a permanent pond; however, both were created in uplands and are supported entirely by irrigation. Foothill hardwood woodlands of blue oak and interior live oak dominate the project area, which also includes some large and small pockets of annual grassland, a small stand of foothill pine woodland, and a narrow strip of riparian vegetation along the Bear River and the mouth of an unnamed, seasonal drainage.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	____	✓	____	✓	26
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?	____	✓	____	____	26
c. A reduction in the extent, diversity, or quality of native vegetation, including brush removal for fire prevention and flood control improvements?	____	____	✓	____	26
d. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	____	✓	____	____	10,26
e. 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?	____	✓	____	____	26

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
f. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	____	✓	____	____	A,26
g. Introduction of any factors (light, fencing, noise, human presence and/or domestic animals), which could hinder the normal activities of wildlife?	____	✓	____	____	P,26

Impact Discussion: The proposed project may potentially result in significant impacts to biological resources without adequate mitigation to protect the landmark groves of blue and interior live oak, the riparian vegetation, and other on-site water bodies. Mitigation measures are also included to address protection of possible nesting Cooper's hawk and other raptors and migratory birds, as well as to conduct pre-construction surveys for Brandegee's clarkia.

Mitigation & Residual Impact: To reduce potential biological impacts created by development on plant and animal species and habitats, the following mitigation measures shall be required and shall be shown on the Supplemental Sheet of the recorded map as well as on all Improvement Plans, grading and building permits:

Mitigation Measure 7.A: Establish the seasonal stream, ponds, canal, seasonal wetland, the seasonal swale near the western property line, the Bear River and its floodplain and riparian vegetation as Environmentally Sensitive Areas (ESAs) during construction. If work is proposed within 50 feet of any of these areas, work shall not begin until the ESAs are delineated on the ground with orange safety netting. The ESA fences shall remain in place for the entire duration of construction. No earth-moving activities, vehicles, heavy equipment, or other construction shall be permitted within the ESAs, unless part of a mitigation plan approved by the appropriate permitting agencies. The boundaries of the ESAs shall be clearly shown on all final plans and specifications.

If any activity is proposed within these features, such as the replacement of culverts or widening of existing roads, the applicant shall also prepare a Management Plan to ensure consistency with the Nevada County Land Use and Development Code for non-disturbance buffers near streams. If activity is proposed within the ordinary high water mark for the seasonal stream, the applicant shall also coordinate with California Department of Fish and Game, U. S. Army Corps of Engineers, and the Central Valley Regional Water Quality Control Board prior to construction to determine if permits are required. The pre-construction notification shall include a copy of the Biological Inventory prepared for this project (Biological Inventory Warren Property, APN 57-240-12, 23619 Hidden Ranch Road, Nevada County, CA, prepared by Susan Sanders Biological Consulting, dated September 7, 2006) and a site plan and elevation drawing clearly indicating the position of the work relative to the ordinary high water mark. The applicant shall comply with all terms and conditions of the permit. established where these features occur within close proximity of construction, vegetation removal, staging areas, equipment storage or parking areas and shall be clearly shown on all final plans and specifications.

Mitigation Measure 7.B: Avoid Impacts to Nesting Raptors and Migratory Birds. To avoid potentially significant impacts to nesting raptors and migratory birds, the following mitigation measure shall apply to tree removal:

Potential impacts to nesting migratory birds can be avoided by removing trees only during the non-breeding season (August 1 through February 29). Alternatively, pre-construction surveys by a qualified wildlife biologist can be conducted to verify that the construction/site disturbance zone does not support nesting migratory birds if tree removal must occur during the nesting season (March 1 – July 31).

Surveys for nesting raptors and migratory birds, including a focused survey for Cooper's hawk, are required prior to any construction-related activities or other site disturbances initiated during the breeding/nesting season (March 1-July 31). Surveys shall be conducted no sooner than two weeks prior to the initiation of construction activities or other site disturbances.

An additional survey may be required if periods of construction inactivity (i.e., gaps of activity during grading, tree removal, road building, or structure assembly) exceed a period of three weeks, an interval during which bird species, in the absence of human or construction-related disturbances, may establish a nesting territory and initiate egg laying and incubation.

Should any active nests or breeding areas be discovered, a buffer zone (protected area surrounding the nest, the size of which is to be determined by a qualified biologist)) and monitoring plan, if needed, shall be developed. Nest locations shall be mapped and submitted, along with a report stating the survey results, to the Nevada County Planning Department within one week of survey completion. A qualified wildlife biologist shall monitor the progression of reproductive stages of any active nests discovered during the preconstruction survey until a determination is made that nestlings have fledged and that a sufficient time for fledgling dispersal has elapsed; construction activities shall be prohibited within the buffer zone until such determination is made.

Mitigation Measure 7.C. Prior to building permit issuance, conduct pre-construction surveys required for Brandegee's clarkia. To minimize impacts to the special-status plants, a qualified botanist shall conduct a pre-construction survey for Brandegee's clarkia. The survey shall be conducted between late May and early July to coincide with the bloom period for Brandegee's clarkia and focus on areas containing suitable habitat. If found, a Sensitive Plant Management Plan shall be prepared to avoid or minimize direct and indirect impacts, and to compensate for any unavoidable impacts to special-status plants.

Mitigation Measure 7.D. Minimize Construction Impacts to Oaks. Placement of building envelopes within existing grassland openings minimizes direct impacts to landmark oak groves. To avoid potential direct harm to preserved oaks and oak groves during construction, and to minimize indirect impacts to oaks following construction, the following mitigation measures shall be implemented during construction for oaks to be retained:

1. Establish any landmark oak groves adjacent to construction as Environmentally Sensitive Areas during construction. The boundaries of the oak ESAs shall be established at the dripline of the oak groves. The ESA boundaries shall be shown on plans and specifications shown to contractors.

2. Plans and specifications shall clearly state protection procedures for oaks to be preserved on the project site. The specifications should also require contractors to stay within designated work areas and shall include a provision for penalties if oak trees are damaged unintentionally.

3. The following activities **shall not occur within the driplines of oaks within the landmark groves:**
   - No vehicles, construction equipment, mobile offices, or materials should be parked or located within the driplines.
   - No irrigation, or ornamental plantings requiring irrigation, shall be installed. Mulches or drought-tolerant, non-irrigated plantins are suitable within the dripline.
   - Soil surface removal greater than one foot shall not occur.
   - No cuts or trenching shall occur. If these areas cannot be avoided, then the tree shall be added to the list of oaks to be replaced through an on-site planting.
   - Earthen fill greater than one foot deep shall not be placed, and no fill shall be placed within five feet of their trunks, except for those trees marked for mitigation.
   - No paving shall be placed
   - No underground utility line trenching. If it is absolutely necessary to install underground utilities, the trench shall not be dug within five feet of the trunk to avoid killing or weakening the tree.

4. A copy of the publication *Living Among the Oaks: A Management Guide for Landowners* (Appendix H of the Biological Inventory prepared for this project) shall be provided by the seller to new landowners upon sale of the lots.

5. If construction would remove more than a small number of oaks, a Management Plan must be prepared to ensure consistency with Nevada County land use regulations governing the protection of oak resources (Section L-II 4.3.15C.2 and Section L-II 4.3.15C.3 of the Nevada County Land Use and Development Code. The Plan would include measures for compensating oak losses through restoration or replacement planting, and specifications for implementation, maintenance, and monitoring, and a contingency plan as necessary to ensure mitigation success.

8. MINERAL RESOURCES

Environmental Setting: This project is not in or near any MRZ designated lands or located within any known previous mining activity areas.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	____	____	____	✓	A, 1
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	____	____	____	✓	A, 19

Impact discussion: The project is not located in any mapped areas of previous mining activity and is not located within, or immediately adjacent to, any MRZ designated lands.

Mitigation & Residual Impact: No mitigation is required.

9. HAZARDS / HAZARDOUS MATERIALS

Environmental Setting: The property is not within or adjacent to any abandoned or active solid waste disposal sites that are known to the County. The Environmental Health Department has no record of hazardous materials used or generated, or hazardous wastes disposal of, on this site.

a. In the known history of this property, have there been any past uses, storage, or discharge of hazardous materials? (Examples include, but are not limited to, fuel or oil stored in underground tanks, pesticides, solvents, or other chemicals.) Yes ___ Maybe ___ No ✓

b. Will the proposed project involve the use, production or disposal of materials, which pose a hazard to people or animal, or plant populations in the area effected? Yes ___ Maybe ___ No ✓

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	___	___	___	✓	C
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	___	___	___	✓	C,29
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	___	___	___	✓	P
d. Located on a site that 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?	___	___	___	✓	29,C,P
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?	___	___	___	✓	20
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	___	___	___	✓	20

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	____	____	____	✓	B,K
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	____	____	✓	____	K

Impact Discussion: The project is not within or adjacent to any abandoned or active solid waste disposal sites known to Environmental Health. An abandoned solid waste site was reported by the archeological survey consultant and inspected by the Local Enforcement Agency. It was determined that no further action beyond removing the solid waste is required. Receipts documenting removal of the solid waste from the site have been provided, and a site visit confirmed that the previously identified solid waste has been removed. This Department does not anticipate any significant or potentially significant impacts to water quality or public health as a result of the approval of the proposed project.

Mitigation & Residual Impact: No mitigation is required.

10. NOISE

Environmental Setting: The General Plan establishes maximum allowable noise levels for land use projects and encourages that future sensitive land uses, including the creation of new residential parcels, are located in areas where noise is limited. The proposed project is located in a rural residential area where quiet days and nights are an asset to the communities' sense of place. The major source of noise for the subject parcel is from State Highway 49, which is adjacent to the westerly portion of the property.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Exposure of persons to, or the generation of, noise levels in excess of the County's adopted standards established in the General Plan and Zoning Ordinance?	____	✓	____	____	23
b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels (e.g., blasting)?	____	____	____	✓	P
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	____	____	____	✓	A,P

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	____	____	____	✓	A,P
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	____	____	____	✓	20
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	____	____	____	✓	20

Impact Discussion: During the residential construction process, the noise levels created by the proposed project may be above the standards of the County General Plan Noise Element; however, the excessive noise will be temporary and once developed will be less than any local or regional noise standards. Nevada County Zoning Ordinance Section L-II 4.1.7 Noise specifies a maximum night time noise level of 55 dba. Noise contour data (Table 10-1), Nevada County Master Environmental Inventory, indicates that the 60 dB sound level for State Highway 49 at the Placer County line is 329 feet from the center of the roadway. A doubling of the 329 feet from the center of the roadway for the 60db level (or a distance of 658 feet) is the distance necessary to achieve a 6dB reduction. The reduction from 60db to 55db is only 5 db. Five-sixths of 658 feet is 548 feet, the distance from the highway centerline required to achieve the 55 db night time sound maximum for the subject parcel zoning. A mitigation measure is included regarding location of the building envelope for proposed parcel 1 in order to provide consistency with established exterior noise limits for Rural zoning designations.

Mitigation & Residual Impact: In order to provide consistency with established exterior noise limits for Rural zoning designations, the following mitigation measure shall apply:

Mitigation Measure 10A. The entire building envelope for proposed parcel 1 shall be located a distance of at least 540 feet from the centerline of State Highway 49, or incorporate recommendations from a noise study, conducted by a qualified noise consultant, such that the exterior noise in the area of the building envelope does not exceed a 55 dBA maximum and 40 dBA Leq between 10 pm and 7 am per General Plan Policy 9.1.

11. PUBLIC SERVICES:

Environmental Setting: The following public services are provided to this site:

Fire: The Higgins Fire District provides fire protection services to this area. The CDF Fire Severity Hazard Maps identify the area of proposed development as an area of high fire hazard, which is characteristic of much of Nevada County due to the vegetative resources present.
Police: Nevada County Sheriff's Department provides law enforcement services.
Public Water: Public water is not available to this site.
Public Sewer: Public sewer is not available to the project area.
Public Schools: Pleasant Ridge School District serves this site.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. 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:					
1) Fire protection?	____	____	✓	____	L
2) Police protection?	____	____	✓	____	A
3) Schools?	____	____	✓	____	A
4) Parks?	____	____	✓	____	A
5) Other public facilities?	____	____	✓	____	A

Impact Discussion: Fire: State and County Codes require that any development in this area comply with minimum fire safety standards, including clearance of native brush from around structures and providing adequate fireflow in the project area. The Higgins Fire District/Nevada County Fire Marshal's Office have included conditions of approval for vegetation clearing, water storage and access.
Police: No impact to law enforcement service has been identified.
Schools: Mitigation of growth impacts is addressed by the State of California through the imposition of school impact fees, which are collected at the time of building occupancy.

No significant impact to any public service has been identified.

Mitigation and Residual Impact: No mitigation is required.

12. UTILITIES / SERVICE SYSTEMS

Environmental Setting: The project site will be served by on-site sewage disposal systems and wells. Solid waste generated by this site can be disposed of at the McCourtney Road Transfer Site, which is maintained by the County of Nevada, who contracts with a solid waste disposal company to haul materials to a permitted sanitary landfill.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Require a need for the extension of electrical power or natural gas?	____	____	____	✓	P
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of whicb could cause significant environmental effects?	____	____	____	✓	C,P
c. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	____	____	____	✓	C,P
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	____	____	____	✓	C,P
e. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	____	____	____	✓	P
f. Be served by a landfill or transfer station with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	____	____	✓	____	B
g. Comply with federal, state, and local statutes and regulations related to solid waste?	____	____	✓	____	B,P
h. Require a need for the extension of communication systems?	____	____	____	✓	A

Impact Discussion: Soil mantle and percolation rate tests were completed for each of the proposed parcels. Environmental Health requirements will be included as conditions of approval. Service provided by the County Transfer Station requires the payment of gate fees and parcel charge fees, to offset the costs of solid waste disposal. No significant impacts to any service systems are anticipated as a result of this project.

Mitigation and Residual Impact: No mitigation is required.

13. AESTHETICS

Environmental Setting: Nevada County General Plan Policy calls for promoting and providing for aesthetic design in new development, to reflect existing character. The project site provides a rural residential setting to the residences of this area. A Scenic Corridor overlay combining district along the State Highway 49 corridor applies to the westerly portion of this property.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Demonstrable, negative, aesthetic effects on scenic vistas or views open to the public?	____	____	✓	____	A,C
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	____	____	✓	____	A,P
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	____	____	✓	____	A,P
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	____	____	____	✓	A,P
e. A visually incompatible structure within a designated historic district?	____	____	____	✓	A,P

Impact Discussion: This project will create three new parcels. Only proposed Parcel 1 is visible from State Highway 49. The Planning Department will include conditions of approval for consistency with Scenic Corridor zoning, Section L-II 2.7.7, for the westerly portion of the property with the Scenic Corridor designation.

Mitigation and Residual Impact: No mitigation is necessary.

14. AGRICULTURE RESOURCES

Environmental Setting: This project site and surrounding property are predominantly classified as "Grazing Land" by the California Department of Conservation Important Farmlands Map, with a small area of "Urban and Built-Up Land" in a southwestern portion of the property and adjacent area and two vertical segments of Farmland of Local Importance identified on the subject parcel. The more easterly segment of Farmland of Local Importance has been previously impacted by roads and a single-family residence driveway grading permit issued in June 2006. The more westerly portion of the Locally Important Farmland has not been impacted.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	____	____	____	✓	7
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	____	____	____	✓	7,17
c. Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use?	____	✓	____	✓	7, Q

Impact Discussion: A Management Plan was submitted by the applicant to preclude placement of non-agricultural structures within the locally important farmland area in the western portion of the property. The Management Plan, reviewed and approved by the Nevada County Agricultural Commissioner further provides that Minimum useable sewage disposal areas (MUSDAs) can be located within the farmlands area provided that the maximum MUSDA area per parcel is limited to 18,000 square feet in size and that each MUSDA would be fenced to protect the area from agricultural use damage.

Mitigation and Residual Impact: The following mitigation measures are required in order to protect the Farmlands of Local Importance along the westerly property line of the subject parcel from encroachment by non-agricultural development:

Mitigation Measure 14A: The following note shall be shown on the Supplemental Information Sheet of the recorded map: "No non-agricultural structures are to be located within the locally important farmland area on the western portion of the property. Minimum useable sewage disposal areas (MUSDAs) can be located within the farmlands area provided that the maximum MUSDA area per parcel is limited to 18,000 square feet, and that each MUSDA shall be fenced to protect the MUSDA from damage resulting from agricultural use. Fencing shall be placed at, or as near to the edge of the MUSDA as possible, to minimize the area removed from agricultural use.

Mitigation Measure 14B: A Disclosure shall be recorded concurrently with the recording of the Parcel Map, citing the Nevada County Right to Farm Notice adopted by Ordinance 1627, codified in Section L-XIV 1.4 of the Nevada County Land Use and Development Code, as may be amended. The document number for the recorded Declaration shall be noted on the Supplemental Map recorded concurrently with the Parcel Map. Wording of the disclosure is as follows:

> "NEVADA COUNTY RIGHT TO FARM DISCLOSURE: The subject properties are located adjacent to important farmlands. The County of Nevada recognizes and supports the right to farm agricultural lands in a manner consistent with accepted customs and standards. Residents on or near agricultural lands should be prepared to accept some inconveniences or discomforts with agricultural operations, including timber harvesting, falling and removal, including, but not limited to, noise, odors, fumes, dust, operation of machinery, the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments and pesticides. Nevada County has determined that

inconveniences or discomforts with such agricultural operations shall not be considered to be a nuisance if such operations are consistent with accepted customs and standards. Article 1 of Chapter XIV of the Nevada County Land Use and Development Code recognizes agricultural lands and operations and establishes a grievance committee to assist in the resolution of any disputes, which might arise between residents regarding agricultural operations (for more details see said Article)."

15. CULTURAL RESOURCES

Environmental Setting: The varied environmental zones, the geological characteristics and the geographical position of Nevada County account for an exceedingly rich and exceptionally complex cultural resource base. There are a relatively large number, and wide array, of recorded prehistoric site types in Western Nevada County. A number of State laws regulate the disturbance of archaeological sites and the Nevada County General Plan and Zoning Regulations establish procedures for identifying potentially sensitive sites. The project site consists of approximately 71 undeveloped acres of rural agricultural rangeland, typical of south Nevada County in the Bear River drainage prior to large development projects that began in the 1960's. A Phase I archaeological survey completed in 2006 resulted in the discovery of one prehistoric bedrock milling station.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines?	____	✓	____	____	27
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines?	____	____	____	✓	27
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	____	____	____	✓	27
d. Disturb any human remains, including those interred outside of formal cemeteries?	____	✓	____	____	27

Impact Discussion: A records search was completed by the North Central Information Center (NCIC) located at California State University in Sacramento, dated August 15, 2006 (NCIC file # NEV-06-75). Raymond Benson, RPA, NCR Consulting performed a site survey, the findings of which are dated October 2006. This survey identified one prehistoric bedrock milling station. No other archaeological objects or features were observed in the area.

Mitigation and Residual Impact: To offset the potentially adverse impacts associated with development activities and the discovery of cultural or historic resources, the following mitigation measures shall be required:

Mitigation Measure 15A: In order to prevent future impacts to the prehistoric archaeological bedrock milling station identified in the Archaeological Inventory, an area including a fifty-foot non-disturbance buffer surrounding the site shall be shown on the Supplemental Information Sheet of the recorded map and designated as a "Non-disturbance Area".

Mitigation Measure 15B: The following requirement shall be incorporated into improvement plans/grading/ construction plans submitted to the Department of Transportation and Building Department, and shall be included as a note on the Supplemental Information recorded in conjunction with the map:

> "Contractors and construction personnel involved in any form of ground disturbance (i.e. utility placement or maintenance, grading, etc.) shall be advised of the possibility of encountering subsurface cultural resources. Such finds may include, but are not limited to flake stone debris and tools, ground stone tools, bedrock outcrop milling stations, thermally altered rock and charcoal concentrations (hearths), locally darkened soil (midden) containing faunal bone, charred sees, and thermally altered rock. Historic archaeological discoveries may include refuse dumps, structural remains (below ground/covered by dense vegetation), historic artifacts which represent activities or technologies of the historic themes of a Cultural Landscape including agricultural land and mining districts, county and community socio-economic values or other historic features. If such resources are encountered or suspected, work shall be halted immediately, and the Planning Department and a professional archaeologist shall be consulted who shall assess any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are found and appear to be human, California Law requires that the Nevada County Coroner and the Native American Heritage Commission be contacted. If Native American resources are involved, Native American Organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment."

16. RECREATION

Environmental Setting: This parcel is mapped within the boundaries of the Bear River Parks & Recreation District. The General Plan establishes the level of service for recreation at 3 acres per every 1,000 persons, countywide.

Will the proposal result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	____	____	✓	____	A,P
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	____	____	____	✓	P
c. A conflict with established recreation uses of the area, including biking, equestrian and/or hiking trails?	____	____	____	✓	28

Impact Discussion: This project will create three new parcels, which will generate only minor impacts on recreational services within the area. Any such impact will be offset by the payment of Quimby fees required prior to recordation of this map. Those fees are required by County ordinance and will be required as a condition of project approval.

Mitigation and Residual Impact: No mitigation is required.

17. MANDATORY FINDINGS OF SIGNIFICANT ENVIRONMENTAL EFFECT

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
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 major periods of California's history or prehistory?	____	____	✓	____	2,26,10
b. Does the project have environmental effects, which are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of the project are considered when viewed in connection with the effects of past, current, and probable future projects.)	____	____	✓	____	A,P,16,17
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	____	____	✓	____	P
d. Alternatives to the Proposed Action: Does the project require the discussion and evaluation of a range of reasonable alternatives, which could feasibly attain the basic objectives of the project?	____	____	____	✓	P

RECOMMENDATION OF THE PROJECT PLANNER:

On the basis of this initial evaluation:

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

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

Garnet Holden, Assistant Planner

April 11, 2007
Date

APPENDIX A
REFERENCE SOURCES

A. Planning Department.
B. Department of Transportation and Sanitation.
C. Environmental Health Department.
D. Building Inspection Department.
E. California Transportation Commission.
F. PG & E.
G. Nevada Irrigation District.
H. Resource Conservation District.
I. Northern Sierra Air Quality Management District.
J. California Department of Transportation.
K. California Department of Forestry and Fire Protection.
L. Higgins Fire District.
M. Regional Water Quality Control Board *(Central Valley* Region).
N. North Central Information Service, Anthropology Department, California State University, Sacramento.
O. California Department of Fish & Game.
P. Tentative Map Application.
Q. Nevada County Agricultural Commissioner

1. State Division of Mines and Geology, *Mineral Classification Map*, 1990.
2. State Department of Fish and Game, *Migratory Deer Ranges*, 1988.
3. State Department of Fish and Game, *Natural Diversity Data Base Maps*, as updated.
4. State Department of Forestry and Fire Protection, *Fire Hazard Severity Zone Maps*, 1990.
5. State Division of Mines and Geology, *Geologic Map of the Chico, California Quadrangle*, 1992.
6. State Division of Mines and Geology, *Fault Map of California*, 1990.
7. State Dept. of Conservation, *Important Farmland Map*, as updated.
8. State Dept. of Forestry & Fire Protection, *Nevada County Hardwood Rangelands,* 1993.
9. U.S.G.S, *7.5 Quadrangle Topographic Maps*, as updated.
10. U.S. Fish and Wildlife Service, *National Wetlands Inventory*, December 1995.
11. U. S. Soil Conservation Service, *Soil Survey of Nevada County*, Map 11, 1975.
12. U.S. Department of Agriculture, *Soil Survey of the Tahoe National Forest,* 1974.
13. U.S. Bureau of Reclamation, *Seismotechtronic Study of the Truckee/Lake Tahoe Area,* 1986 (Generalized Geology and Major Faults in the Northeastern Sierra Nevada Map).
14. U.S. Geological Service, *Nevada County Landslide Activity Map*, 1970, as found in the Draft Nevada County General Plan, Master Environmental Inventory, December 1991, Figure 8-3.
15. Federal Emergency Management Agency, *Flood Insurance Rate Map #600-B, Zone C*, as updated.
16. *Nevada County General Plan.*
17. *Nevada County Zoning Regulations*, adopted July 2000, and as amended.
18. *Nevada County General Plan, Master Environmental Inventory*, December 1991.
19. All Final Environmental Impact Reports, certified by the County of Nevada.
20. Foothill Airport Land Use Commission, *Nevada County Air Park Comprehensive Land Use Plan.*
21. State Dept. of Conservation General Locational Guide for Ultramafic Soils/Natural-occurring Asbestos.
22. Northern Sierra Air Quality Management District, *Guidelines for Assessing Air Quality Impacts of Land Use Projects,* 2000.
23. County of Nevada, *Nevada County General Plan Noise Contour Maps,* 1993.
24. County of Nevada, *High Traffic Accident Locations Map,* 1991, as found in the Nevada County General Plan, Master Environmental Inventory, 1991, Figure 9-4.

25. California Native Plant Society (Smith & Berg), *Inventory of Rare and Endangered Vascular Plants of California*, 1994.
26. Sanders, Susan D., Beedy, Edward C., and Chainey-Davis, Carolyn, Susan Sanders Biological Consulting, *Biological Inventory Warren Property (APN 57-240-12) 23619 Hidden Ranch Road,* Nevada County, California, dated September 7, 2006.
27. Benson, Raymond, RPA, NCR Consulting, *Archaeological Survey Report for the Hidden Ranch Project (APN 57-240-12), Nevada County, California* dated October 2006.
28. *Non-Motorized Transportation Master Plan* adopted by Nevada County August 8, 2000.
29. Benson, Raymond, RPA, NCR Consulting, Letter dated December 24, 2006, regarding removal of refuse not of historic importance.