Initial Study

Penn Valley Community Center Project

Nevada County, California

To:

Building Department – Nick McBurney	Public Works Engineering – Kidd Immel
CFO – Erin Mettler	Fire Protection Planner – Dan Collins
Environmental Health – Nicole Johnson	NC Transit Services – Robin VanValkenburgh
Public Works Sanitation – Brad Torres	NID – Tricia Panock & Joanne Phillips
Penn Valley Fire Protection District	CEO – Alison Lehman
Clerk of the Board	Supervisor Hoek – District IV
County Counsel – Sims Ely & Doug Johnson	Commissioner Foley – District IV
Economic Development – Kimberly Parker	Assistant CEO – Patrick Eidman
Assessor's Office – Rolf Kleinhans	Sheriff – Sam Brown
PG&E	NC Economic Resource Council – Janet Augstein
Caltrans Highways	Nevada City Rancheria Nisenan Tribe
Northern Sierra Air Quality Management District	FREED
Penn Valley Area Chamber of Commerce	Shingle Springs Band of Miwok Indians
Penn Valley Municipal Advisory Council (MAC)	Wilton Rancheria of Wilton, California
Laurie Oberholtzer	T'si Akim Maidu Tribal Council
Native American Heritage Commission	Bear Yuba Lan Trust – Erin Tarr
United Auburn Indian Community	Federation of Neighborhood Associations
Colfax-Todds Valley Consolidated Tribe	Jeff Heyser
California Native Plant Society - Redbud	Penn Valley Community Foundation
General Plan Defense Fund	Western Gateway Park District
Maureen Collins	Sharon Wynne
Neighboring parcels within 300 feet	

Date: May 15, 2026

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File Number: PLN25-0098; CUP25-0004; MGT26-0001; EIS25-0006

Assessor Parcel Number: 051-151-009

Zoning District: C2-SP (Community Commercial, Site Performance Combining)

General Plan Designation: Community Commercial (CC)

Project Location: 10592 Spenceville Road, Penn Valley, CA 95946 (See Figure 1).

Project Site & Surrounding Land Uses:
The project site is vacant and is located on the west side of Spenceville Road (10592 Spenceville Road), approximately 375 feet south of Penn Valley Drive, within the Penn Valley Village Center. Figure 1 below is the Project Zoning, Vicinity and Public Notice Map.

North of the project site are various office and retail commercial businesses including True Value Fence and Ranch Supply. Across Spenceville Road to the east and northeast are the Penn Valley Fire Protection District station, commercial uses, and the rodeo grounds. South of the project site are a residence, Ready Springs Elementary School, and Vantage Point Charter School. To the west is the Penn Valley Seventh-day Adventist Church and residences.

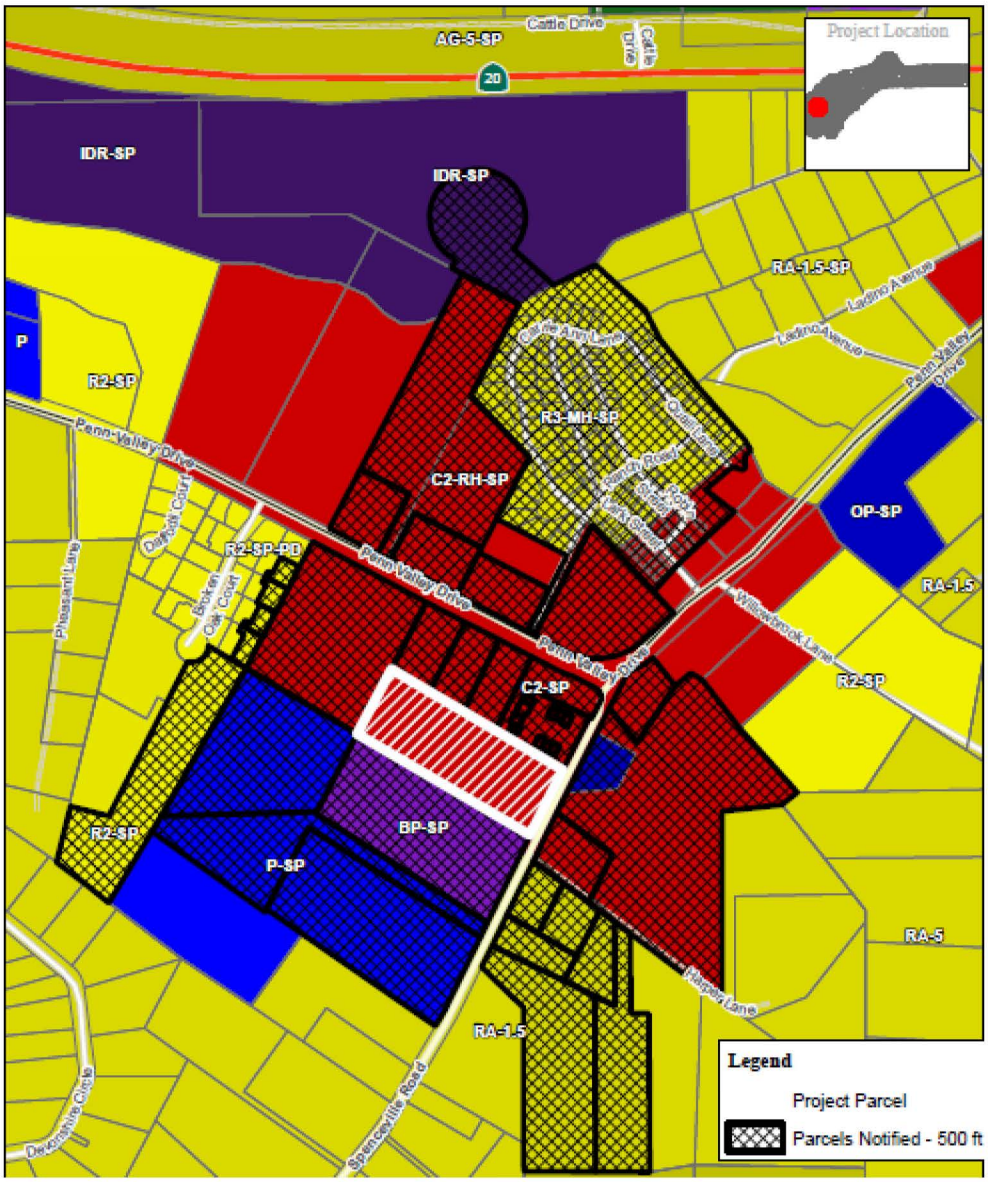


Figure 1. Project Zoning, Vicinity and Public Notice Map

Project Description

The proposed project includes a Conditional Use Permit (CUP) application to allow a 10,000 square foot building with attached 1,134 square foot covered outdoor seating area as a community event facility to support a wide array of activities, events and services. A Visitor Center hosted by the Penn Valley Chamber of Commerce is proposed in the main entry of the building. A Business and Workforce Development Hub is proposed to help local entrepreneurs and start-ups to grow their businesses, as well as provide rural workforce development/job training. An E-Connectivity Hub and Collaborative Technology Center is proposed to provide high-speed, broadband and WIFI-access for community members with computer stations. A commercial kitchen, a banquet hall, a theater/stage, and smart meeting rooms are also proposed. Access to and from the project site will be provided by two, one-way driveways from Spenceville Road.

The project also proposes two, 1,728 square foot covered outdoor pavilions and a 225 square foot restroom building. A proposed 2.5-acre garden area and detention pond are proposed in the rear half portion of the subject 4.77-acre parcel. A total of 140 parking spaces are proposed with 51 proposed to be gravel surfaced within landscaped parking lot area. The project includes an Oak Resources Management Plan for potential impacts to a Landmark Oak Tree and a Landmark Grove on the subject property. Figure 2 below is the site plan submitted for the project.

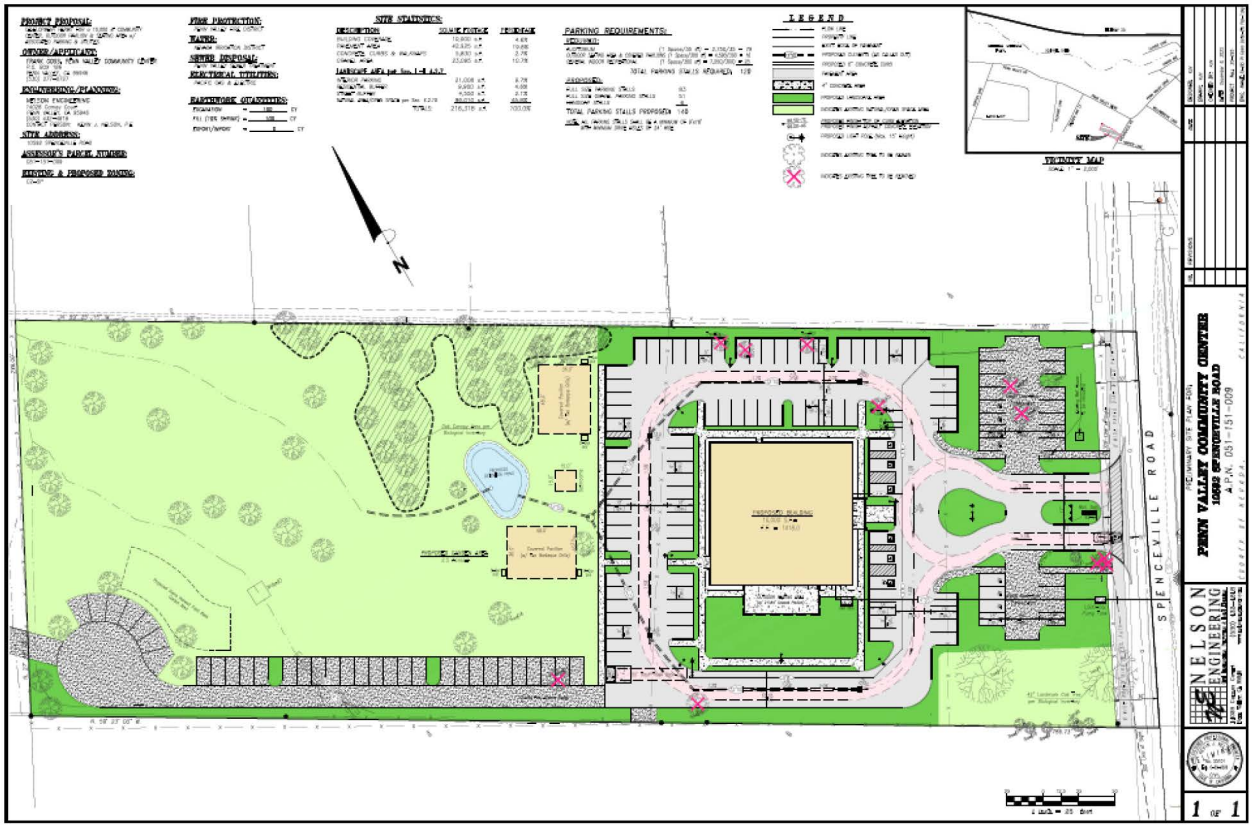


Figure 2. Proposed Site Plan

The primary 10,000 square foot building with attached 1,134 square foot covered outdoor seating area will be located in the front half of the subject parcel, approximately 175 feet west of the front property line along Spenceville Road, approximately 80 feet south of the north property line, and approximately 95 feet north of the south property line. Two, eighteen (18) foot wide paved one-way driveways will connect the project site to Spenceville Road. A circular paved driveway turnaround area will be provided in front of the 10,000 square foot building with paved parking spaces provided along the north, west, and east sides of the building. In addition, gravel "over-flow" parking spaces with four paved electric vehicle (EV) spaces are proposed in front of the proposed building near the front property line. A twenty-five (25) foot wide paved driveway will be located near the south property line and will provide access to a gravel fire access road and gravel parking spaces located in the rear half of the subject parcel near the south property line. A gravel cul-de-sac turnaround area will be provided near the west property line.

The proposed two, 1,728 square foot covered outdoor pavilions and 225 square foot restroom building will be located behind the proposed 10,000 square foot building and paved parking area. Each pavilion is 36-feet by 48-feet in size and will have two barbecue grills. A detention pond is proposed between the two pavilions to provide storage for onsite drainage. A proposed 2.5± acre garden area is proposed for the rear portion of the subject parcel behind the covered pavilions.

The proposed 10,000 square foot primary building will have a rustic red metal siding, a polar white metal roof, and black metal exterior columns for the front entrance cover and the attached covered outdoor seating area on the south side of the building. Wall treatments include black decorative metal mesh screens, wall mounted barn doors on the front and rear elevations, and wall mounted goose neck lights. Figure 3 below contains the colored elevations and materials list provided by the applicant.


DONALD W YOUNG
PENN VALLEY COMMUNITY CENTER

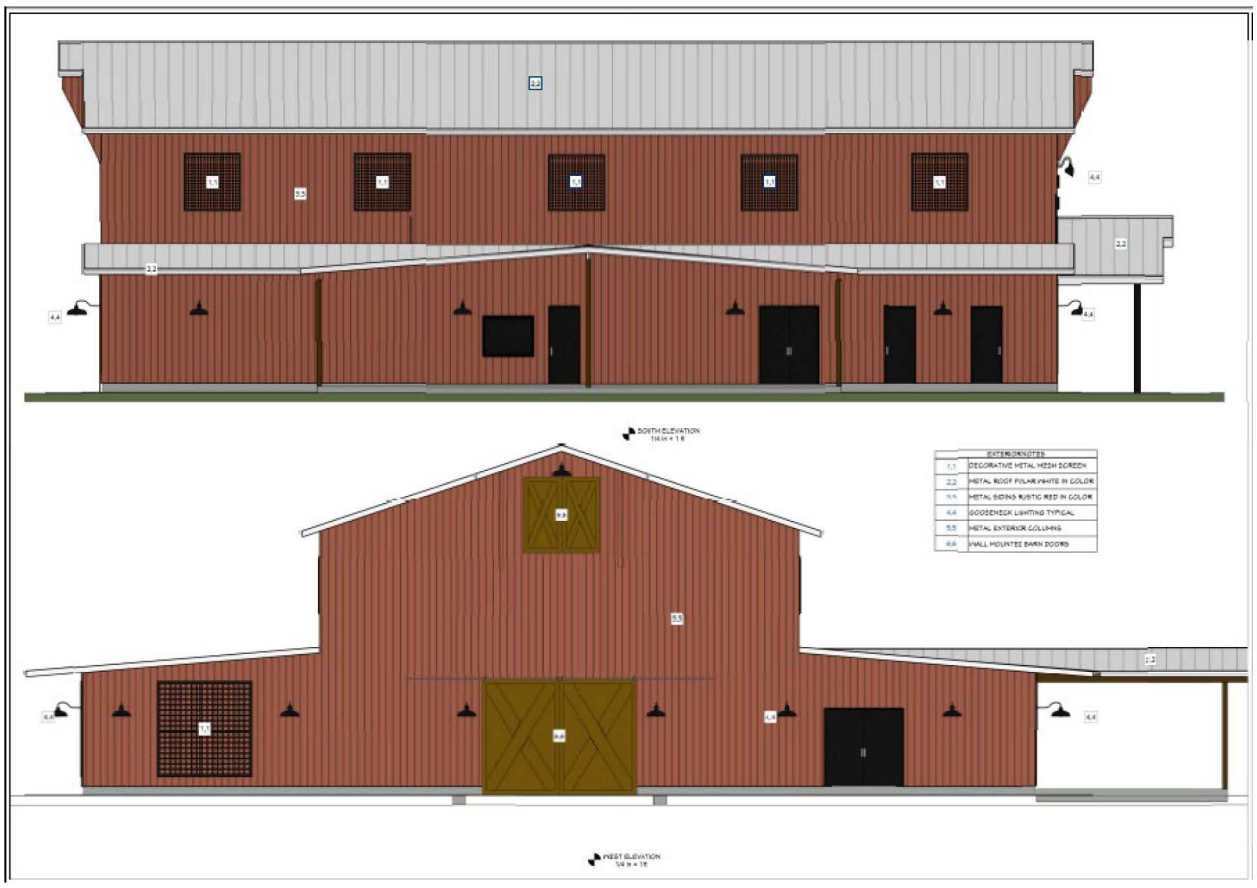


Figure 3. Primary Building Elevations

The two proposed outdoor pavilions will be open-sided and identical in size and design. Based on the elevations submitted, they will have metal roofs that match the polar white color of the primary building, exposed wood beams and trusses, and will cover picnic tables. Figure 4 below shows the colored elevations provided by the applicant.

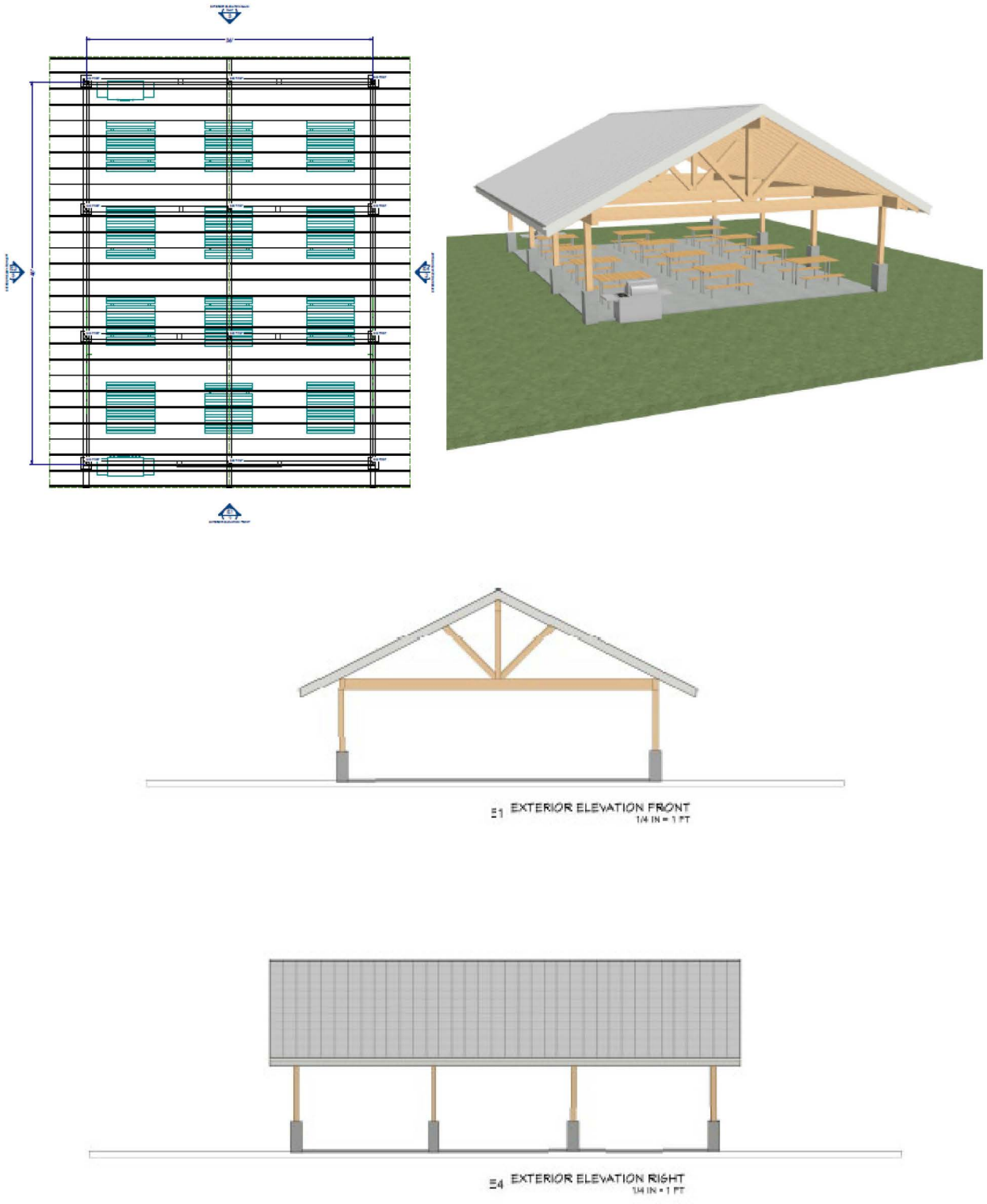


Figure 4. Outdoor Pavilion Elevations

Proposed project signage will include a monument sign identifying the community center to be located along the Spenceville Road frontage between the two, one-way driveways proposed for the site. The monument sign structure will be six (6) feet in height and fifteen (15) feet in width. A 12-inch metal I – beam painted black will span across the top of the sign having two decorative gooseneck lights on both sides. The two side pillars will be 4.5 feet in height and will be constructed of exposed board formed concrete. The sign display area will be constructed of rustic red metal siding to match the siding of the primary building and will have black lettering. The sign display area will be 3'-4" by 8'-3", for a total area of 27.5 square feet. Wall signage will be installed on the east elevation of the primary building above the entrance. A final comprehensive sign program for all proposed signage will be required to be submitted to the Planning Department for review and approval demonstrating consistency with Nevada County Code requirements. Figure 5 below includes a visual representation of the proposed monument sign along with proposed dimensions and materials.

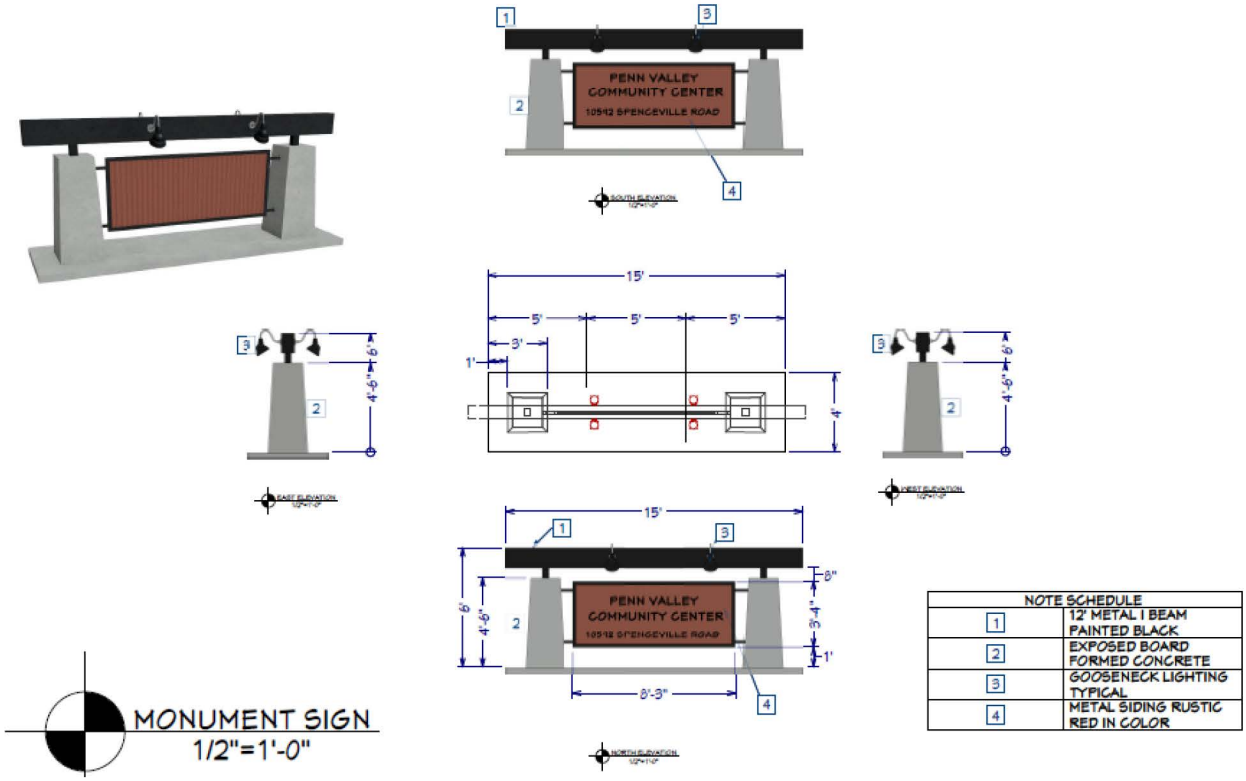


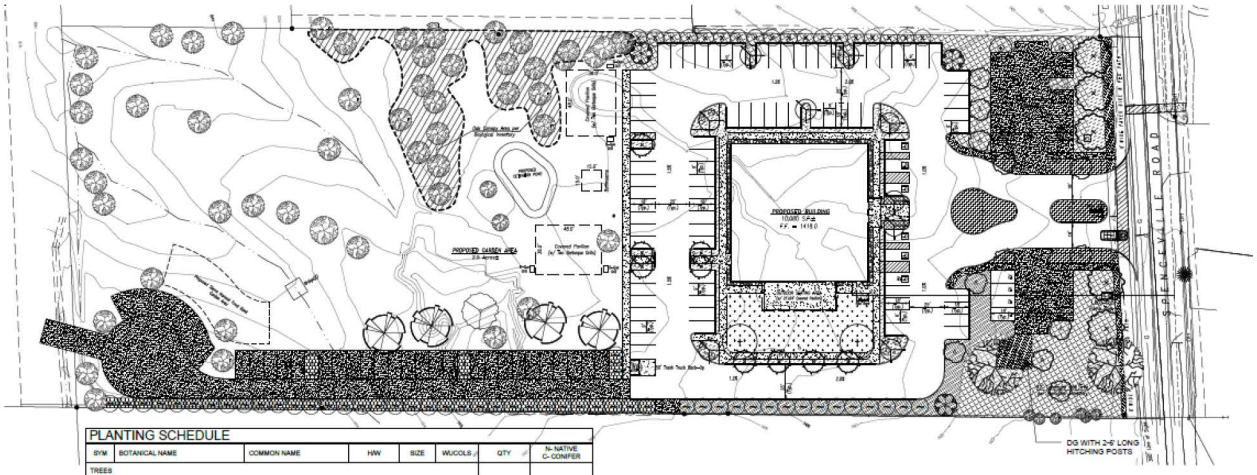
Figure 5. Proposed Monument Sign

For outdoor lighting of the site, the applicant proposes ten (10) light poles with a 15-foot maximum height for parking and driveway areas. Based on the lighting plan submitted, the lights will have decorative covers that will direct light downward onto the property. Wall mounted goose neck lighting will also be provided on all sides of the proposed primary building. The applicant will be required to submit a final lighting plan that demonstrates compliance with County requirements.

Approximately 27% of the 4.77-acre site is proposed as impervious surface including asphalt pavement for circulation and parking lot areas, concrete, and building coverage. A total of 45.8% of the site will be retained as natural open space area located primarily in the west half of the subject parcel. This area will contain the two covered pavilions, restroom building, detention pond, oak canopy area, and proposed garden area.

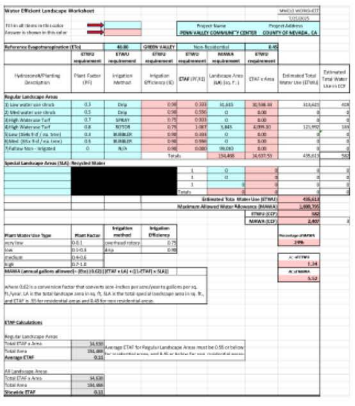
Required landscape area will total 16.4% of the site and will include parking lot landscaping, street buffer landscaping, and buffer landscaping along the south property line . The preliminary landscape plan submitted shows a total of forty-eight (48), 15-gallon, 24-inch box, and 36-inch box trees consisting of nine separate species. Seven of the tree species are considered native and two are conifers. According to the landscape plan, sixty-three (63) existing on-site trees are to be retained.

Four different species of 5-gallon shrubs are proposed with three species being native. Five different species of 5-gallon groundcover are proposed with three species being native. The landscape plan indicates the site's parking lot trees will provide 41% shade coverage within 15-years of building permit issuance, meeting the Nevada County Code requirement of 40%. The project will provide required buffer yard landscaping along the Spenceville Road frontage. A landscape buffer will also be provided along the south property line. See Figure 6 below for the Landscape and Shading Plan.



PLANTING SCHEDULE

SYM	BOTANICAL NAME	COMMON NAME	HW	SIZE	WUCOLS	QTY	% NATIVE & CONIFER
TREES							
	EXISTING SITE TREES				L	63	N
	ACER MACROPHYLLUM	BIG LEAF MAPLE	100' x 65'	24" BOX	M	5	N
	ACER NEGUNDO	BOX ELDER	60' x 40'	15 GAL	M	3	N
	CALOCEDRUS DECURRENS	INCENSE CEDAR	100' x 50'	15 GAL	M	4	C & N
	QUERCUS KELLOGGII	CALIFORNIA BLACK OAK	50' x 40'	36" BOX	L	14	N
	LAGERSTROEMIA SPP.	CRAPE MYRTLE	25' x 15'	15 GAL	L	9	
	LAURUS SARATOGA	SARATOGA BAY	25' x 15'	15 GAL	L	9	
	QUERCUS DOUGLASII	BLUE OAK	50' x 50'	15 GAL	L	3	N
	THUJA PLICATA	WESTERN RED CEDAR	180' x 20'	15 GAL	L	1	C & N
SHRUBS							
	ARCOTOSTAPHYLUS DIVERSIFOLIA	SUMMER HOLLY	12' x 7'	5 GAL	L	18	N
	CALLISTEMON LITTLEJOHN	LITTLEJOHN BOTTLEBRUSH	3' x 5'	5 GAL	L	9	
	CERCIS OCCIDENTALIS	CALIFORNIA REDBUD	15' x 12'	5 GAL	L	2	N
	HETEROMELES ARBUTIFOLIA	TOYON	8' x 6'	5 GAL	L	50	N
GROUNDCOVER							
	ANNUAL COLOR		1' x 1'	FLATS	M/H	229	
	ARCTOSTAPHYLOS UVA-URSI	BEARBERRY	1' x 5' AT 3' O.C.	5 GAL	L	2,563 SF = 295	
	BACCHARIS PILLULARIS	DWARF COYOTE BUSH	2' x 6' AT 5' O.C.	5 GAL	L	13,401 SF = 585	N
	EPILOBIUM CANUM	CALIFORNIA FUCHSIA	2' x 5' AT 4' O.C.	5 GAL	L	247	N
	MIMULUS SPP.	MONKEY FLOWER	2' x 2' AT 2' O.C.	5 GAL	L	1,068	N
	ROSA RADWHITE	WHITE KNOCKOUT	2' x 4' AT 3' O.C.	5 GAL	L	2,804 SF = 309	
OTHERS							
	3" COBBLE						
	TURF - 3,843 SF						
	DECOMPOSED GRANITE - 1,671 SF						



LANDSCAPE SQUARE FOOTAGE TO PARKING CALCULATIONS:

140	Parking Stalls
45	Square Feet of Landscape per Parking Stall
450	Square Feet of Landscape Per 10 Stalls
4	Trees per 450 SF of Landscape
5	Shrubs per 450 SF of Landscape

Totals:	Calculations:
1A Total 450 SF areas of Landscape	140 / 10 = 14
6300 Total SF of Landscaping	140 * 45 = 6300
56 Total Number of Trees Required	14 * 4 = 56
70 Total Number of Shrubs Required	14 * 5 = 70

TOTAL TREES - 111
TREES NATIVE / PERCENTAGE - 93 / 83%

TOTAL SHRUBS - 2,842
SHRUBS NATIVE / PERCENTAGE - 2,000 SF / 70%

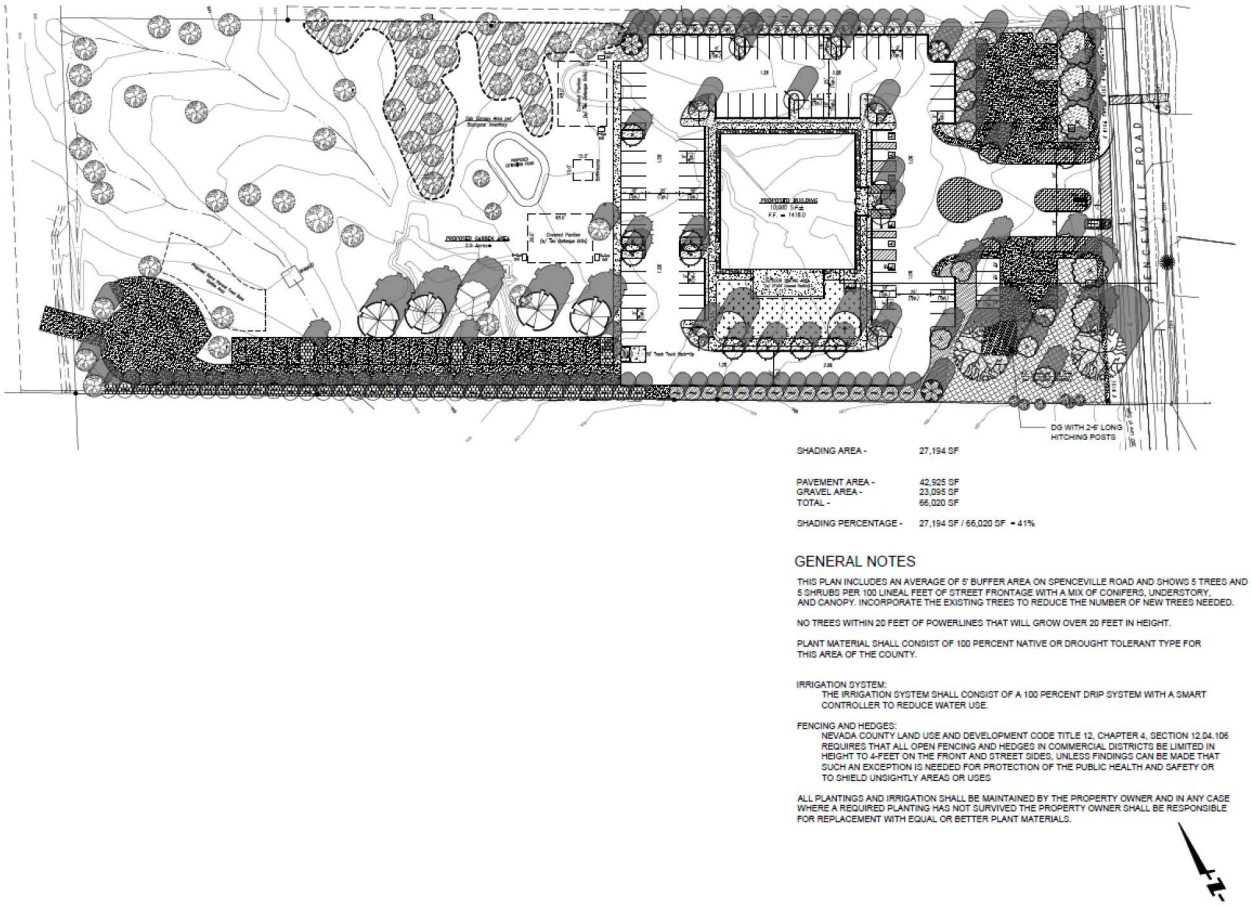


Figure 6. Landscape and Shading Plan

Domestic water for the project will be provided by the Nevada Irrigation District and wastewater will be served by the Nevada County Sanitation District.

Other Permits that May be Necessary:

1. Grading and Building Permits – Nevada County Building Department
2. Retail Food Facility and Commissary Permits – Nevada County Dept. of Environmental Health
3. Stormwater Pollution Prevention Plan (SWPPP) – California State Water Resources Control Board
4. National Pollutant Discharge Elimination System (NPDES) General Permit– California State Water Resources Control Board
5. Dust Control Plan - Northern Sierra Air Quality Management District

Relationship to Other Projects:
There are no other directly related development projects known to this project.

Consultation with Native American Tribes:
Pursuant to Assembly Bill 52, Native American tribes traditionally and culturally affiliated with the project area were notified on July 11, 2025, of the project and invited to consultation. The United Auburn Indian Community (UAIC) tribe requested consultation with the County and an on-site survey was conducted by the tribe on August 20, 2025. Based on this survey, UAIC recommended mitigation measures be incorporated into the project to address potential impacts to tribal cultural resources. These mitigation measures have been included and are discussed in Section 18, Tribal Cultural Resources, of this initial study.

Summary of Impacts and 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 "Less Than Significant with Mitigation" as indicated by the checklist on the following pages.

✓	1. Aesthetics		2. Agricultural and Forestry Resources	✓	3. Air Quality
✓	4. Biological Resources	✓	5. Cultural Resources		6. Energy
✓	7. Geology and Soils		8. Green House Gas Emissions		9. Hazards and Hazardous Materials
✓	10. Hydrology and Water Quality		11. Land Use and Planning		12. Mineral Resources
✓	13. Noise		14. Population and Housing		15. Public Services
	16. Recreation		17. Transportation	✓	18. Tribal Cultural Resources
	19. Utilities and Service Systems		20. Wildfire	✓	21. Mandatory Findings of Significance

Recommended Mitigation Measures:

The following measures shall be implemented, and where appropriate, included as a note on construction plans as outlined in each.

1. AESTHETICS

Mitigation Measure 1A. Outdoor Light Fixtures. All outdoor light fixtures shall be fully shielded and downward facing to eliminate glare and prevent light trespass onto neighboring properties. Fixtures shall have high efficiency lamps. High pressure sodium, and mercury vapor light fixtures are prohibited.

Timing: *Prior to building permit issuance*
Reporting: *Agency approval of permits or plans*
Responsible Agency: *Planning Department*

Mitigation Measure 1B. Final Photometric Plan. The applicant shall provide a final lighting and photometric plan that demonstrates all project lighting shall be maintained on site. This plan should include all project lighting including but not limited to parking lot and circulation lighting, wall lighting, sign lighting, and landscaping lighting. This plan shall demonstrate all lighting values are at "0" at all property lines. Recommended methods for reducing potential light spill include: reducing the lumen output of proposed lighting systems, reducing the height of the proposed lights, reducing the number of proposed lights and relocating lights farther into the interior of the parcel.

Timing: *Prior to building permit issuance*
Reporting: *Agency approval of permits or plans*
Responsible Agency: *Planning Department*

3. AIR QUALITY

Mitigation Measure 3A: Dust Control Plan. Prior to issuance of grading and improvement permits, a Dust Control Plan shall be submitted to the Northern Sierra Air Quality Management District pursuant to Rule 226 and approved. Include the approved Dust Control Plan on the project plans using clear phrasing and enforceable conditions, under its own heading. Provide evidence of NSAQMD approval to Nevada County with permit application submittal. The plan shall include but not be limited to the following measures, which shall also be included on all construction plans:

a. Contact details must be provided for the person/s responsible for ensuring that all dust control measures are performed in a timely manner during all phases of project construction.
b. All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard.
c. All land clearing, grading, earth moving, and excavation activities on the project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 miles per hour.
d. All inactive portions of the site shall be covered, seeded, or watered until a suitable cover is established.
e. All material transported off-site shall be either sufficiently watered or securely covered to prevent it being entrained in the air, and there must be a minimum freeboard of six inches maintained in the bed of the transport vehicle.
f. All areas with vehicle traffic shall be watered or have dust palliative applied as necessary to minimize dust emissions.
g. The construction contractor shall limit vehicle speeds on unpaved roads to a speed of 15 mph.
h. Paved streets adjacent to the project shall be swept or washed at the end of each day, or as needed to remove excessive accumulation of silt and/or mud which may have resulted from activities at the project site.

Timing: *Prior to issuance of grading and improvement permits*
Reporting: *Grading/Improvement plans*
Responsible Agency: *Planning Department/NSAQMD*

Mitigation Measure 3B: Alternatives to open burning. Alternatives to open burning of site-cleared vegetative material shall be used unless otherwise deemed infeasible by the Northern Sierra Air Quality Management District (NSAQMD). Among suitable alternatives are chipping, mulching, or conversion to biomass fuel. This shall be included as a note on all grading and improvement plans.

Timing: *During grading/construction*
Reporting: *Grading/Building plans*
Responsible Agency: *Planning Department/NSAQMD*

Mitigation Measure 3C: Use of grid power. During construction, grid power shall be used (as opposed to diesel generators) for job site power needs where feasible.

Timing: *During construction*
Reporting: *Building plans*
Responsible Agency: *Planning Department/Building Department*

Mitigation Measure 3D: Pre-Grading activities. Pre-Grading activities shall comply with all NSAQMD regulations pertaining to dust control and shall include a long-term dust suppression plan to be approved by the NSAQMD. Any other applicable State and/or Federal Air Quality regulations shall be adhered to and implemented.

Timing: *Prior to grading*
Reporting: *Building plans*
Responsible Agency: *Planning Department/Building Department*

4. BIOLOGICAL RESOURCES

Mitigation Measure 4A: Avoid Impacts to Nesting Raptors and Other Birds. The following nest survey requirements apply if construction activities take place during the typical bird breeding/nesting season (typically March 1 through August 31).

Pre-Construction Nest Survey
A pre-construction nesting bird survey shall be conducted by a qualified biologist on the project site and within a 250-foot radius of proposed construction areas no more than seven days prior to the initiation of construction. If there is a break in construction activity of more than 14 days, then subsequent surveys shall be conducted.

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. The extent of these buffers will be determined by a wildlife biologist and will depend on the special-status species present,

the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors shall be analyzed to make an appropriate decision on buffer distances.

Survey Report
A report summarizing the survey(s) shall be provided to the County within 30 days of the completed survey and is valid for one construction season. If no nests are found, no further mitigation is required.

Changes to Buffers and Completion of Nesting
Should construction activities cause a nesting bird to do any of the following in a way that would be considered a result of construction activities: vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with the County.

Construction activities may only resume within the buffer zone after a follow-up survey by the Project Biologist has been conducted and a report has been prepared indicating that the nest (or nests) are no longer active, and that no new nests have been identified.

Timing: *Prior to and during construction*
Reporting: *Grading/Building plans*
Responsible Agency: *Planning Department*

Mitigation Measure 4B: Impacts to Landmark Oak Tree and Landmark Grove. A two (2) year Monitoring Plan shall be required for monitoring any impacts to the Landmark Oak tree located adjacent to Spenceville Road from the proposed path or any other improvements constructed within its dripline. Any impacts to the Landmark Grove located along the northern border within the central-east section of the parcel shall also be monitored during the two-year period. The monitoring shall be required to be conducted once a year by a certified arborist or a qualified biologist from the approved Nevada County Planning Department's Biological Resources Consultants List. If deterioration in the health of or death of the Landmark Oak tree or any trees within the Landmark Grove occurs prior to the full 2 years after the Project related construction has been completed, then compensatory mitigation will be required. If no deterioration in the health of the Landmark Oak or any other trees within the Landmark Grove is documented within 2 full years after the completion of Project related construction, then no additional mitigation will be required for the project.

Annual monitoring of the Project area post construction, including all features of the Project constructed within or directly adjacent to the mapped landmark oak grove and the landmark oak tree shall be implemented to identify any indirect impacts (deterioration of health or death of individual tress) within the mapped landmark oak grove or within the large landmark blue oak tree. A qualified biologist or certified arborist should walk the entirety of the Project area once annually (beginning approximately 12 months after the termination of all construction-related disturbance

within the subject parcel) and assess each tree where the drip line is within or directly adjacent to the Project features constructed within or directly adjacent to the designated landmark oak grove and the mapped landmark oak tree along Spenceville Road.

Annual monitoring shall include photo documentation of trees within and directly adjacent to landmark oak grove and the landmark oak tree. A short annual technical memorandum shall be developed that includes the date(s) of monitoring, the name of the monitor, the condition of trees included in the monitoring event, and a list of any trees that appear to be affected by the construction of or operations of the Project features.

If any tree(s) appear to be deteriorating in health within or directly adjacent to any of the Project features as outlined within the Site Plan in Appendix A of the Oak Resources Management Plan, the qualified biologist or certified arborist shall make recommendations for minimizing further impacts to those trees. In the event that any oak tree(s) within the designated landmark oak grove or the landmark oak tree itself is documented to be dying and needs to be removed, further mitigation shall be required if the removal of that tree(s) would reduce the canopy closure % within or directly adjacent to the Project disturbance area. Mitigation to offset the impact(s) from the removal of trees that reduce the canopy closure % within the mapped landmark oak grove or the impact to the large LMO could include one or a combination of the following as recommended by the qualified biologist or certified arborist conducting the annual monitoring at that time (Details on each mitigation provided in the Oak Resources Management Plan, March 2025):

- Conservation Easement
- Bear Yuba Land Trust (BYLT) In-lieu Fee
- Planning Replacement
- Other Mitigation

Timing: *A two (2) year Monitoring Plan shall be required. Annual monitoring shall begin approximately 12 months after the termination of all construction-related disturbance within the subject parcel with final monitoring occurring 12 months later.*
Reporting: *A certified arborist or a qualified biologist from the approved Nevada County Planning Department's Biological Resources Consultants List shall prepare and provide a monitoring report to the Planning Department for review.*
Responsible Agency: *Planning Department*

5. CULTURAL RESOURCES

Mitigation Measure 5A. Halt work and contact the appropriate agencies if human remains or cultural materials are discovered during project construction. All equipment operators and employees involved in any form of ground disturbance at any phase of project improvements shall be advised of the remote possibility of encountering subsurface cultural resources. If such resources are encountered or suspected, work shall be halted immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. The Nevada County Planning Department, United Auburn Indian Community of the Auburn Rancheria, and any other interested and affected tribe shall be contacted. A professional archaeologist shall be retained by the developer and consulted to access any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are encountered and

appear to be human, California Law requires that the Nevada County Coroner and the Native American Heritage Commission be contacted and, 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. A note to this effect shall be included on the grading and construction plans for each phase of this project.

Timing: *Prior to the issuance of building/grading permits and during construction*
Reporting: *Agency approval of permits or plans*
Responsible Agency*: Planning Department*

7. GEOLOGY AND SOILS

Mitigation Measure 7A: Implement the Recommendations of the Geotechnical Engineering Report prepared by NV5 Engineering. The applicant shall include the recommendations of the NV5 Geotechnical Engineering Report (July 2024) incorporated herein by reference and maintained on file with the Planning Department. These recommendations shall be incorporated in the project design and included in all improvement plans, demolition permit(s), and grading and construction permits. These recommendations are specific to: Clearing and Grubbing, Expansive Soil, Soil Preparation for Fill Placement, Engineered Fill, Cut Slope Grading, Temporary Excavations, Underground Utility Trenches, Erosion Controls, Wet Weather Grading, Surface Water Drainage, Infiltration Basins, Construction Dewatering, Soil Corrosion Potential, Grading Plan Review and Construction Monitoring, Seismic Design Criteria, Foundations, Pavement Design, Surface Water, Perimeter Foundation Drains, and Slab Underdrains.

Timing: *Prior to issuance of grading or improvement permits/During Construction*
Reporting: *Approval of permits or plans/During Construction*
Responsible Agency: *Building Department*

10. HYDROLOGY AND WATER QUALITY

Mitigation Measure 10A: Detention Pond. The proposed site improvements will have some increase in flows for the 10-year and 100-year storm events. In order to not significantly impact the existing natural drainage flows, the resulting drainage improvements require the detention of the 100-year storm event. This will be achieved by restricting the outlet of the storm drain system in a Detention Pond prior to being discharged back into the existing natural drainage course. Final design of the proposed Detention Pond shall be subject to review and approval by the Nevada County Public Works Department.

Timing*: Constructed with all other on-site drainage improvements. Completed prior to issuance of certificate of occupancy*
Reporting*: Shown on grading/drainage, improvement, and building plans*
Responsible Agency*: Building/Public Works Department*

Mitigation Measure 10B: Best Management Practices. Implement the following BMPs to minimize construction related impacts to water quality. The following BMPs shall be incorporated into all Contract Documents and Construction Plans for the project and implemented by the contractor to protect water quality:

a. Construction crews shall be instructed in preventing and minimizing water pollution on the job.
b. Interim erosion control measures may be needed and shall be installed during construction to assure adequate erosion control facilities are in place at all times.
c. Straw or rice mulch may be used if needed with a tackifier.
d. All earth moving or excavation activities shall cease when winds exceed 20 mph.
e. Haul trucks shall be always covered with tarpaulins or other effective covers.
f. Use broom and shovels when possible, to maintain a clean site. Use of a hose is not recommended. Introducing water as a cleanup method adds to water pollution.
g. Designate a concrete washout area, as needed; to avoid wash water from concrete tools or trucks from entering storm drain systems. Maintain washout area and dispose of concrete waste on a regular basis.
h. Establish a vehicle storage, maintenance, and refueling area, as needed, to minimize the spread of oil, gas, and engine fluids. Use of oil pans under stationary vehicles is strongly recommended.
i. Dust control measures shall conform to the requirements of the Dust Control Plan submitted to and approved by the Northern Sierra Air Quality Management District (NSAQMD).

***Timing**: Prior to grading/building permit issuance and during construction*
***Reporting**: Agency approval of permits or plans*
***Responsible Agency**: Planning Department*

Mitigation Measure 10C: Provide copies of BMPs. Copies of the project's Mitigation Monitoring and Reporting Program and all BMPs shall be supplied to the Contractor(s) and their workers to assure compliance with mitigation measures during construction.

***Timing**: Prior to grading/building permit issuance and during construction*
***Reporting**: Agency approval of permits or plans*
***Responsible Agency**: Planning Department*

13. NOISE

Mitigation Measure 13A: Limit construction work hours to 7:00 a.m. to 7:00 p.m. Monday-Saturday/Other construction noise mitigations. During grading and construction, work hours shall be limited from 7:00 a.m. to 7:00 p.m., Monday - Saturday. Prior to issuance of grading and building permits, improvement plans shall include this restriction on the hours of construction.

The following additional construction noise mitigation measures shall be required:

• All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
• Quiet construction equipment, particularly air compressors, are to be selected whenever possible.
• All stationary noise-generating construction equipment such as generators or air compressors are to be located as far as is practical from existing residences. In addition, the project contractor shall place such stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.

• Unnecessary idling of internal combustion engines is prohibited.
• The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas to maximize the distance between construction-related noise sources and noise sensitive receptors nearest the project site during all project construction.

Timing: *During construction*
Reporting: *Noted on grading, improvement, and building plans.*
Responsible Agency: *Public Works/Building/Planning Department*

Mitigation Measure 13B: Starting and ending time for events. All events held at the community event facility (outdoor and indoor) shall start after 7:00 am and conclude by 10:00 pm.

Timing: *Ongoing after issuance of certificate of occupancy for the community event facility*
Reporting: *Information on restrictions provided to individuals using the community event facility*
Responsible Agency: *Planning Department*

Mitigation Measure 13C: Amplified music or speech. Events generating amplified music or speech shall be limited to the interior of the community event building.

Timing: *Ongoing after issuance of certificate of occupancy for the community event facility*
Reporting: *Information on restrictions provided to individuals using the community event facility*
Responsible Agency: *Planning Department*

Mitigation Measure 13D: Design of community event building. The community event building shall be designed such that sound generated inside the building does not excessively spill into the neighboring parcels when the main doors of the center are opened. Based on the floor plan submitted, an interior entry hall area is proposed at the building's entrance that contains a second set of doors in addition to the front entry doors. All other exterior doors shall remain closed during events held within the community event building.

Timing: *Include evidence on building permit floor plan to ensure design is consistent with this requirement. Ongoing after issuance of certificate of occupancy for the community event facility*
Reporting: *Information on restrictions provided to individuals using the community event facility*
Responsible Agency: *Planning Department*

18. TRIBAL CULTURAL RESOURCES

Mitigation Measure 18A: Preserve and protect the existing Landmark Oak tree. The existing single, large blue oak tree located near the southeastern corner of the subject property has an approximate 42-inch diameter at breast height (DBH) and is mapped as a Landmark Oak tree by the Oak Resources Management Plan prepared for the project. The United Auburn Indian Rancheria (UAIC) classifies this tree as a Heritage Tree.

This tree shall be preserved and protected by the applicant/property owner during construction of the proposed project and during use of the project site once construction is completed. Preservation and monitoring of this tree is also addressed through Mitigation Measure 4B.

Timing: *During any project-related grading or construction; ongoing*
Reporting: *Noted on improvement plans Landmark Oak tree to be preserved and protected*
Responsible Agency*: Planning Department*

Mitigation Measure 18B: Unanticipated Discoveries of Tribal Cultural Resources. If any suspected TCRs or resources of cultural significance to UAIC, including but not limited to features, anthropogenic/cultural soils, cultural belongings or objects (artifacts), shell, bone, shaped stones or bone, or ash/charcoal deposits are discovered by any person during construction activities including ground disturbing activities, all work shall pause immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. Work shall cease in and within the immediate vicinity of the find regardless of whether the construction is being actively monitored by a Tribal Monitor, cultural resources specialist, or professional archaeologist.

A Tribal Representative and the Nevada County Planning Department shall be immediately notified, and the Tribal Representative in coordination with the Planning Department shall determine if the find is a TCR (PRC §21074) and the Tribal Representative shall make recommendations for further evaluation and treatment as necessary.

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

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

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

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

Work at the TCR discovery location shall not resume until authorization is granted by the Nevada County Planning Department in coordination with the culturally affiliated Tribe.

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

Timing: *During any project-related grading or construction*
Reporting: *Noted on improvement plans; Notify Planning Department if TCRs discovered and construction work stopped*
Responsible Agency: *Planning Department*

Mitigation and Monitoring Matrix

MEASURE #	MONITORING AUTHORITY	IMPLEMENTATION TIMING
1A	Planning Department	Prior to building permit issuance
1B	Planning Department	Prior to building permit issuance
3A	Planning Dept./NSAQMD	Prior to issuance of grading & improvement permits
3B	Planning/NSAQMD	During grading/construction
3C	Planning/Building Depts.	During construction
3D	Planning/Building Depts.	During construction
4A	Planning Department	Prior to and during construction
4B	Planning Department	Two (2) year Monitoring Plan required
5A	Planning Department	Prior to the issuance of building/grading permits and during construction
7A	Building Department	Prior to issuance of grading or improvement permits and during construction
10A	Building/Public Works Department	Constructed with all other on-site drainage improvements. Completed prior to certificate of occupancy
10B	Planning Department	Prior to grading/building permit issuance and during construction
10C	Planning Department	Prior to grading/building permit issuance and during construction
13A	Public Works/Building/Planning Department	During construction
13B	Planning Department	Ongoing after issuance of certificate of occupancy for the community event facility

13C	Planning Department	Ongoing after issuance of certificate of occupancy for the community event facility
13D	Planning Department	Ongoing after issuance of certificate of occupancy for the community event facility
18A	Planning Department	During any project-related grading or construction; ongoing
18B	Planning Department	During any project-related grading or construction

Initial Study and Checklist

Introduction

This checklist is to be completed for all projects that are not exempt from environmental review under the California Environmental Quality Act (CEQA). CEQA requires a brief explanation for answers to the Appendix G: Environmental Checklist except "No Impact" responses that are adequately supported by noted information sources. Answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. This Initial Study uses the following terms to describe the level of significance of adverse impacts. These terms are defined as follows.

- **No Impact**: An impact that would result in no adverse changes to the environment.
- **Less than Significant Impact**: An impact that is potentially adverse but does not exceed the thresholds of significance as identified in the impact discussions. Less than significant impacts do not require mitigation.
- **Less than Significant with Mitigation**: An environmental effect that may cause a substantial adverse change in the environment without mitigation, but which is reduced to a level that is less than significant with mitigation identified in the Initial Study.
- **Potentially Significant Impact**: An environmental effect that may cause a substantial adverse change in the environment; either additional information is needed regarding the extent of the impact to make the significance determination, or the impact would or could cause a substantial adverse change in the environment. A finding of a potentially significant impact would result in the determination to prepare an EIR.

1. Aesthetics

Existing Setting: The project parcel is approximately 4.77-acres in size comprised of relatively flat terrain located along the west side of Spenceville Road, approximately 375 feet south of Penn Valley Drive, within the Penn Valley Village Center. Parcels to the north of the project site are developed with various commercial and office commercial uses. To the east is the Penn Valley Fire Protection District fire station and Penn Valley rodeo grounds. To the south is a parcel developed with a residence and an elementary school. Adjacent to the west is a charter school and the Penn Valley Seventh-Day Adventist Church.

Access to the project site is from Spenceville Road, a County maintained road that borders the east-southeast side of the project site. The project site is visible from vehicles travelling north and south along Spenceville Road.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Have a substantial adverse effect on a scenic vista?			✓		A
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			✓		A,2
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 points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			✓		A
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		✓			A

Impact Discussion:

1a.,b. A scenic vista is typically considered to be a view that possesses visual and aesthetic qualities of high value to the public. Scenic vistas can provide views of natural features or significant structures and buildings. The project site is located within the Penn Valley Village Center and is surrounded by various commercial, public (fire station, rodeo grounds, and schools), and residential uses. The site is level and vacant with the front portion mostly cleared of trees and other vegetation. A small grove of oak trees is located on the northern portion of the property approximately 425-feet from Spenceville Road. Due to this distance, the grove is not highly visible to vehicles traveling along Spenceville Road.

The proposed project requires review and approval of a Conditional Use Permit (CUP) application to allow a 10,000 square foot building with attached 1,134 square foot covered outdoor seating area as a community event facility. The project also proposes two, 1,728 square foot covered outdoor pavilions and a 225 square foot restroom building. These proposed buildings, along with paved and unpaved parking areas, will be located in the front half portion of the project site. A proposed garden area and additional unpaved parking area is proposed for the rear half portion of the project site.

The subject property is not located within a State Scenic Highway. According to the site plan, a total of eleven (11) existing trees will be removed to allow for construction of the proposed improvements on the property. The proposed 10,000 square foot community

center building will be setback approximately 175 feet from the east property line, adjacent to Spenceville Road. Proposed landscape trees and shrubs to be planted along the property's road frontage and within the proposed parking lot areas will provide some screening of the proposed building and enhance its appearance from Spenceville Road.

The proposed community center building incorporates a rural design and colors consistent with the Penn Valley Village Center and other buildings in the area. Based on this information, potential impacts to scenic vistas and scenic resources including state scenic highways are considered ***less than significant.***

1c. The project parcel is located within the Penn Valley Village Center and is zoned C2-SP (Community Commercial, Site Performance Combining). According to the Nevada County General Plan, *Village Centers* are intended to provide for the development of new centers to provide a focus within *Community Regions*. Parcels to the north are developed with various commercial and office commercial uses. To the east is the Penn Valley Fire Protection District fire station and rodeo grounds. To the south is a parcel developed with a residence and an elementary school. Adjacent to the west is a charter school and the Penn Valley Seventh-Day Adventist Church. The project will result in existing trees and other vegetation being removed from the property to provide area for the proposed buildings, parking lot areas, and other related improvements. Required landscaping of the site in accordance with County requirements and the design details of the proposed buildings will lessen the potential for visual impacts.

The proposed project will not conflict with applicable zoning and other regulations governing scenic quality. Based on this information, a ***less than significant*** impact is anticipated to the existing visual character or quality of public views of the site and its surroundings.

1d. The project will create a new source of lighting associated with the subject property. New lighting associated with the proposed community center building, pavilion structures, restroom building, and parking lot areas will include building wall mounted lighting and pole mounted parking lot lighting. These new sources of light may be considered a visual impact; however, the project will be required to meet the Nevada County Code to ensure lighting is compatible with the surrounding area, including not allowing for light spill outside of the property boundaries. New proposed lighting will be downcast and directed downwards in compliance with local site development standards to prohibit light trespass and limit unnecessary light pollution. The requirement to have all lighting be downward facing and fully shielded is standard for all commercial development in Nevada County and will be ensured by a standard condition of approval for the project.

The applicant submitted a preliminary lighting plan that shows proposed locations of building wall mounted lighting and pole mounted parking lot lighting. This plan shows that there will not be any light spillage on to adjacent properties to the north and south. As proposed, however, the plan indicates there will some light spillage into the Spenceville Road right of way from the proposed pole lighting located near the driveway entrance and exit.

To address potential lighting impacts, recommended **Mitigation Measure 1A** requires all outdoor light fixtures to be fully shielded and downward facing to eliminate glare and

prevent light trespass onto neighboring properties. In addition, fixtures shall have high efficiency lamps. **Mitigation Measure 1B** requires a final photometric plan to be submitted prior to building permit issuance. The final plan shall confirm that all lighting can be kept on site and recommends providing bulbs with less intensity, a reduction in height of lighting fixtures, or removal or relocation of light standards to achieve this requirement. Applicable lighting standards will be required to be met for this parcel. Overall, proposed lighting will not substantially and adversely impact day and nighttime views in the area. With the incorporation of these mitigation measures, potential impacts from proposed lighting is anticipated to be ***less than significant with mitigation***.

Mitigation: To reduce potential light impacts the following mitigation measures shall be required:

Mitigation Measure 1A. Outdoor Light Fixtures. All outdoor light fixtures shall be fully shielded and downward facing to eliminate glare and prevent light trespass onto neighboring properties. Fixtures shall have high efficiency lamps. High pressure sodium, and mercury vapor light fixtures are prohibited.

Timing: *Prior to building permit issuance*
Reporting: *Agency approval of permits or plans*
Responsible Agency: *Planning Department*

Mitigation Measure 1B. Final Photometric Plan. The applicant shall provide a final lighting and photometric plan that identifies all outdoor lighting fixtures and property lines and demonstrates all project lighting will be maintained on site. This plan shall include all project lighting including but not limited to parking lot and circulation lighting, wall lighting, sign lighting, and landscaping lighting. This plan shall demonstrate all lighting values are at "0" at all property lines. Recommended methods for reducing potential light spill include: reducing the lumen output of proposed lighting systems, reducing the height of the proposed lights, reducing the number of proposed lights and relocating lights farther into the interior of the parcel.

Timing: *Prior to building permit issuance*
Reporting: *Agency approval of permits or plans*
Responsible Agency: *Planning Department*

2. Agricultural and Forestry Resources

Existing Setting: The project site is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Significance by the State of California Farmland Mapping and Monitoring Program. The site is currently vacant and is designated as Urban and Built-Up Land by the California Department of Conservation (California Important Farmland, 2023). The project site is surrounded by developed parcels to the north, south, east, and west that are also designated as Urban and Built-Up Land. The project site is located within the Penn Valley Village Center. There are no active Williamson Act contracts or agricultural uses on the project parcel. There is no Timberland Production Zone (TPZ) or Forest (FR) zoning on the subject parcel, and no forestry uses are existing on these parcels or in the project vicinity.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
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?				✓	A,4
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓	A,3
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource 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))?				✓	A,3
d. Result in the loss of forest land or conversion of forest land to non-forest use?				✓	A
e. Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓	A

Impact Discussion:

2a. The project parcel does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as identified by the Farmland Mapping and Monitoring Program under the California Department of Conservation. There is no existing agricultural use on the parcel. Therefore, ***no impact*** to protected farmlands is anticipated.

2b. There are no Williamson Act contracts on the subject project parcel. The subject parcel has a zoning classification of C2-SP (Community Commercial, Site Performance Combining). This project does not propose to rezone the subject property to an agricultural zone**.** With approval of the project there will be no agricultural zoning applied to the property. Therefore, ***no impact*** to zoning for agricultural use or Williamson Act contracts are anticipated.

2c,d,e. The subject property is not zoned for forest land use, and no change of zoning classification is proposed that would otherwise cause rezoning of forest land. The project will not result in loss of forest land or conversion of forest land to non-forest use. The property is designated as Urban and Built-Up Land by the California Department of Conservation (California Important Farmland, 2023). and would not result in the conversion of farmland to non-agriculture land use. There are no aspects of the project proposal that could result in conversion of farmland or forest land. Therefore, there is ***no impact*** to forest land or timberland.

Mitigation Measures: None required.

3. Air Quality

Existing Setting: Nevada County and the Penn Valley Village Center area is in the Mountain Counties Air Basin (MCAB). The Northern Sierra Air Quality Management District (NSAQMD) is the local agency responsible for air quality planning with authority over air pollutant sources within Nevada County. Responsibilities of the NSAQMD include preparing plans for the attainment of ambient air quality standards, adopting and enforcing rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, inspecting stationary sources of air pollution and responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by the federal Clean Air Act and the Clean Air Act Amendments.

The air pollutants emitted into the ambient air by stationary and mobile sources are regulated by federal and state law. These regulated air pollutants are known as “criteria air pollutants” and are categorized into primary and secondary pollutants. Primary air pollutants are those that are emitted directly from sources. The following are regulated air pollutants:

Carbon monoxide (CO) is a colorless, odorless, toxic gas produced by incomplete combustion of carbon substances, such as gasoline or diesel fuel. The primary adverse health effect associated with CO is interference with normal oxygen transfer to the blood, which may result in tissue oxygen deprivation.

Reactive organic gases (ROG) are compounds comprising primarily atoms of hydrogen and carbon. Internal combustion associated with motor vehicle usage is the major source of hydrocarbons. Other sources of ROG include evaporative emissions associated with the use of paints and solvents, the application of asphalt paving, and the use of household consumer products such as aerosols. Adverse effects on human health are not caused directly by ROG, but rather by reactions of ROG to form secondary pollutants such as ozone.

Nitrogen oxides (NOX) serve as integral participants in the process of photochemical smog production. The two major forms of NOX are nitric oxide (NO) and nitrogen dioxide (NO2). NO is a colorless, odorless gas formed from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. NO2 is a reddish-brown irritating gas formed by the combination of NO and oxygen, a byproduct of fuel combustion. NO2 also contributes to the formation of PM10 (particulates having an aerodynamic diameter of 10 microns—or 0.0004 inch—or less in diameter) and ozone. NOX acts as an acute respiratory irritant and increases susceptibility to respiratory pathogens.

Particulate matter (PM) consists of solid and liquid particles of dust, soot, aerosols, and other matter, which are small enough to remain suspended in the air for a long period of time. Particulate matter can be divided into several size fractions. Coarse particles (PM10) are between 2.5 and 10 microns in diameter and arise primarily from natural processes, such as wind-blown dust or soil. Fine particles (PM2.5) are less than 2.5 microns in diameter and are produced mostly from combustion or burning activities.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Conflict with or obstruct implementation of the applicable air quality plan?		✓			A, F
b. 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?		✓			A, F
c. Expose sensitive receptors to substantial pollutant concentrations?			✓		A, F
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓		A, F

Impact Discussion:

3a,b The proposed project will result in construction of a 10,000 square foot building with attached 1,134 square foot covered outdoor seating area as a community event facility to support a wide array of activities, events and services. A commercial kitchen, a banquet hall, a theater/stage, and smart meeting rooms are also proposed. Access to and from the project site will be provided by two, one-way driveways from Spenceville Road.

The project also proposes two, 1,728 square foot covered outdoor pavilions and a 225 square foot restroom building. A proposed 2.5-acre garden area and detention pond are proposed in the rear half portion of the subject 4.77-acre parcel. A total of 140 parking spaces are proposed with 51 proposed to be gravel surfaced within landscaped parking lot area. The project includes an Oak Resources Management Plan for potential impacts to a Landmark Oak Tree and a Landmark Grove on the subject property.

Air pollutants of concern due to the proposed project include carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxides (NOX), and particulate matter (PM). Vehicle emissions and dust generated from grading and/or construction related activities are anticipated to be the primary sources of air pollutants. According to the applicant, normal daily use of the proposed facility is expected to be 40 – 50 people arriving at the site to utilize the proposed visitor center services or attend a meeting or special training to be held in one the three proposed meeting rooms. Special events including private weddings, fundraisers, and concerts or other performances will occur occasionally with the potential to generate approximately 200- 300 people in attendance.

The project was reviewed by the Northern Sierra Air Quality Management District (NSAQMD), which is the local agency responsible for air quality planning with authority over air pollutant sources within Nevada County. NSAQMD commented that according to information provided by the applicant, the total area of disturbance for this project is 1.9 acres. According to the NSAQMD 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 acre of natural surface area is to be altered…" Therefore, a Dust Control Plan is required and is being addressed as **Mitigation Measure 3A**.

To further address potential air quality impacts, the following additional mitigation measures are being required:

- Alternatives to open burning of site-cleared vegetative material will be used unless otherwise deemed infeasible by the NSAQMD. Among suitable alternatives are chipping, mulching, or conversion to biomass fuel **(Mitigation Measure 3B)**; and
- Grid power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction. **(Mitigation Measure 3C)**; and
- Pre-Grading activities shall comply with all NSAQMD regulations pertaining to dust control and shall include a long-term dust suppression plan to be approved by the NSAQMD. Any other applicable State and/or Federal Air Quality regulations shall be adhered to and implemented. **(Mitigation Measure 3D).**

With the above mitigation measures required, the proposed project would not be anticipated to result in emissions that would conflict with or obstruct implementation of the applicable regional air quality plans or 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. Thus, the proposed project would result in a ***less than significant with mitigation*** impact.

3c. Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. Heightened sensitivity may be caused by health problems, proximity to the emissions source, and/or duration of exposure to air pollutants. Children, pregnant women, the elderly, and those with existing health problems are especially vulnerable to the effects of air pollution. Sensitive receptors are typically defined as facilities where sensitive receptor population groups (i.e., children, the elderly, the acutely ill, and the chronically ill) are likely to be located. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and medical clinics. The nearest sensitive receptors to the project site include the existing single-family residences located on parcels adjacent to the east, west, and south.

The major pollutant concentrations of concern are localized CO emissions, toxic air contaminant (TAC) emissions, and criteria pollutant emissions. Localized concentrations of CO are related to the levels of traffic and congestion along streets and at intersections. High levels of localized CO concentrations are only expected where background levels are high, and traffic volumes and congestion levels are high. Emissions of CO are of potential concern, as the pollutant is a toxic gas that results from the incomplete combustion of carbon-containing fuels such as gasoline or wood.

While the subject property is bordered by properties to the south and southwest developed with a residence and schools, traffic volumes to the community event facility are expected to be relatively light on most weekdays. Special events that generate larger attendance at the facility will most likely occur during evenings and weekends when school is not in

session. Due to the occasional use of the facility by large amounts of people occurring during times when school is not in session, potential impacts are considered less than significant.

Another category of environmental concern is toxic air contaminant (TAC) emissions. The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook) provides recommended setback distances for sensitive land uses from major sources of TACs, including, but not limited to, freeways and high traffic roads, gas stations, chrome plating operations, distribution centers, and rail yards. The CARB has identified diesel particulate matter (DPM) from diesel-fueled engines as a TAC; thus, high volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic are identified as having the highest associated health risks from DPM. Health risks associated with TACs are a function of both the concentration of emissions and the duration of exposure, where the higher the concentration and/or the longer the period of time that a sensitive receptor is exposed to pollutant concentrations would correlate to a higher health risk.

The proposed project would not involve any land uses or operations that would be considered major sources of TACs, including DPM. While there may be some people attending events who own diesel pick-ups that may idle in the parking lot, the amount of DPM anticipated to be generated is relatively minor and not on the same scale as a commercial business that receives several truck deliveries in a week.

Construction-related activities have the potential to generate TACs, specifically DPM, from on-road haul trucks and off-road equipment exhaust emissions. However, construction is temporary and occurs over a relatively short duration in comparison to the operational lifetime of the proposed project. Health risks are typically associated with exposure to high concentrations of TACs over extended periods of time (e.g., 30 years or greater), whereas the construction period associated with the proposed project is relatively short. Additionally, DPM is known to be highly dispersive, and only portions of the site would be disturbed at a time throughout the construction period. Operation of construction equipment would occur intermittently throughout the course of a day, rather than continuously at any one location on the project site. Operation of construction equipment within portions of the overall development area would allow for the dispersal of emissions and would ensure that construction activity is not continuously occurring in the portions of the project site closest to existing receptors.

In addition, all construction equipment and operation thereof would be regulated per the CARB's In-Use Off-Road Diesel Vehicle Regulation. The In-Use Off-Road Diesel Vehicle Regulation includes emissions reducing requirements such as limitations on vehicle idling, disclosure, reporting, and labeling requirements for existing vehicles, as well as standards relating to fleet average emissions and the use of Best Available Control Technologies. Thus, on-site emissions of PM would be reduced, which would result in a proportional reduction in DPM emissions and exposure of nearby residences to DPM. Project construction would also be required to comply with all applicable NSAQMD rules and regulations, including Rule 501 related to General Permit Requirements.

Considering the intermittent nature of construction equipment operating within an influential distance to the nearest sensitive receptors, the limited duration of construction

activities, and compliance with regulations, the likelihood that any one nearby sensitive receptor would be exposed to high concentrations of DPM for any extended period of time would be low. Thus, the proposed project would not expose nearby sensitive receptors to substantial concentrations of TACs associated with construction emissions.

Another concern related to TAC emissions is naturally occurring asbestos (NOA). Asbestos is a term used for several types of naturally occurring fibrous minerals found in many parts of California. The most common type of asbestos is chrysotile, but other types are also found in California. When rock containing asbestos is broken or crushed, asbestos fibers may be released and become airborne. Exposure to asbestos fibers may result in health issues such as lung cancer, mesothelioma (a rare cancer of the thin membranes lining the lungs, chest and abdominal cavity), and asbestosis (a non-cancerous lung disease which causes scarring of the lungs). Because asbestos is a known carcinogen, NOA is considered a TAC. Sources of asbestos emissions include: unpaved roads or driveways surfaced with ultramafic rock; construction activities in ultramafic rock deposits; or rock quarrying activities where ultramafic rock is present. Properties with naturally occurring asbestos are subject to NSAQMD Rule 904, which requires preparation of an Asbestos Dust Mitigation Plan. In addition, the proposed project would be required to comply with all applicable NSAQMD rules and regulations regarding a Dust Control Plan pursuant to District Rule 226.

NOA is typically associated with fault zones, and areas containing ultramafic rock or contacts between ultramafic rock and other types of rocks. According to the Geologic Map of California prepared by the Department of Conservation, the project site is located within an area unlikely to contain NOA, as faults and ultramafic rock deposits are not known to exist in or around the project area.

Based on the above analysis, the proposed project would not be anticipated to result in the production of substantial concentrations of localized CO, TACs, or criteria pollutants. Consequently, the proposed project would result in a ***less than significant*** impact related to the exposure of sensitive receptors to substantial pollutant concentrations.

3d. Emissions of principal concern include emissions leading to odors, emissions that have the potential to cause dust, or emissions considered to constitute air pollutants. Air pollutants have been discussed in sections “a” through “c” above. Therefore, the following discussion focuses on emissions of odors and dust.

Emissions such as those leading to odors have the potential to adversely affect people. Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, quantitative analysis to determine the presence of a significant odor impact is difficult. Typical odor-generating land uses include, but are not limited to, wastewater treatment plants, landfills, and composting facilities. The proposed project would not introduce any such land uses.

Construction activities often include diesel-fueled equipment and heavy-duty trucks, which could create odors associated with diesel fumes that may be considered objectionable. However, construction is temporary, and construction equipment would operate intermittently throughout the course of a day and would likely only occur over portions of the site at a time. In addition, all construction equipment and operation thereof would be

regulated per the In-Use Off-Road Diesel Vehicle Regulation. Project construction would also be required to comply with all applicable NSAQMD rules and regulations, particularly associated with permitting of air pollutant sources. The aforementioned regulations would help to minimize air pollutant emissions, as well as any associated odors related to operation of construction equipment. Considering the short-term nature of construction activities, as well as the regulated and intermittent nature of the operation of construction equipment, the proposed project would not be expected to create objectionable odors affecting a substantial number of people.

Furthermore, the NSAQMD regulates objectionable odors through Rule 205 (Nuisance), which prohibits any person or source from emitting air contaminants or other material that result in any of the following: cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; endanger the comfort, repose, health, or safety of any such persons or the public; or have a natural tendency to cause injury or damage to business or property. Rule 205 is enforced based on complaints. If complaints are received, the NSAQMD is required to investigate the complaint, as well as determine and ensure a solution for the source of the complaint, which could include operational modifications. Thus, although not anticipated, if odor complaints are made during construction or operation of the project, the NSAQMD would ensure that such odors are addressed, and any potential odor effects eliminated.

With respect to dust, as noted previously, the proposed project would be required to comply with all applicable NSAQMD rules and regulations. Specifically, implementation of a Dust Control Plan pursuant to District Rule 226 would be sufficient to reduce potential emissions of dust during construction. Following project construction, vehicles operating within the project site would be limited to paved areas of the site, and non-paved areas would be landscaped. Thus, project operations would not include sources of dust that could adversely affect a substantial number of people.

For the reasons described above, development of the proposed project would not result in emissions (such as those leading to odors) adversely affecting a substantial number of people, and a ***less than significant*** impact would result.

Mitigation Measures: To offset potential impacts to air quality, the following mitigation measures shall be required:

Mitigation Measure 3A: Dust Control Plan. Prior to issuance of grading and improvement permits, a Dust Control Plan shall be submitted to the Northern Sierra Air Quality Management District pursuant to Rule 226 and approved. Include the approved Dust Control Plan on the project plans using clear phrasing and enforceable conditions, under its own heading. Provide evidence of NSAQMD approval to Nevada County with permit application submittal. The plan shall include but not be limited to the following measures, which shall also be included on all construction plans:

a. Contact details must be provided for the person/s responsible for ensuring that all dust control measures are performed in a timely manner during all phases of project construction.

b. All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard.
c. All land clearing, grading, earth moving, and excavation activities on the project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 miles per hour.
d. All inactive portions of the site shall be covered, seeded, or watered until a suitable cover is established.
e. All material transported off-site shall be either sufficiently watered or securely covered to prevent it being entrained in the air, and there must be a minimum freeboard of six inches maintained in the bed of the transport vehicle.
f. All areas with vehicle traffic shall be watered or have dust palliative applied as necessary to minimize dust emissions.
g. The construction contractor shall limit vehicle speeds on unpaved roads to a speed of 15 mph.
h. Paved streets adjacent to the project shall be swept or washed at the end of each day, or as needed to remove excessive accumulation of silt and/or mud which may have resulted from activities at the project site.

Timing: *Prior to issuance of grading and improvement permits*
Reporting: *Grading/Improvement plans*
Responsible Agency: Planning *Department/NSAQMD*

Mitigation Measure 3B: Alternatives to open burning. Alternatives to open burning of site-cleared vegetative material shall be used unless otherwise deemed infeasible by the Northern Sierra Air Quality Management District (NSAQMD). Among suitable alternatives are chipping, mulching, or conversion to biomass fuel. This shall be included as a note on all grading and improvement plans.

Timing: *During grading/construction*
Reporting: *Grading/Building plans*
Responsible Agency: *Planning Department/NSAQMD*

Mitigation Measure 3C: Use of grid power. During construction, grid power shall be used (as opposed to diesel generators) for job site power needs where feasible.

Timing: *During construction*
Reporting: *Building plans*
Responsible Agency: *Planning Department/Building Department*

Mitigation Measure 3D: Pre-Grading activities. Pre-Grading activities shall comply with all NSAQMD regulations pertaining to dust control and shall include a long-term dust suppression plan to be approved by the NSAQMD. Any other applicable State and/or Federal Air Quality regulations shall be adhered to and implemented.

Timing: *Prior to grading*
Reporting: *Building plans*

Responsible Agency: *Planning Department/Building Department*

4. Biological Resources

Existing Setting: The subject 4.77-acre parcel is located on the west side of Spenceville Road, approximately 375 feet south of Penn Valley Drive, within the Penn Valley Village Center. The general topography of the subject parcel is characterized as relatively flat with very little slope for drainage within the subject parcel. This is most likely the reason for creation of the manmade drainage swale within the western portion of the parcel to minimize standing water and ponding within the subject parcel during and after precipitation events. The subject parcel slightly slopes from east to west and within the western portion it slightly slopes from south to northwest.

Policy 13.2A of the County General Plan requires that all discretionary land use applications conduct a site-specific biological inventory to determine the presence of special status species or habitat for such species that may be affected by a proposed project. In order to address this requirement and potential impacts to biological resources, a Biological Resources Inventory (March 2025) was prepared by Greg Matuzak Environmental Consulting and submitted with the project.

According to the Inventory, the parcel was previously developed with two (2) single-family residences which were both demolished in 2011. The parcel is currently undeveloped and contains mostly open non-native annual grassland and ruderal species given the high level of historical disturbance within the parcel, especially within the eastern section of the parcel where the proposed disturbance and development will occur. The non-native grassland is dominated by wild oats, ripgut brome, soft chess, medusa head, and filaree. Orchard grass and wild rye were also identified in these grassland areas within the subject parcel. Non-native grasslands are known to out-compete native grasses and forbs throughout the valley and foothill regions.

The parcel includes several species of native oaks including valley oak, blue oak, and interior live oak with blue oaks being the dominant native oak species. The Nevada County Code defines a Landmark Oak Tree as a native oak tree with a diameter at breast height (DBH) of 36 inches or greater. The definition of a Landmark Grove of oak woodlands is a grove of native oak trees with a 33% or greater canopy cover. In total, 0.45 acres of landmark oak grove was mapped within the subject parcel along the northern border of the subject parcel within the central-east section of the parcel.

A single, large blue oak tree is located along Spenceville Road within the southeastern corner of the subject parcel. This tree is mapped as a Landmark Oak Tree with an approximate 42-inch diameter at breast height. The dripline of this tree encroaches into the Spenceville road right of way along the eastern edge of the subject parcel. This large blue oak tree is in relatively good health along the highly disturbed eastern border of the subject parcel along Spenceville Road. The proposed project should have an insignificant impact on the tree.

Nevada County Code Section 12.04.215 contains provisions to protect both Landmark Trees and Landmark Groves when a development project is proposed. Projects that propose to remove or disturb Landmark Trees and/or Landmark Groves may only be approved with review and approval of a Management Plan. Based on the single large California black oak that

contains a diameter at breast height of approximately 42 inches referenced above, an oak resources management plan was required to be submitted with the project.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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?		✓			A,5
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?				✓	A,5
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?				✓	A,5
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?				✓	A,5
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓			A,3
f. Conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓	A

Impact Discussion:

4a. Greg Matuzak Environmental Consulting prepared a Biological Resources Inventory of the subject parcel (March 2025). According to this Inventory, the consultant conducted a reconnaissance-level biological field survey on foot of the entire 4.77-acre on June 22, 2023. The purpose of the survey was to identify habitat and vegetation types within the Project area and to determine the potential of any special-status plant and wildlife species to occur within the area. The entirety of the Project area was surveyed on foot and a list of plant and wildlife species observed during the field survey was compiled.

Plant communities were classified based on the California Wildlife Habitat Relationships System developed by the California Department of Fish and Wildlife (CDFW). The CDFW also manages the California Natural Diversity Data Base (CNDDB), which is a database inventory of the locations of rare and endangered plants, wildlife, and natural communities in California. The dominant plant communities on the parcel are non-native annual grasslands and heavy disturbance and ruderal vegetation within the eastern section of the subject parcel where the proposed development will occur.

As noted above, a single, large blue oak tree is located along Spenceville Road within the southeastern corner of the subject parcel. This tree is mapped as a Landmark Oak Tree with an approximate 42-inch diameter at breast height. The dripline of this tree encroaches into the Spenceville road right of way along the eastern edge of the subject parcel. This large blue oak tree is in relatively good health along the highly disturbed eastern border of the subject parcel along Spenceville Road.

Special-status species were considered for the Biological Resources Inventory based on a current review of the California Natural Diversity Data Base (CNDDB) and database information provided by the United States Fish and Wildlife Service (USFWS) for the Project area. The database searches revealed seven (7) special-status species, including: foothill yellow-legged frog, California black rail, Brandegee's clarkia, chaparral sedge, dubious pea, Stebbins' morning-glory, and Sierra foothills brodiaea, that have been previously identified within the vicinity of the project site. None of these species were observed during field surveys.

Given the lack of aquatic habitat and a lack of Designated Critical Habitat (DCH) by the United States Fish and Wildlife Service (USFWS) within the Project area, the subject parcel has a very low potential to contain special-status species. The Project area does not contain suitable habitat for any special-status species and therefore, the proposed Project would have no impact on any special-status species based on the review below.

According to the Inventory, there is a low potential for nesting raptors and other nesting migratory bird species protected under the MBTA to occur within the subject parcel. The subject parcel represents marginal potential habitat for bird species protected under the MBTA, such as tree nesting species (raptors) and ground nesting species like the spotted towhee (Pipilo maculatus) and dark-eyed junco (Junco hyemalis). In addition, active and inactive nests within and adjacent to the subject parcel were not identified during the field survey.

While considered marginal, the oak woodlands, trees, and grasslands within the subject parcel do contain suitable habitat for nesting raptors and MBTA protected nesting bird species. The breeding season for most protected birds in the vicinity of the subject parcel is generally from March 1 to August 31. Vegetation clearing or tree removal outside of the breeding season for such bird species would not require the implementation of any avoidance, minimization, or mitigation measures. However, construction or development activities during the breeding season could disturb or remove occupied nests of migratory birds or raptors and could require the implementation of a pre-construction survey within 250 feet of the disturbance area within the subject parcel for nesting migratory birds and raptors prior to development.

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. The extent of these buffers will be determined by a wildlife biologist and will depend on the special-status species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors shall be analyzed to make an appropriate decision on buffer distances. The requirement for a pre-construction nesting survey and actions to protect nesting raptors or migratory birds is addressed as **Mitigation Measure 4A**.

The Biological Resources Inventory concludes the proposed project will not have an impact on any sensitive biological resources. Due to potential post construction impacts to the single protected landmark oak tree located at the southeast corner of the parcel adjacent to Spenceville Road, a mitigation measure is suggested for monitoring of this tree and is included below in section 4e.

With the above mitigation measure required, the project will have ***less than significant impact with mitigation*** on special-status species or sensitive natural habitat.

4b,c. Based on the Biological Resources Inventory, there is no riparian or wetland vegetation within the subject parcel except for a larger willow tree within the northwestern corner where the drainage swale exits the parcel to the northwest. The drainage swale itself within the western section of the subject parcel does not meet the state or federal definition of a regulated stream or drainage given the lack of an ordinary high-water mark and the lack of a defined bed and bank. The drainage is clearly a manmade feature meant to reduce the potential of ponding within the western section of the subject parcel.

The subject parcel does not contain state or federally protected wetlands. There are no named creeks or streams, wetlands, ponds, seeps, or regulated drainage features within the subject parcel. The Biological Resources Inventory states there are no mapped aquatic features within the National Wetland Inventory located within or directly adjacent to the Project area. Therefore, the proposed project will not negatively impact watercourse, wetland, riparian areas, their habitats or other sensitive natural communities. The project would therefore have ***no impact*** on wetlands or related habitats.

4d. With no aquatic resources including wetlands, creeks, streams, other watercourses, or riparian areas on the subject property, there are no native or migratory fish to be impacted. Regarding established wildlife corridors, the project parcel is not located in any known major deer corridors, known deer holding areas, or critical deer fawning area. Based on the Migratory Deer Ranges Nevada County General Plan map, the subject parcel is located in an area identified as containing “Resident Deer Herd”. The field survey did not record any observations of deer. The subject parcel does not contain any known major deer migration corridors, known deer holding areas, nor critical deer fawning areas, as identified in the Biological Resources Inventory and the Nevada County General Plan. Therefore, there will be ***no impact*** on native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.

4e. Nevada County Code Section 12.04.215 contains provisions to protect both Landmark Trees and Landmark Groves when a development project is proposed. A Landmark Tree includes any oak tree that is thirty-six (36) or more inches in diameter measured at breast height (DBH = 4' 6"), and a Landmark Grove includes hardwood tree groves with a 33+% canopy closure. Projects that propose to remove or disturb Landmark Trees and/or Landmark Groves may only be approved with review and approval of a Management Plan.

The Biological Assessment prepared for the project identified 0.45 acres of Landmark Oak Grove located within the subject parcel along the northern border within the central-east section of the parcel. In addition, a single, large blue oak tree is located along Spenceville Road within the southeastern border of the subject parcel. This large oak tree is mapped as a landmark oak tree with an approximate 42-inch diameter at breast height (DBH). The dripline of this landmark oak tree does encroach into the eastern edge of the subject parcel, near the Spenceville Road right of way where an 8-foot wide paved bike and pedestrian path is proposed by the applicant. Given the large blue oak tree is in relatively good health along the highly disturbed eastern border of the subject parcel near Spenceville Road, the proposed Project and the development of the bike and pedestrian path adjacent to the large oak tree should have an insignificant effect/impact on the tree. To ensure protection of the tree, the Oak Resources Management Plan recommends monitoring of the landmark oak tree after construction of the project.

Direct impacts to oak resources will be minimized during construction through the implementation of avoidance of the Landmark Oak and any trees within the mapped landmark grove area pursuant to the map located in Appendix A of the Oak Resources Management Plan (within the Biological Resources Inventory). No protected oak resources will be removed from the site. Some small non-protected oak trees that are 24-inch DBH or less and not within the designated landmark oak grove or wholly within the understory within the designated landmark oak grove will be removed (such that no impact to canopy closure would occur). Therefore, there is no compensatory mitigation recommended by the Oak Resources Management Plan for direct impacts from the project on Landmark Oaks or landmark oak groves.

According to the Oak Resources Management Plan, there is no evidence that indirect impacts to the Landmark Oak along Spenceville Road would occur given this large tree is relatively healthy and its dripline already crosses into the shoulder of the road where heavy grading and disturbance has occurred for decades. Furthermore, the Landmark Oak apparently was planted within a raised bed and shows little sign of degraded health from encroachment into the dripline and root zone of the large blue oak tree. Therefore, no compensatory mitigation for indirect impacts to the blue oak tree or any other protected oak resources are recommended as part of the Oak Resources Management Plan.

A two (2) year Monitoring Plan is recommended, however, for monitoring the Landmark Oak tree directly adjacent to Spenceville Road and any impacts from the proposed road shoulder upgrades within its dripline. The monitoring will be required to be conducted once a year by a certified arborist or a qualified biologist from the approved Nevada County Planning Department's Biological Resources Consultants List. If deterioration in the health of or death of the Landmark Oak tree occurs prior to the full 2 years after the Project related construction has been completed, then compensatory mitigation will be required. If no deterioration in the health of the Landmark Oak or any other oak resources within or

adjacent to the proposed areas of disturbance is documented within 2 full years after the completion of Project related construction, then no additional mitigation will be required for the project.

The requirement for monitoring of the Landmark Oak tree after construction of the project and requirement for additional mitigation if necessary to offset impacts to oak resources is being included as **Mitigation Measure 4B**.

With this mitigation measure required, the proposed project will be in compliance with the Nevada County Code and will have a ***less than significant impact with mitigation*** on local policies or ordinances protecting biological resources.

4f. The subject property is not included in any adopted Habitat Conservation Plan or other approved local, regional, or state habitat conservation plan . Therefore, the proposed project would have ***no impact*** on any of these plans.

Mitigation Measures: To offset potential impacts to biological resources, the following mitigation measures shall be required and shall be included in the improvement plans for the project:

Mitigation Measure 4A: Avoid Impacts to Nesting Raptors and Other Birds. The following nest survey requirements apply if construction activities take place during the typical bird breeding/nesting season (typically March 1 through August 31).

Pre-Construction Nest Survey
A pre-construction nesting bird survey shall be conducted by a qualified biologist on the project site and within a 250-foot radius of proposed construction areas no more than seven days prior to the initiation of construction. If there is a break in construction activity of more than 14 days, then subsequent surveys shall be conducted.

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. The extent of these buffers will be determined by a wildlife biologist and will depend on the special-status species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors shall be analyzed to make an appropriate decision on buffer distances.

Survey Report
A report summarizing the survey(s) shall be provided to the County within 30 days of the completed survey and is valid for one construction season. If no nests are found, no further mitigation is required.

Changes to Buffers and Completion of Nesting
Should construction activities cause a nesting bird to do any of the following in a way that would be considered a result of construction activities: vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer

will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with the County.

Construction activities may only resume within the buffer zone after a follow-up survey by the Project Biologist has been conducted and a report has been prepared indicating that the nest (or nests) are no longer active, and that no new nests have been identified.

Timing: *Prior to and during construction*
Reporting: *Grading/Building plans*
Responsible Agency: *Planning Department*

Mitigation Measure 4B: Impacts to Landmark Oak Tree and Landmark Grove. A two (2) year Monitoring Plan shall be required for monitoring any impacts to the Landmark Oak tree located adjacent to Spenceville Road from the proposed path or any other improvements constructed within its dripline. Any impacts to the Landmark Grove located along the northern border within the central-east section of the parcel shall also be monitored during the two-year period. The monitoring shall be required to be conducted once a year by a certified arborist or a qualified biologist from the approved Nevada County Planning Department's Biological Resources Consultants List. If deterioration in the health of or death of the Landmark Oak tree or any trees within the Landmark Grove occurs prior to the full 2 years after the Project related construction has been completed, then compensatory mitigation will be required. If no deterioration in the health of the Landmark Oak or any other trees within the Landmark Grove is documented within 2 full years after the completion of Project related construction, then no additional mitigation will be required for the project.

Annual monitoring of the Project area post construction, including all features of the Project constructed within or directly adjacent to the mapped landmark oak grove and the landmark oak tree shall be implemented to identify any indirect impacts (deterioration of health or death of individual tress) within the mapped landmark oak grove or within the large landmark blue oak tree. A qualified biologist or certified arborist should walk the entirety of the Project area once annually (beginning approximately 12 months after the termination of all construction related disturbance within the subject parcel) and assess each tree where the drip line is within or directly adjacent to the Project features constructed within or directly adjacent to the designated landmark oak grove and the mapped landmark oak tree along Spenceville Road.

Annual monitoring shall include photo documentation of trees within and directly adjacent to landmark oak grove and the landmark oak tree. A short annual technical memorandum shall be developed that includes the date(s) of monitoring, the name of the monitor, the condition of trees included in the monitoring event, and a list of any trees that appear to be affected by the construction of or operations of the Project features.

If any tree(s) appear to be deteriorating in health within or directly adjacent to any of the Project features as outlined within the Site Plan in Appendix A of the Oak Resources Management Plan, the qualified biologist or certified arborist shall make recommendations for minimizing further impacts to those trees. In the event that any oak tree(s) within the designated landmark oak grove or the landmark oak tree itself is documented to be dying and needs to be removed, further mitigation shall be required if the removal of that tree(s) would reduce the canopy closure % within or directly adjacent to the Project disturbance area. Mitigation to offset the impact(s) from the removal of trees that reduce the canopy closure % within the mapped landmark oak grove or the

impact to the large LMO could include one or a combination of the following as recommended by the qualified biologist or certified arborist conducting the annual monitoring at that time (Details on each mitigation provided in the Oak Resources Management Plan, March 2025):

- Conservation Easement
- Bear Yuba Land Trust (BYLT) In-lieu Fee
- Planning Replacement
- Other Mitigation

Timing: *A two (2) year Monitoring Plan shall be required. Annual monitoring shall begin approximately 12 months after the termination of all construction related disturbance within the subject parcel with final monitoring occurring 12 months later.*
Reporting: *A certified arborist or a qualified biologist from the approved Nevada County Planning Department's Biological Resources Consultants List shall prepare and provide a monitoring report to the Planning Department for review.*
Responsible Agency: *Planning Department*

5. Cultural Resources

Existing Setting: The subject parcel is 4.77 acres in size and located on the west side of Spenceville Road, approximately 375 feet south of Penn Valley Drive, within the Penn Valley Village Center. The subject parcel is currently undeveloped. The general topography of the parcel is characterized as relatively flat with very little slope. The subject parcel slopes slightly from east to west and within the western portion it slopes slightly from south to northwest.

A Cultural Resources Inventory Survey (January 26, 2024) was prepared for the project by a consultant, Sean Michael Jensen. According to this Survey, consultation was undertaken with the Native American Heritage Commission (NAHC) regarding sacred land listings for the subject property. An information request letter was delivered to the NAHC on January 17, 2024.

According to the Survey, the official Nevada County archaeological records were examined on January 17, 2024 (NCIC File No. NEV-24-7). This search documented the following existing conditions for the 4.77-acre Area of Potential Effects (APE), and for a 0.25-mile radius surrounding the APE:

- According to the North Central Information Center's records, no prehistoric resources have been documented within the APE. One (1) historic-era resource (P-29-3781) has been documented within the APE. This resource was recorded by Jensen in 2009 and consists of a historic-era residential/ranch complex. No cultural resources have been documented within the 0.25-mile search radius surrounding the study area.
- According to the Information Center, one (1) cultural resources investigation has been conducted within the present APE, and twelve (12) investigations have been conducted within the 0.25-mile search radius surrounding the subject property.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?		✓			A,7
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		✓			A,7
c. Disturb any human remains, including those interred outside of formal cemeteries?		✓			A,7

Impact Discussion:

5a-c. As noted above, a Cultural Resources Inventory Survey (January 26, 2024) was prepared for the project by a consultant. According to the Survey, all of the Area of Potential Effects (APE) was subjected to intensive pedestrian survey by means of walking parallel transects, spaced at 20-meter intervals. In searching for cultural resources, the surveyor considered the results of background research and was alert for any unusual contours, soil changes, distinctive vegetation patterns, exotic materials, artifacts, feature or feature remnants and other possible markers of cultural sites.

Fieldwork was undertaken on January 19, 2024, by Principal Investigator, Sean Michael Jensen, M.A. Mr. Jensen is a professional archaeologist, historian and architectural historian, with 37 years of experience in archaeology, architectural history and history, who meets the professional requirements of the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (Federal Register, Vol. 48, No. 190).

Disturbance to the ground surface ranges from minimal to substantial throughout the APE. Examination of the NETR Aerial (1947, 1984, 1998, 2005, 2009, 2010, 2012, 2014, 2016, 2018, 2020) and quadrangle maps (1950, 1953, 1955, 1962, 1968, 1973, 1977, 1984, 1995, 2002, 2012, 2015, 2018, 2021) for the APE provides a clear history of the property over the past seventy-seven years.

No structures, buildings, or other cultural features are depicted within the APE on any of the topographic maps. Buildings and structures do appear on the 1984-2009 aerial images, with demolition of these buildings/structures evident on all subsequent aerial images.

No evidence of prehistoric use or occupation was observed within the APE. The absence of such materials is explained by the observation of more suitable prehistoric habitation settings situated a short distance outside of the APE.

Based on the North Center Information Center Records, one (1) historic-era resource, P-29-3781, has been documented within the present APE. This resource was recorded in 2009 and described as a complex of buildings/structures constructed/modified between 1954 and 1970. The resource was evaluated for CRHR eligibility and found to not meet any of the eligibility criteria. According to Nevada County records, the resource was subjected to wholesale demolition, which was finalized, via permits, in 2011. Consequently, this resource no longer exists. The pedestrian survey did not identify any historic-era cultural resources within the APE.

A project may have a significant impact on cultural resources/historic properties if the project will or could result in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance or values of the historic resource would be materially impaired. Actions that would materially impair a cultural resource or historic property are actions that would alter or diminish those attributes of a site that qualify the site for inclusion in the California Register of Historical Resources. Based on the specific findings detailed above, no significant historical resources or unique archaeological resources are located within the APE.

While the project area has been determined to not contain any significant historical or archaeological resources, there is the possibility important unidentified cultural materials could be encountered on or below the surface during the course of future ground disturbing activities. To address this potential impact, a mitigation measure is being required to address any unanticipated discoveries of cultural or unique paleontological resources onsite. If there are any resources discovered during construction activities including ground disturbing activities, all work shall be stopped immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. Work shall cease within the immediate vicinity of the find, the County Planning Department shall be notified, and a cultural resources specialist, professional archaeologist, or other qualified consultant shall be contacted to evaluate the find. The cultural resources shall be properly treated based on the recommendations of the consultant.

In addition, if human remains, historical or archaeological resources associated with a Native American tribe are discovered inadvertently during on-site grading or construction, a mitigation measure is recommended that requires work be halted and appropriate agencies contacted. A mitigation measure to address possible inadvertent or unanticipated discoveries are discussed in more detail and contained in Section 18, Tribal Cultural Resources (Mitigation Measure 18B). With these mitigations required, potential impacts are considered ***less than significant with mitigation***.

Mitigation Measures: To offset potentially adverse cultural resource impacts associated with the project activities, the following **Mitigation Measure 5A** shall be required and shall be included in the improvement plans for the project. **See also Mitigation Measure 18B** in Section 18, Tribal Cultural Resources, for a related measure.

Mitigation Measure 5A. Halt work and contact the appropriate agencies if human remains or cultural materials are discovered during project construction. All equipment operators and employees involved in any form of ground disturbance at any phase of project improvements shall be advised of the remote possibility of encountering subsurface cultural resources. If such resources are encountered or suspected, work shall be halted immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. The Nevada County Planning Department, United Auburn Indian Community of the Auburn Rancheria, and any other interested and affected tribe shall be contacted. A professional archaeologist shall be retained by the developer and consulted to access any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner and the Native American Heritage

Commission be contacted and, 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. A note to this effect shall be included on the grading and construction plans for each phase of this project.

Timing: *Prior to the issuance of building/grading permits and during construction*
Reporting: *Agency approval of permits or plans*
Responsible Agency*: Planning Department*

6. Energy

Existing Setting: On February 12, 2019, the Nevada County Board of Supervisors approved the Energy Action Plan (EAP) as the County's unincorporated area's roadmap for expanding energy-efficiency, water-efficiency, and renewable-energy, and the cost-savings that accompany these efforts. The EAP is focused on operations of structures, infrastructure that generates energy, and efficient use of water. The subject parcel is currently undeveloped. The project involves construction of a 10,000 square foot building with attached 1,134 square foot covered outdoor seating area as a community event facility. The project also proposes two, 1,728 square foot covered outdoor pavilions and a 225 square foot restroom building. Pacific Gas & Electric (PG&E) will serve the proposed facility for electricity.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during construction or operation?			✓		A,8
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✓		A,8

Impact Discussion:

6a,b. Construction techniques and equipment used to construct the project will be consistent with local and state regulations. Typical construction activities require the use of energy (e.g., electricity and fuel) for various purposes such as the operation of construction equipment and tools, as well as grading and construction travel. The size and scope of the project is not likely to require extraordinary, or non-typical construction equipment, or techniques resulting in a wasteful, or inefficient construction operation. The operation of the proposed community event facility building will utilize existing available power and energy sources and will be subject to meeting all federal, state and local codes in relation to this use. The local Energy Action Plan does not address energy use during the construction phase, so there is no conflict with the local plan. There is a ***less than significant impact*** related to excessive energy consumption or conflicts with renewable energy or energy efficiency plans.

Mitigation Measures: None required.

7. Geology and Soils

Existing Setting: The subject 4.77-acre parcel is currently undeveloped and comprised of land with topography that is characterized as relatively flat with very little slope. The subject parcel slopes slightly from east to west and within the western portion it slopes slightly from south to northwest . The parcel is located along the west side of Spenceville Road, approximately 375 feet south of Penn Valley Drive, within the Penn Valley Village Center. Parcels to the north of the project site are developed with various commercial and office commercial uses. To the east is the Penn Valley Fire Protection District fire station and Penn Valley rodeo grounds. To the south is a parcel developed with a residence and an elementary school. Adjacent to the west is a charter school and the Penn Valley Seventh-Day Adventist Church.

A Geotechnical Engineering Report prepared by NV5 Engineering (dated July 9, 2024) was submitted with this project. According to the Report, the USDA Soil Survey Soils Map, the project site contains one distinct soil type: (SfB) Sierra sandy loam, deep, 2 to 9 percent slopes. This soil type is described as being well-drained residuum weathered from granodiorite, and typically consists of sandy loam from the surface to a depth of 16 inches, sandy clay loam from 16 to 45 inches, and bedrock from 45 to 55 inches.

Regional faulting is associated with the central area of the Foothill Fault System. The Foothill Fault System is a broad zone of northwest trending, east dipping normal faults formed along the margin of the Great Valley and the Sierra Nevada geologic provinces on the western flank of the Sierra Nevada and southern Cascade Mountain ranges.

Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**	**Reference Source (Appendix A)**
a. Directly or indirectly cause potential substantial adverse effects, including 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. ii. Strong seismic ground shaking? iii. Seismic-related ground failure including liquefaction? iv. Landslides?				✓	A,9,17
b. Result in substantial soil erosion or the loss of topsoil?		✓			A,9
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 offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?		✓			A,9

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
d. Be located on expansive soil creating substantial direct or indirect risks to life or property?		✓			A,9
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?			✓		B
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓			A,7,9

Impact Discussion:

7a. The Alquist-Priolo Earthquake Fault Zoning Act was adopted in 1972 to prevent the construction of buildings used for human occupancy on the surface trace of active faults. Ground or fault rupture is generally defined as the displacement that occurs along the surface of a fault during an earthquake. Generally, western Nevada County is in a low intensity zone for earthquake severity.

Regional faulting is associated with the central area of the Foothill Fault System. The Foothill Fault System is a broad zone of northwest trending, east dipping normal faults formed along the margin of the Great Valley and the Sierra Nevada geologic provinces on the western flank of the Sierra Nevada and southern Cascade Mountain ranges.

The applicant's consultant, NV5 Engineering, reviewed Special Publication 42 (California Geological Survey (CGS), 2018), which is intended to promote uniform and effective statewide implementation of the evaluation and mitigation elements of the Alquist-Priolo Earthquake Fault Zoning Act. Pursuant to CGS (2018) guidance, NV5 used the online *California Earthquake Hazards Zone Application* to determine whether the Site is located within an Earthquake Fault Zone (also known as Alquist-Priolo Zone, or A-P Zone). A-P Zones are regulatory zones that encompass traces of Holocene-active faults to address hazards associated with surface fault rupture. According to the California Earthquake Hazards Zone Application, the Site location is not within an A-P Zone. There are no known faults that cross through the project site.

Based on the parcel not being within an Earthquake Fault Zone and the general geology of the region, the risk of seismically induced hazards such as slope instability, liquefaction, and surface rupture are remote at the project site. Therefore, there is ***no impact*** for impacts to rupture of known earthquake faults, seismic ground shaking, seismic-related ground failure including liquefaction and landslides.

7b,c,d. The project will not result in substantial soil erosion or the loss of topsoil, will not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and will not be located on expansive soil creating substantial direct or indirect risks to life or property. The subject property has topography that is characterized as relatively

flat with very little slope. NV5 Engineering did not express concerns for soil erosion or loss of topsoil.

NV5 Engineering performed a field investigation on June 7, 2024. During the investigation, the consultant observed the local topography and surface conditions and performed a subsurface investigation which included the excavation of four (4) exploratory trenches across the eastern portion of the project site. The consultant excavated to depths ranging between 6.5 and 8 feet below the ground surface (bgs) using a Takeuchi TB280 excavator equipped with a 24-inch bucket. They obtained samples using a hand-actuated slide sampler and mattock. An engineer from NV5 Engineering logged the soil conditions revealed in the exploratory trenches and collected relatively undisturbed and bulk soil samples for laboratory testing.

During the field investigation, the consultant encountered groundwater seepage in two of their exploratory trenches (T-2 and T-3) at depths of 5.5 to 6.5 feet bgs. Their observations of groundwater conditions were made after a period of relatively dry weather. Although the consultant did not observe groundwater in all of the exploratory trenches, they noted their experience has shown that seepage may be encountered in excavations which reveal the soil/weathered rock transition, particularly during or after the rainy season.

According to the Geotechnical Engineering Report, the site is suitable for the proposed improvements provided the geotechnical engineering recommendations and design criteria presented in the report are incorporated into the project plans. The recommendations of this report will ensure that potential impacts to geology and soils are less than significant. While no potential adverse impacts to geology and soil are anticipated because of this project, adherence to the recommendations of the Geotechnical Engineering Report is required.

The Report also states that based on site observations, the geology of the region, and their experience in the area, the consultant's opinion is the risk of seismically induced hazards such as slope instability, liquefaction, and surface rupture are remote at the project site.

The Geotechnical Engineering Report states that expansive soil, where encountered, should be over-excavated to a minimum depth of 3 feet below building pad subgrade and at least 2 feet below exterior hardscapes, slabs-on-grade and pavement sections. Over-excavations should extend a minimum 5 feet laterally from the edge of foundation elements and minimum 2 feet laterally from the edge of hardscapes. Over-excavations should be backfilled with approved non-expansive soil, placed and compacted in accordance with the following grading recommendations. Excavated expansive soil(s) should either be disposed of offsite, placed in non-structural areas, or placed within the lower portion of deep fills.

With **Mitigation Measure 7A** requiring the NV5 Engineering recommendations be incorporated into the project, there will be a ***less than significant impact with mitigation*** to geology and soils.

7e. The subject property was previously developed with two single-family residences which were demolished under permits in 2011. The Nevada County Department of Environmental Health (NCDEH) has reviewed the project and commented if any legacy septic systems are discovered during grading and excavation activities, they shall be properly abandoned via a septic abandonment permit from the Environmental Health Department. This requirement will be addressed as a condition of approval.

The property is located within the boundaries of the Nevada County Sanitation District. The applicant proposes to connect to public sewer service provided by the District. The project was reviewed by the County Sanitation District and they have capacity to serve the proposed project.

Since the project will be served by a public sewer service system and not an individual on-site septic system, there is a ***less than significant impact*** of soils being incapable of adequately supporting the use of septic systems on the subject property.

7f. There is no evidence of any unique paleontological resources or sites or unique geologic features in the project area. **Mitigation Measure 5A** described in Section 5 (Cultural Resources) above, would require construction to be halted in the unlikely event that there is a discovery of cultural resources, including historic, prehistoric, tribal, and paleontological resources so they can be evaluated and protected. Therefore, impacts to paleontological resources and unique geological features is ***less than significant with mitigation***.

Mitigation Measures: To mitigate potential impacts to geology and soils from project grading and construction, the following mitigation measure, in addition to **Mitigation Measure 5A,** shall be required:

Mitigation Measure 7A: Implement the Recommendations of the Geotechnical Engineering Report prepared by NV5 Engineering. The applicant shall include the recommendations of the NV5 Geotechnical Engineering Report (July 2024) incorporated herein by reference and maintained on file with the Planning Department. These recommendations shall be incorporated in the project design and included in all improvement plans, demolition permit(s), and grading and construction permits. These recommendations are specific to: Clearing and Grubbing, Expansive Soil, Soil Preparation for Fill Placement, Engineered Fill, Cut Slope Grading, Temporary Excavations, Underground Utility Trenches, Erosion Controls, Wet Weather Grading, Surface Water Drainage, Infiltration Basins, Construction Dewatering, Soil Corrosion Potential, Grading Plan Review and Construction Monitoring, Seismic Design Criteria, Foundations, Pavement Design, Surface Water, Perimeter Foundation Drains, and Slab Underdrains.

Timing: *Prior to issuance of grading or improvement permits/During Construction*
Reporting: *Approval of permits or plans/During Construction*
Responsible Agency: *Building Department*

8. Greenhouse Gas Emissions

Existing Setting: Global climate change refers to changes in average climatic conditions on the earth, including temperature, wind patterns, precipitation and storms. Global warming, a related concept, is the observed increase in the average temperature of the earth's surface and atmosphere. One identified cause of global warming is an increase of greenhouse gases (GHGs) in the atmosphere. Greenhouse gases are those gases that trap heat in the atmosphere. GHGs are emitted by natural and industrial processes, and the accumulation of GHGs in the atmosphere regulates the earth's temperature. Events and activities, such as the industrial revolution and the increased combustion of fossil fuels (e.g. gasoline, diesel, coal, etc.), are believed to have contributed to the increase in atmospheric levels of GHGs. GHGs that are regulated by the State and/or EPA are carbon dioxide (CO2), methane (CH4), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF6) and nitrous oxide (NO2). Emission inventories typically focus on GHG emissions due to human activities only, and compile data to estimate emissions from industrial, commercial, transportation, domestic, forestry, and agriculture activities. CO2 emissions are largely from fossil fuel combustion and electricity generation. Agriculture is a major source of both methane and NO2, with additional methane coming primarily from landfills. Most HFC emissions come from refrigerants, solvents, propellant agents, and industrial processes, and persist in the atmosphere for longer periods of time and have greater effects at lower concentrations compared to CO2. Global warming adversely impacts air quality, water supply, ecosystem balance, sea level rise (flooding), fire hazards, and causes an increase in health-related problems.

In September 2006, AB 32, the California Climate Solutions Act of 2006, was enacted. Among other requirements, AB 32 required the California Air Resources Board (CARB) to identify statewide level of GHG emissions in 1990 to serve as the emissions limit to be achieved by 2020, and to develop and implement a Scoping Plan. On September 8, 2016, AB 197 and Senate Bill (SB) 32 were enacted with the goal of providing further control over GHG emissions in the State. SB 32 built on previous GHG reduction goals by requiring that the CARB ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030.

In addition, the Governor signed Senate Bill 97 in 2007 directing the California Office of Planning and Research to develop guidelines for the analysis and mitigation of the effects of greenhouse gas emissions and mandating that GHG impacts be evaluated in CEQA documents. CEQA Guidelines Amendments for GHG Emissions were adopted by OPR on December 30, 2009. The Northern Sierra Air Quality Management District (NSAQMD) has prepared a guidance document, Guidelines for Assessing Air Quality Impacts of Land Use Projects, which includes mitigations for general air quality impacts that can be used to mitigate GHG emissions when necessary. Continuing to reduce greenhouse gas emissions is critical for the protection of all areas of the state, but especially for the state's most disadvantaged communities, as those communities are affected first, and, most frequently, by the adverse impacts of climate change, including an increased frequency of extreme weather events, such as drought, heat, and flooding.

Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**	**Reference Source (Appendix A)**
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓		A, F

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			✓		A, F

Impact Discussion:

8a,b. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

The proposed project is located within the jurisdictional boundaries of Northern Sierra Air Quality Management District (NSAQMD), which does not currently have any established thresholds for GHG emissions. Similar to the NSAQMD, Nevada County has not adopted GHG emission thresholds. The project was reviewed by the NSAQMD and they indicated no concerns with regard to the project's potential GHG impacts.

It should be noted that construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. In applying thresholds of the nearby air pollution control districts of Placer County Air Pollution Control District (PCAPCD) and Sacramento Metropolitan Air Quality Management District (SMAQMD) to recent, similar sized projects, unmitigated annual GHG emissions for both construction and operations were determined to be well below both PCAPCD and SMAQMD thresholds.

Based on this information, the proposed project would not be considered to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and a ***less than significant*** impact would occur.

Mitigation Measures: None required

9. Hazards and Hazardous Materials

Existing Setting: Both the Ready Springs Elementary and the Vantage Point Charter School are located less than 500 feet from the subject property. The project area is approximately 9 miles west of the Nevada County Airport runway and is located outside of the Nevada County Land Use Compatibility Plan area. The project site is not located in the vicinity of a private airstrip.

The Department of Toxic Substances Control (DTSC) EnviroStor database was utilized to check for past hazardous information on the project property and no hazardous information resulted from this search. The State Water Resources Control Board online GeoTracker database was also consulted for hazardous sites. While GeoTracker identified two leaking underground storage tank (LUST) cases located to the north of the parcel, the status of both of these sites is listed as "completed" and their cases have been closed. GeoTracker shows no hazardous sites or information for the subject parcel.

According to the County Environmental Health Department, there is no record of hazardous materials used or released on the subject parcel that are known to the Department. There are no solid waste dump sites or abandoned mine lands on the subject parcel The subject parcel is located across Spenceville Road from the Penn Valley Fire Station (approximately 100 feet) and is within a designated Moderate fire severity zone (Cal Fire, Fire Hazard Severity Zones, April 2025).

Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**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?			✓		A,B
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?			✓		A,B
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓		A
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, create a significant hazard to the public or the environment?				✓	A,11
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?				✓	A, 10
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓		A,C,E
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			✓		A,D,E

Impact Discussion:

9a,b. The proposed project would not result in the routine transport and use of hazardous materials to the site and would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Trips to the site will involve residents coming primarily to attend community events, local non-profit fundraisers, private weddings and parties, outdoor concerts, and other similar events. For the construction phase of the project, some items used and stored are likely to be considered hazardous.

The Nevada County Environmental Health Department has reviewed the project and commented it is unlikely the proposed community event facility will cross the regulatory thresholds of chemicals on site to be subject to a Hazardous Materials Business Plan permit from the Certified Unified Program Agency (CUPA). The applicant must comply with applicable codes and regulations regarding storage of hazardous materials, and generated hazardous waste, as set forth in California Health and Safety Code Section 25500 – 25519 and 25100 – 25258.2, including the electronic reporting requirement to the California Environmental Reporting System (CERS). If the applicant and/or facility operator exceeds the statutory thresholds of storing 55 gallons of hazardous liquid, 200 standard cubic feet of compressed gas, including oxygen, or 500 pounds of hazardous solid on site, then a permit must be applied for and obtained from the Environmental Health Department. In addition, the Nevada County Code requires that all solid wastes shall be stored, collected, utilized, treated, processed, and disposed of in such a manner that a health hazard, public nuisance, or impairment of the environment shall be kept within State and local standards. These requirements will be addressed as conditions of approval.

Based on the above information and with the conditions noted required, potential impacts of the proposed project would be a ***less than significant*** related to routine transport, use, or disposal of hazardous materials.

9c. There are two existing schools located within one-quarter mile of the proposed project. These schools are Ready Springs Elementary and Vantage Point Charter School and they are located less than 500 feet from the subject property. The proposed community event facility and related uses will not emit hazardous emissions or involve the handling of hazardous or acutely hazardous materials, substances, or waste on the subject property. Therefore, there would be ***a less than significant impact*** related to hazardous emissions or substances near a school.

9d. No portion of the project area is included on the State of California Hazardous Waste and Substances Sites (Cortese) List of hazardous materials sites. The Environmental Health Department has reviewed the project and has no record of hazardous materials used or released on this site. There are no solid waste dump sites or abandoned mine lands on this parcel known to the Environmental Health Department. Therefore, ***no impact*** would occur.

9e. The project site is located approximately 9 miles west of the Nevada County Airport runway and is located outside of the Nevada County Land Use Compatibility Plan area. The project site is not located in the vicinity of a private airstrip. Therefore, there would be ***no impact.***

9f. The project site is not located within one of the five (5) study areas assessed in the Nevada County Evacuation Study (February 2024). In the event of a wildfire or other emergency, persons at the facility would exit on to Spenceville Road and travel either north to State Highway 20 or south towards Indian Springs Road. The project site is adjacent to Spenceville Road and provides relatively close access to State Highway 20, providing an evacuation route to the east or west. Spenceville Road would not significantly hinder the flow of traffic during an evacuation. The applicant will be required to comply with the requirements of the Penn Valley Fire Protection District as well as the Office of the County Fire Marshal's requirements. Based on this information and since the Penn Valley Fire Protection District fire station is located directly across the street, potential impacts are considered to be ***less than significant.***

9g. The project site is located within the Penn Valley Village Center in a Moderate Fire Hazard Severity Zone and is adjacent to developed parcels including commercial uses to the north and northeast and the Penn Valley Fire Station to the east. The project will be constructed to current California Building and Fire Code requirements which includes installing an automatic fire sprinkler system within the proposed community event building and providing additional fire safety requirements. Therefore, the potential to expose people or structures to wildland fire hazards would be decreased. As such, the proposed project would result in ***less than significant*** *impacts* related to this issue.

Mitigation Measures: None required.

10. Hydrology and Water Quality

Existing Setting: The project area is located in Penn Valley in western unincorporated Nevada County, within the Penn Valley Village Center. There are no streams or rivers on the project property. In addition, there are no aquatic resources including wetlands, drainages, or riparian habitat present on the project parcel. The project site is not located within or near a 100-year flood hazard zone according to the Federal Emergency Management Agency's (FEMA) Flood Information Maps. Finally, the project site is not located within any groundwater basins or priority basins identified by the DWR Bulletin 118, or the Sustainable Groundwater Management Act (SGMA) Basin Prioritization Dashboard. The nearest DWR Bulletin 118 basins are the North and South Yuba Subbasins of the Sacramento Valley Basin (5-21.60 and 5-021.61, respectively) which are approximately eight (8) miles west of the proposed project site.

Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**	**Reference Source (Appendix A)**
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		✓			A

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
b. Substantially decrease groundwater supplies or interfere with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓		A
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 substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows?		✓			A,12
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				✓	A
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?		✓			A
f. 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?				✓	A
g. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				✓	A

Impact Discussion:

10a,e. The project proposes a Conditional Use Permit application to allow a 10,000 square foot building with attached 1,134 square foot covered outdoor seating area as a community event facility to support a wide array of activities, events and services. A Visitor Center hosted by the Penn Valley Chamber of Commerce is proposed in the main entry of the building. A Business and Workforce Development Hub is proposed to help local entrepreneurs and start-ups to grow their businesses, as well as provide rural workforce development/job training. An E-Connectivity Hub and Collaborative Technology Center is proposed to provide high-speed, broadband and WIFI-access for community members with computer stations. A commercial kitchen, a banquet hall, a theater/stage, and smart

meeting rooms are also proposed. Access to and from the project site will be provided by two, one-way driveways from Spenceville Road.

The project also proposes two, 1,728 square foot covered outdoor pavilions and a 225 square foot restroom building. A proposed 2.5-acre garden area and detention pond are proposed in the rear half portion of the subject 4.77-acre parcel. A total of 140 parking spaces are proposed with 51 proposed to be gravel surfaced within landscaped parking lot area. The project includes an Oak Resources Management Plan for potential impacts to a Landmark Oak Tree and a Landmark Grove on the subject property.

Pursuant to Nevada County General Plan Policy 11.6A, commercial and industrial development of one (1) acre or greater in size must provide oil, grease, and silt traps. As a condition of project approval, the applicant will be required to provide for oil, grease, and silt traps designed by a registered civil engineer and shall demonstrate that a legally enforceable mechanism for long-term maintenance of these facilities has been provided.

Since the project will disturb more than one acre on the site, a Stormwater Pollution Prevention Plan (SWPP) will be required as a condition of approval for the project. No Groundwater Sustainability Agency, no Groundwater Sustainability Plan, and no sustainability criteria or goals have been established for the project parcel or surrounding area. Connection to existing Nevada Irrigation District (NID) hydrant and water line supply will be required in accordance with NID requirements. Watering trucks will be filled with municipal water, following granted permission. Potential impacts to adjacent drainage areas could include potential run-off of exposed soils from excavation and equipment related pollutants like oil and gas. To protect water quality, **Mitigation Measures 10B and 10C** require best management practices for preventative erosion and sediment control measures in the project area, to include distribution of these practices to the contractor to ensure compliance. Erosion control measures will need to be included in the improvement plans that correspond to the development. With these mitigations required, project related impacts to water quality standards and waste discharge requirements would be ***less than significant with mitigation***.

10b. The project is not located within an area regulated by the Department of Water Resources (DWR) and State Water Resources Control Board (SWRCB) via the Sustainable Groundwater Management Act (SGMA). This project proposal is not defined as a project under the California Clean Water Act §10912(a) and is therefore not required to complete a water supply assessment.

Approximately twenty-eight (28) percent of the site will be developed with impervious surfaces (pavement area, concrete, curbs and walkways, and proposed buildings) and approximately eleven (11) percent will be gravel surfaced. Given the project site is 4.77 acres in size, the amount of proposed impervious surfaces is approximately 1.35 acres. This amount of area is not large enough to have a significant impact on groundwater supplies or recharge.

There are no prioritized basins or sustainable groundwater management plans for this area, nor is ground water proposed to be used. The project does not propose to interfere or

decrease ground water supplies or interfere with groundwater recharge to the extent that sustainability of groundwater management would be impeded. Water service will be provided by municipal water (Nevada Irrigation District), and a Will-Serve letter has been provided by the District. This area is not a part of a sustainable groundwater management plan. Therefore, the proposed project will not result in impacts to groundwater resources. Offsite run-off will be subject to NPDES permitting and Clean Water Act regulations to ensure downstream resource are not impacts by the project. Due to the regulations in place for this type of land use as well as it not being in an area subject to the Sustainable Groundwater Management Act (SGMA) this project's impact would be ***less than significant***.

10c. The proposed project will not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces. A Preliminary Drainage Report (September 2025) was prepared by the applicant's consultant with the intent to analyze the property and demonstrate the project is designed to ensure post-development flows will not exceed pre-development flows for a 10-year and 100-year storm, pursuant to applicable Nevada County drainage requirements.

The results of the report state the drainage basin area for the proposed site improvements is approximately 2.20 acres. The Pre-Development on-site flows for the 10 & 100-year pre-development flows are 1.40 cfs & 1.99 cfs, respectively. With the proposed improvements, the postdevelopment flows increase to 2.64 cfs & 3.75 cfs, respectively. The site total increase in flow in a 100-year storm event is approximately 1.76 cubic-feet per second (cfs). Pursuant to the Conditions of Approval for the project, this increase in flow shall be detained on site. In evaluating the site with the proposed site improvements, it was determined that the total volume required to be detained is approximately 3,168 c.f. for the development. These additional flows shall be stored on site by constructing a Detention Pond in the northerly portion of the project. The Pond shall have a water surface average depth of 3.0 feet with restricted outlets at the bottom and along the riser of the CMP Drop Inlet within the Ponds. The total volume of detention of the Pond is approximately 3,622 c.f., which is greater than the required 3,168 c.f.

The Preliminary Drainage Report concludes the proposed site improvements will have some increase in flows for the 10-year and 100-year events. In order to not significantly impact the existing natural drainage flows, the resulting drainage improvements require the detention of the 100-year storm event. This will be achieved by restricting the outlet of the storm drain system in a Detention Pond prior to being discharged back into the existing natural drainage course. This will be addressed as a mitigation measure.

A complete hydrologic, hydraulic, and detention analysis of the storm drain network proposed as part of the project will be completed during final design of the project and submitted to the County Public Works Department. A final drainage report will be required as a condition of approval.

There are no streams, rivers, or other waterways either on the subject parcel or immediately adjacent to it. Proposed impervious surfaces on site include pavement areas, concrete, curbs and walkways, and proposed buildings. The total proposed impervious surface area is 58,755 square feet (approximately 1.35 acres), which results in approximately 28%

coverage with impervious surface over the subject parcel. This is below the maximum 85% of impervious surface coverage that is permitted in the proposed base C2 zone district and is not anticipated to create any substantial impacts to the amount of surface run off and associated impacts.

The Preliminary Drainage Report submitted with the project demonstrates that the resultant drainage from this project will be captured onsite through stormwater control devices to ensure project post-development flows do not exceed pre-development flows. Storm drainage from impervious areas will be collected and routed through a storm drain system that will direct runoff to an underground treatment facility in the southwest corner of the parcel. Overflow runoff will be directed in the natural drainage pattern with flows not to exceed pre-development calculated flows. As a condition of approval, the applicant will be required to submit grading and drainage plans with an accompanying analysis prepared by a registered civil engineer to demonstrate no net stormwater runoff from the proposed project. Substantial altering of existing drainage patterns will not be impeded nor will flood flows be re-directed because of the project. The area is not in a flood zone so the development will not impede or redirect flood flows. Potential for erosion and siltation on/off-site will be addressed through a project specific geotechnical report. With the implementation of standard geotechnical recommendations as required by **Mitigation Measure 7A** and with the adherence to **Measure 10A** which requires a detention pond be constructed on site and **Measures 10B and 10C,** which require erosion/sediment control measures and best management practices for stormwater quality in the project area, there will be a ***less than significant with mitigation*** in relation to alteration of existing drainage patterns.

10d. The proposed project site is not located within a 100-year flood hazard zone. The subject parcel is located within Zone "X", which is defined as "areas determined to be outside the 0.2% annual chance floodplain" in the Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency (FEMA). With the project not being in a floodplain or an area prone to flood risk, there would be ***no impact*** associated with risks of releasing pollutants due to project inundation in flood hazard, tsunami, or seiche zones.

10f. As noted above, the project site is not located within a 100-year flood hazard area. Therefore, there will be ***no impacts*** related to placing the proposed housing residential within a flood zone.

10g. The project is not within a 100-year flood hazard area, so there are ***no impacts*** related to structures impeding or redirecting flood flows.

Mitigation Measures: The following water quality mitigation measures/best management practices (BMPs) are required:

Mitigation Measure 10A: Detention Pond. The proposed site improvements will have some increase in flows for the 10-year and 100-year storm events. In order to not significantly impact the existing natural drainage flows, the resulting drainage improvements require the detention of the 100-year storm event. This will be achieved by restricting the outlet of the storm drain system in a Detention Pond prior to being discharged back into the existing

natural drainage course. Final design of the proposed Detention Pond shall be subject to review and approval by the Nevada County Public Works Department.

***Timing**: Constructed with all other on-site drainage improvements. Completed prior to issuance of certificate of occupancy*
***Reporting**: Shown on grading/drainage, improvement, and building plans*
***Responsible Agency**: Building/Public Works Department*

Mitigation Measure 10B: Best Management Practices. Implement the following BMPs to minimize construction related impacts to water quality. The following BMPs shall be incorporated into all Contract Documents and Construction Plans for the project and implemented by the contractor to protect water quality:

a. Construction crews shall be instructed in preventing and minimizing water pollution on the job.
b. Interim erosion control measures may be needed and shall be installed during construction to assure adequate erosion control facilities are in place at all times.
c. Straw or rice mulch may be used if needed with a tackifier.
d. All earth moving or excavation activities shall cease when winds exceed 20 mph.
e. Haul trucks shall be always covered with tarpaulins or other effective covers.
f. Use broom and shovels when possible, to maintain a clean site. Use of a hose is not recommended. Introducing water as a cleanup method adds to water pollution.
g. Designate a concrete washout area, as needed; to avoid wash water from concrete tools or trucks from entering storm drain systems. Maintain washout area and dispose of concrete waste on a regular basis.
h. Establish a vehicle storage, maintenance, and refueling area, as needed, to minimize the spread of oil, gas, and engine fluids. Use of oil pans under stationary vehicles is strongly recommended.
i. Dust control measures shall conform to the requirements of the Dust Control Plan submitted to and approved by the Northern Sierra Air Quality Management District (NSAQMD).

***Timing**: Prior to grading/building permit issuance and during construction*
***Reporting**: Agency approval of permits or plans*
***Responsible Agency**: Building/Public Works Department*

Mitigation Measure 10C: Provide copies of BMPs. Copies of the project's Mitigation Monitoring and Reporting Program and all BMPs shall be supplied to the Contractor(s) and their workers to assure compliance with mitigation measures during construction.

***Timing**: Prior to grading/building permit issuance and during construction*
***Reporting**: Agency approval of permits or plans*
***Responsible Agency**: Building/Public Works Department*

11. Land Use and Planning

Existing Setting: The subject property is located in western unincorporated Nevada County in Penn Valley, within the Penn Valley Village Center. The proposed project includes a Conditional Use

Permit (CUP) application to allow a 10,000 square foot building with attached 1,134 square foot covered outdoor seating area as a community event facility to support a wide array of activities, events and services. A commercial kitchen, a banquet hall, a theater/stage, and smart meeting rooms are also proposed. Access to and from the project site will be provided by two, one-way driveways from Spenceville Road.

The project also proposes two, 1,728 square foot covered outdoor pavilions and a 225 square foot restroom building. A proposed 2.5-acre garden area and detention pond are proposed in the rear half portion of the subject 4.77-acre parcel. A total of 140 parking spaces are proposed with 51 proposed to be gravel surfaced within landscaped parking lot area. The project includes an Oak Resources Management Plan for potential impacts to a Landmark Oak Tree and a Landmark Grove on the subject property.

North of the project site are various office and retail commercial businesses including True Value Fence and Ranch Supply. Across Spenceville Road to the east and northeast are the Penn Valley Fire Protection District station, commercial uses, and the rodeo grounds. South of the project site are a residence, Ready Springs Elementary School, and Vantage Point Charter School. To the west is the Penn Valley Seventh-day Adventist Church and residences.

Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**	**Reference Source (Appendix A)**
a. Physically divide an established community?				✓	A
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?			✓		A

Impact Discussion:

11a. The subject property is located within the Penn Valley Village Center, an area of commercial, residential, and public uses. The development of the proposed community event facility will not physically divide the Penn Valley community. The subject property is currently vacant and surrounded by developed parcels and the project may therefore be considered an "infill" project. The project is located on the west side of Spenceville Road, approximately 375 feet south of Penn Valley Drive. All anticipated traffic due to the project will use Spenceville Road and other existing area roadways and no traffic closures are expected that could divide the nearby community temporarily during construction. Based on this information, the proposed project would have a ***no impact*** related to division of an existing community.

11b. The proposed project will not result in a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The subject parcel is zoned C2-SP (Community Commercial, Site Performance Combining). The proposed community event center is a permitted use in the C2 base zone district with

approval of a Conditional Use Permit. The applicant has submitted the subject Conditional Use Permit application.

The project is subject to the design standards of both the Western Nevada County Design Guidelines and the Penn Valley Area Plan. In reviewing the project, special consideration was given to the design and aesthetics of the proposed buildings and related improvements. The project incorporates several design features to enhance the overall aesthetics of the project, including utilizing several different materials and earth tone colors on the proposed buildings, varying roof lines and heights, and various building articulations. As discussed in Aesthetics above, potential lighting impacts are mitigated to ensure compliance with County Standards. Overall, the project is consistent with the County design standards and comprehensive site development standards and subsequently, the project will have a ***less than significant impact*** due to any conflicts with land use plans, policies and regulations that have the purpose of mitigating impacts to environmental resources.

Mitigation Measures: None required.

12. Mineral Resources

Existing Setting: Mineral resources, particularly gold, have played a major role in the history of Nevada County. Since 1849 when gold was first discovered in the area, to the years preceding World War II, most of the County's population was economically supported directly or indirectly by the local gold mining industry. Other metals produced in the County since 1880 include silver, copper, lead, zinc, chromite, and small amounts of tungsten and manganese. Industrial minerals include barite, quartz for silicon production, small amounts of limestone, asbestos, clay, and mineral paint. Also, significant deposits of sand, gravel, and rock types suitable for construction aggregate are exposed throughout the County. (Mineral Land Classification of Nevada County, State Division of Mines and Geology, 1990).

In order to promote the conservation of the state's mineral resources, and ensure adequate reclamation of mined lands, the Surface Mining and Reclamation Act of 1975 (SMARA) was enacted. SMARA requires that the State Geologist classify land in California for its mineral resource potential. Local governments are required to incorporate the mineral and classification reports and maps into their general plans and consider the information when making land use decisions. Areas subject to mineral land classification studies are divided into various Mineral Resource Zone (MRZ) categories that reflect varying degrees of mineral potential. There are no identified mines or mineral resources in the project vicinity and the project is not located within an MRZ designated area.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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
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

Impact Discussion:

12a,b. The proposed project includes a Conditional Use Permit application to allow a 10,000 square foot building with attached 1,134 square foot covered outdoor seating area as a community event facility to support a wide array of activities, events and services. The project also proposes two, 1,728 square foot covered outdoor pavilions and a 225 square foot restroom building. A proposed 2.5-acre garden area and detention pond are proposed in the rear half portion of the subject 4.77-acre parcel.

The subject parcel was previously developed with two (2) single-family residences which were both demolished in 2011. The parcel is currently undeveloped and contains mostly open non-native annual grassland and ruderal species given the high level of historical disturbance within the parcel, especially within the eastern section of the parcel where the proposed disturbance and development will occur. The subject parcel does not contain known or designated mineral resources. Therefore, there is ***no impact*** related to the loss of known mineral resources.

Mitigation Measures: None required.

13. Noise

Existing Setting: The proposed project site is located on the west side of Spenceville Road, approximately 375 feet south of Penn Valley Drive, within the Penn Valley Village Center. North of the project site are various office and retail commercial businesses including True Value Fence and Ranch Supply. Across Spenceville Road to the east and northeast are the Penn Valley Fire Protection District station, commercial uses, and the rodeo grounds. South of the project site are a residence, Ready Springs Elementary School, and Vantage Point Charter School. To the west is the Penn Valley Seventh-day Adventist Church and residences.

Noise sensitive land uses are generally defined as locations where people reside or where the presence of unwanted sound could adversely affect the primary intended use of the land. Land uses often associated with sensitive receptors generally include residences, schools, libraries, hospitals, and passive recreational areas. Noise sensitive land uses are typically given special attention in order to achieve protection from excessive noise. Noise sensitive land uses in the vicinity of the project site include the Ready Springs Elementary School and Vantage Point Charter

School to the south and the Penn Valley Seventh-day Adventist Church and existing single-family residences to the west.

The proposed project has the potential to generate noise impacts from construction of the proposed building and other related improvements, from increases in off-site traffic noise levels during events, from sound generated within the community center building, including amplified speech and/or music, and parking lot activities (vehicles arriving/departing, doors opening/closing, engines starting, etc.). In order to evaluate and address these potential noise impacts, an Environmental Noise Assessment was prepared by Bollard Acoustical Consultants, Inc. (July 14, 2024) and submitted with this project.

Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**	**Reference Source (Appendix A)**
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess standards established in the local General Plan or noise ordinance, or applicable standards of other agencies?		✓			A,13
b. Generation of excessive ground borne vibration or ground borne noise levels?			✓		A,13
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?			✓		A,13

Impact Discussion:

13a. During project construction, heavy equipment would be used for grading excavation, paving, and building construction, which would increase ambient noise levels when in use. Noise levels would vary depending on the type of equipment used, how it is operated, and how well it is maintained. Noise exposure at any single point outside the project work area would also vary depending upon the proximity of equipment activities to that point.

Noise sources of primary concern would involve pneumatic hammers and power cutting tools, heavy equipment with diesel motors and backing alarms, and dirt movers including graders, excavators, and compactors. This is typical noise generated during any construction site at this scale and should operate during daytime hours. While short-term increases in noise will occur that can be attributed to this project, construction activities are exempt from the County's Noise Standards as they are temporary in nature and cease once construction is completed. Noise impacts from construction activities, however, are not exempt from CEQA-related impacts. Since there are sensitive noise receptors including residences, a church, and a school in the area surrounding the subject parcel, some inconvenience and noise annoyance will occur during construction activities. To assist in reducing this impact, **Mitigation Measure 13A** is included which restricts construction

activities to daytime hours (7 a.m. to 7 p.m.) Monday-Saturday along with additional construction noise mitigation measures.

According to the Environmental Noise Assessment, the existing ambient noise environment in the project vicinity is defined primarily by local and distant traffic, as well as by noise generated during school activities, by local commercial uses, and by intermittent activities related to the nearby fire department. To quantify the existing ambient noise environment in the project vicinity, Bollard Acoustical Consultants conducted continuous noise level measurements at two locations in the project vicinity between June 18-20, 2024. The noise measurement locations were selected to be generally representative of existing ambient noise conditions in the project vicinity. The ambient noise survey was conducted for a period of 72 consecutive hours at each of the two noise monitoring locations.

Weather conditions present during the monitoring program were typical for the season, with no adverse or anomalous weather conditions which would have adversely affected the ambient noise measurement results. Larson Davis Laboratories (LDL) Model 820 precision integrating sound level meters were used for the ambient noise survey. The meters were calibrated before use with an LDL Model CAL200 acoustical calibrator to ensure the accuracy of the measurements. The equipment used meets all pertinent specifications of the American National Standards Institute for Type 1 sound level meters.

A summary of the ambient noise level measurement results are provided in Table 1 below. A complete listing of the ambient noise survey results are provided in tabular and graphical formats in Appendices C and D of the Noise Assessment, respectively. Graphs of the individual hourly average (L_{eq}), maximum (L_{max}), median (L_{50}) and 90th percentile (L_{90}) noise levels for each site and each day are presented in Appendix B of the Noise Assessment.

Table 1
Summary of Ambient Noise Monitoring Results
Penn Valley Community Center Project

Site[1]	Date	Ldn (dBA)	Average Measured Hourly Noise Levels (dBA)					
			Daytime[2]		Evening[3]		Nighttime[4]	
			Leq	Lmax	Leq	Lmax	Leq	Lmax
A	Tuesday, June 18, 2024	57	55	75	53	74	49	68
	Wednesday, June 19, 2024	57	55	75	56	78	49	68
	Thursday, June 20, 2024	58	55	73	56	76	50	72
	Average	**57**	**55**	**74**	**55**	**76**	**50**	**69**
B	Tuesday, June 18, 2024	51	46	62	43	62	45	60
	Wednesday, June 19, 2024	52	45	62	44	60	46	60
	Thursday, June 20, 2024	51	46	64	46	63	45	58
	Average	**51**	**46**	**63**	**44**	**62**	**45**	**59**

1. Ambient noise monitoring locations are shown on Figure 3.
2. Daytime = 7 am – 7 pm
3. Evening = 7 pm – 10 pm
4. Nighttime = 10 pm – 7 am

Source: Bollard Acoustical Consultants, Inc. (BAC) 2024

The Table 1 data indicate that ambient conditions vary depending primarily on the distance between the monitoring site and Spenceville Road. The ambient noise level data were used

to develop thresholds for determining significant project-generated noise level increases for on-site noise sources and activities.

Criteria for Acceptable Noise Exposure

Nevada County General Plan Noise Element

The Nevada County General Plan Noise Element contains adopted Goals, Objectives and Policies pertaining to noise. The Noise Element Policy which is most pertinent to this project is stated below.

Policy 9.1.2 The following noise standards, contained in Table 2 below (General Plan Noise Element Table 9.1), as performance standards and land use compatibility standards, shall apply to all discretionary and ministerial projects excluding permitted residential (including tentative maps) land uses.

Table 2
Nevada County General Plan Noise Element Exterior Noise Limits

			Noise Level, dBA	
Land Use Category	**Zoning Districts**	**Time Period**	**Leq**	**Lmax**
Rural	"A1" "TPZ"	7 am - 7 pm	55	75
	"AE" "OS"	7 pm - 10 pm	50	65
	"FR" "IDR"	10 pm - 7 am	40	55
Residential and Public	"RA" "R2"	7 am - 7 pm	55	75
	"R1" "R3"	7 pm - 10 pm	50	65
	"P"	10 pm - 7 am	45	60
Commercial and Recreation	"C1" "CH" "CS"	7 am - 7 pm	70	90
	"C2" "C3" "OP" "REC"	7 pm - 7 am	65	75
Business Park	"BP"	7 am - 7 pm	65	85
		7 pm - 7 am	60	70
Industrial	"M1" "M2"	any time	80	90

A. Compliance with the above standards shall be determined by measuring the noise level based on the mean average of not less than three (3) 20 minute measurements for any given time period. Additional noise measurements may be necessary to ensure that the ambient noise level is adequately determined.

B. Where two different zoning districts abut, the standard applicable to the lower, or more restrictive, district plus 5 dBA shall apply.

C. The above standards shall be measured only on property containing a noise sensitive land use as defined in Policy 9.8 and may be measured anywhere on the property containing said land use. However, this measurement standard may be amended to provide for measurement at the boundary of a recorded noise easement or as determined in a recorded letter of agreement between all affected property owners and approved by the County.

D. If the measured ambient level exceeds that permitted, then the allowable noise exposure standard shall be set at 5 dBA above the ambient.

E. Because of the unique nature of sound, the County reserves the right to provide for a more restrictive standard than shown in the Exterior Noise Limits table contained in this policy. The maximum adjustment shall be limited to be not less than the current ambient noise levels and shall not exceed the standards of this policy or as they may be further adjusted by Policy 9.1.2.b. Imposition of a noise level adjustment shall only be considered if one or more of the following conditions are found to exist:

1. Unique characteristics of the noise source:

    a. The noise contains a very high or low frequency, is of a pure tone (a steady, audible tone such as a whine, screech, or hum), or contains a wide divergence in frequency spectra between the noise source and ambient level.

    b. The noise is impulsive in nature (such as hammering, riveting, or explosions), or contains music or speech.

    c. The noise source is of a long duration.

2. Unique characteristics of the noise receptor when the ambient noise level is determined to be 5 dBA or more below the Policy 9.1.2 standard for those projects requiring a General Plan amendment, rezoning, and/or conditional use permit. In such instances, the new standard shall not exceed 10 dBA above the ambient or the Policy 9.1.2 standard, whichever is more restrictive.

F. The above standards shall not apply to those activities associated with the actual construction of a project or to those projects associated with the provision of emergency services or functions.

G. The standards of this policy shall be enforced through compliance inspections and/or complaints.

H. Recognizing that this chapter must work toward the solution to existing noise problems, those land uses that are inconsistent with the above standards and are therefore non-conforming in nature, shall comply with said standards as these land uses are upgraded or intensified or after abandonment through the use permit or site plan process. Said standards shall apply only to that portion of the land use requiring approval. In any event, the use or portion subject to a land use permit must meet the standards in the Exterior Noise Limits table in this policy and cumulatively the noise generated from the entire site must be equal to or less than the

pre-land use permit ambient noise level. All such projects will require a comprehensive noise analysis per Policy 9.1.12 and the Nevada County Noise Element Manual.

Nevada County Zoning Ordinance

Section 12.04.070 of the Nevada County Code addresses noise. The adopted noise standards contained in Table 12.04.070 (Exterior Noise Limits) are identical to those contained in the General Plan Noise Element (Table 2 above). Section 12.04.070D.8. states the following with respect to construction noise:

"The above standards shall not apply to those activities associated with the actual construction of a project or to those projects associated with the provision of emergency services or functions."

This provision exempts construction noise from Table 2 noise standards.

Summary of Noise Standards Applied to this Project

The project site is surrounded by a variety of land uses, including residences, a church, a school, office uses, retail/commercial, and a fire station. The ambient noise survey results were used to make adjustments as appropriate to the Table 2 noise standards (as described above), as well as adjustments due to the amplified music/speech component of the project. Because events held at the community center would conclude by 10 pm, only the County's daytime and evening noise level standards would be applicable to this project. The adjusted noise level standards for the 8 nearest representative receptors to the project site are shown in Table 3 below.

Table 3
Adjusted Nevada County General Plan Noise Element Exterior Noise Limits Applicable to the Penn Valley Community Center Project Vicinity Receptors

			Adjusted Noise Standards, dBA [4]	
Receptor [1]	**Receptor Type**	**Time Period**	**Leq**	**Lmax**
1, 8 [2]	Residential and Public (Fire Station)	7 am - 7 pm	55	75
		7 pm - 10 pm	55	75
2, 3	Residential and Public (School)	7 am - 7 pm	55	75
		7 pm - 10 pm	50	65
4, 5, 7 [3]	Church / Office	7 am - 7 pm	65	85
		7 pm - 7 am	60	70
6	Commercial	7 am - 7 pm	70	90
		7 pm - 7 am	65	75

1. Receptor locations are shown on Figure 3
2. Receptors 1 and 8 were adjusted upwards to reflect elevated ambient conditions due to traffic on Spenceville Road. Due to lower ambient conditions at the other receptors no adjustments were made for ambient to the table 2 standards.
3. The County General Plan Noise Element does not contain a specific category for church uses. For purposes of this analysis the noise sensitivity of church uses was reasonably assumed to be similar to that of office uses.
4. Each of these standards are reduced by an additional 5 dBA for the component of the project which consists of amplified speech or music.

Evaluation of Project Noise Generation

The noise-producing components of the project evaluated in this study are as follows:

- Increases in off-site traffic noise levels during events.
- Sound generated within the community center building, including amplified speech and/or music.
- Parking lot activities (vehicles arriving/departing, doors opening/closing, engines starting, etc.).

The noise generation of each of these noise sources is evaluated in the following sections. Noise levels are predicted at the nearest representative sensitive receptors to each source and the resulting noise levels are compared against the appropriate project noise standards.

Off-Site Traffic Noise Increases

To quantitatively assess traffic noise levels associated with the Project, the Federal Highway Administration Highway Traffic Noise Prediction Model (FHWA RD-77-108) was used. The Model is based on the Calveno reference noise factors for automobiles, medium trucks, and heavy trucks, with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and the acoustical characteristics of the site.

The project proposes 140 parking spaces. For a reasonable estimate of hourly project trip

generation it was assumed that each parking space could empty or fill during a peak hour of community center usage, thereby resulting in approximately 140 peak hour vehicle trips on Spenceville Road. It was also conservatively assumed that the parking spaces could fill and empty twice in a busy day if two events were scheduled on the same day, for a total daily trip generation of 560 trips.

The FHWA Model was used with the above-described peak hour and daily project trip generation figures, observed vehicle speeds, and the assumption that project traffic would consist primarily of automobiles accessing the site during daytime hours. The resulting peak hour average and daily noise levels compute to 54 dBA Leq and 53 dBA DNL at a reference distance of 65 feet from the centerline of Spenceville Road. The 65-foot distance was used as that distance corresponds to the distance of ambient noise measurement Site A to the centerline of Spenceville Road.

As indicated in Table 1, existing average Spenceville Road traffic noise levels at Site A were measured to be 55 dBA Leq during daytime and evening hours, with peak hour average noise levels approaching 60 dBA Leq during certain hours. As such, the predicted peak hour noise generation of the project (54 dBA Leq at 65 feet), would be at or below existing average daytime and evening traffic noise levels at that same distance. Therefore, project-generated hourly average traffic noise levels on Spenceville Road would not result in a substantial increase in traffic noise levels at existing receptors located along that roadway.

With respect to daily project traffic noise generation, the FHWA Model predicts a level of 53 dBA DNL at the reference distance of 65 feet from the centerline of Spenceville Road. As indicated in Table 1, existing daily Spenceville Road traffic noise levels at Site A were measured to be 57 dBA DNL during the ambient noise survey period. As such, the predicted daily traffic noise generation of the project (53 dBA DNL at 65 feet), would be below existing daily traffic noise levels at that same distance. Therefore, project-generated daily traffic noise levels on Spenceville Road would not result in a substantial increase in traffic noise levels at existing receptors located along that roadway.

Because project-generated off-site traffic noise levels would be at or below existing baseline traffic noise levels at existing sensitive receptors located near Spenceville Road, both in terms peak hour and daily traffic noise generation, off-site traffic noise impacts resulting from the project are considered less than significant. No noise mitigation would be warranted for this component of the project.

Parking Lot Activity/Movement Noise Generation

During a peak hour of project operations, approximately 131 vehicles are conservatively assumed to enter or exit the parking area of the project. As a means of determining noise generation related to parking lot activities, a series of individual noise measurements were conducted of multiple vehicle types arriving and departing a typical parking area, including engines starting and stopping, car doors opening and closing, and persons conversing as they entered and exited the vehicles. The results of those measurements revealed that individual parking lot movements generated mean sound exposure levels of 70 dB SEL at a reference distance of 50 feet. The maximum noise level associated with parking lot

activity typically did not exceed 65 dB L_{max} at the same reference distance. Peak hour average parking area noise exposure was determined using the following equation:

*Peak Hour L_{eq} = 70+10*log (N) – 35.6*

Where 70 is the SEL for a single automobile parking operation at a reference distance of 50 feet, N is the number of parking area operations in a peak hour (131), and 35.6 is 10 times the logarithm of the number of seconds in an hour. The resulting parking lot noise level at a reference distance of 50 feet computes to 57 dBA L_{eq} and 65 dB L_{max}.

The distances from the nearest receptors shown on Figure 3 to the parking area were scaled from aerial imagery, and peak hour parking lot noise generation was computed for each of those locations. Table 4 shows the predicted peak hour average and maximum noise levels at each of the 8 representative receptors analyzed in this study. Table 4 also shows the adjusted noise level standard for each receptor and the determination as to whether or not the County noise standards would be exceeded.

Table 4
Predicted Parking Lot Movement Noise Generation
Penn Valley Community Center Project – Nevada County, California

Receptor	Predicted Noise Level		Noise Standard		Nosie Standard Exceeded?	
	Leq	Lmax	Leq	Lmax	Leq	Lmax
R1	40	47	55	75	No	No
R2	43	53	50	65	No	No
R3	33	41	50	65	No	No
R4	32	39	60	70	No	No
R5	38	45	60	70	No	No
R6	40	47	65	75	No	No
R7	46	64	60	70	No	No
R8	40	53	55	75	No	No

1. Ambient noise monitoring locations are shown on Figure 3.
2. Daytime = 7 am – 7 pm
3. Evening = 7 pm – 10 pm
4. Nighttime = 10 pm – 7 am

Source: Bollard Acoustical Consultants, Inc. (BAC) 2024

As indicated in Table 4, project parking lot noise generation is predicted to be below Nevada County noise standards at the nearest existing uses to the project site. As a result, noise impacts resulting from parking lot movements are considered less than significant. No noise mitigation would be warranted for this component of the project.

Event Noise Generation

During events held at the proposed community center, amplified speech or music may be used. Sound levels generated by sound amplification systems can vary considerably depending on the type of system and volume settings. For purposes of this evaluation, worst-case event noise generation is assumed to occur during periods when amplified speech or music occur within the community center building. No amplified speech of music is proposed at the exterior areas of the building.

The types of events which typically result in elevated levels of amplified music or speech include celebrations such as wedding receptions, dances, birthday parties, etc. Based on BAC file data for such events, interior noise levels in the range of 70-80 dBA Leq and 80-90 dBA Lmax could occur. Assuming 30 dBA of sound attenuation provided by the building envelope, noise levels immediately outside the building façade of the community center during such amplified music activities occurring inside the building could reach 40-50 dBA Leq and 50-60 dBA Lmax.

The levels described above were projected to the existing receptors shown on Figure 3 and the results of those projections are provided in Table 5. Table 5 also shows the adjusted noise level standard for each receptor (including a -5 dBA offset for sound consisting of music), and the determination as to whether or not the County noise standards would be exceeded.

Table 5
Predicted Parking Lot Movement Noise Generation
Penn Valley Community Center Project – Nevada County, California

Receptor	Predicted Noise Level		Noise Standard		Nosie Standard Exceeded?	
	Leq	Lmax	Leq	Lmax	Leq	Lmax
R1	34	44	50	70	No	No
R2	40	50	45	60	No	No
R3	28	38	45	60	No	No
R4	26	36	55	65	No	No
R5	32	42	55	65	No	No
R6	34	44	60	70	No	No
R7	51	61	55	65	No	No
R8	40	50	50	70	No	No

1. Ambient noise monitoring locations are shown on Figure 3.
2. Daytime = 7 am – 7 pm
3. Evening = 7 pm – 10 pm
4. Nighttime = 10 pm – 7 am

Source: Bollard Acoustical Consultants, Inc. (BAC) 2024

As indicated in Table 5, amplified speech or music sound generated within the proposed community center building is predicted to be below Nevada County noise standards at the nearest existing uses to the project site. This is due to the noise attenuation provided by the exterior shell of the building. As a result, noise impacts resulting from amplified speech or music occurring within the community center building are considered less than significant. No noise mitigation would be warranted for this component of the project.

The Noise Assessment concludes that noise generated by activities at the proposed community center would be satisfactory relative to the applicable Nevada County noise standards at the nearest existing uses to the project site. To minimize the potential for noise impacts to neighboring properties, the Noise Assessment provided three recommended mitigation measures for the project. **Mitigation Measure 13B** will require that all events held at the facility (outdoor and indoor) shall conclude by 10:00 pm. **Mitigation Measure 13C** requires events generating amplified music or speech to be limited to the interior of the community center building. **Mitigation Measure 13D** requires the community center building be designed such that sound generated inside the building does not excessively spill into the neighboring parcels when the doors of the center are

opened. According to the floor plan submitted, the community center building will have an entry hall room area that contains a second set of doors in addition to the front entry doors. This will assist in minimizing the amount of sound that exits the building through the main front doors. Potential noise impacts will therefore be reduced to ***less than significant with mitigation***.

13b. The primary vibration-generating activities associated with the proposed project would occur during the construction phase when activities involving heavy equipment such as grading, excavation, paving, and utilities placement will occur. These activities will generate localized vibration in the immediate vicinity of those activities. Vibration and any ground borne noise associated with these construction activities will be typical of any construction project and will be temporary in nature. Potential impacts are therefore considered ***less than significant***.

13c. The project site is not located within the vicinity of a private airstrip, within an airport land use plan, or within two miles of a public airport and would therefore not expose people residing or working in the project area to excessive noise levels. The project site is located approximately 9 miles west of the Nevada County Airport runway. Therefore, noise originating from aircraft will not be a major contributor to the transportation noise environment on site. A ***less than significant*** impact is anticipated.

Mitigation Measures: To reduce potential temporary and permanent noise impacts the following mitigation shall apply:

Mitigation Measure 13A: Limit construction work hours to 7:00 a.m. to 7:00 p.m. Monday-Saturday/Other construction noise mitigations. During grading and construction, work hours shall be limited from 7:00 a.m. to 7:00 p.m., Monday - Saturday. Prior to issuance of grading and building permits, improvement plans shall include this restriction on the hours of construction.

The following additional construction noise mitigation measures shall be required:

• All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
• Quiet construction equipment, particularly air compressors, are to be selected whenever possible.
• All stationary noise-generating construction equipment such as generators or air compressors are to be located as far as is practical from existing residences. In addition, the project contractor shall place such stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
• Unnecessary idling of internal combustion engines is prohibited.
• The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas to maximize the distance between construction-related noise sources and noise sensitive receptors nearest the project site during all project construction.

Timing: *During construction*
Reporting: *Noted on grading, improvement, and building plans.*

Responsible Agency: *Public Works/Building/Planning Department*

Mitigation Measure 13B: Starting and ending time for events. All events held at the community event facility (outdoor and indoor) shall start after 7:00 am and conclude by 10:00 pm.

Timing: *Ongoing after issuance of certificate of occupancy for the community event facility*
Reporting: *Information on restrictions provided to individuals using the community event facility*
Responsible Agency: *Planning Department*

Mitigation Measure 13C: Amplified music or speech. Events generating amplified music or speech shall be limited to the interior of the community event building.

Timing: *Ongoing after issuance of certificate of occupancy for the community event facility*
Reporting: *Information on restrictions provided to individuals using the community event facility*
Responsible Agency: *Planning Department*

Mitigation Measure 13D: Design of community event building. The community event building shall be designed such that sound generated inside the building does not excessively spill into the neighboring parcels when the main doors of the center are opened. Based on the floor plan submitted, an interior entry hall area is proposed at the building's entrance that contains a second set of doors in addition to the front entry doors. All other exterior doors shall remain closed during events held within the community event building.

Timing: *Include evidence on building permit floor plan to ensure design is consistent with this requirement. Ongoing after issuance of certificate of occupancy for the community event facility*
Reporting: *Information on restrictions provided to individuals using the community event facility*
Responsible Agency: *Planning Department*

14. Population and Housing

Existing Setting: The subject 4.77-acre property is located in Penn Valley in western Nevada County, within the Penn Valley Village Center. The property is located on the west side of Spenceville Road, approximately 375 feet south of Penn Valley Drive, is designated Community Commercial (CC) by the Nevada County General Plan and is zoned C2-SP (Community Commercial, Site Performance Combining). Abutting properties to the west, north, and east are also zoned C2-SP and developed with a church, various office and commercial uses, and the Penn Valley rodeo grounds. Also to the east is a parcel zoned OP-SP (Office & Professional, Site Performance Combining) developed with the Penn Valley Fire Station. Directly south is a parcel zoned BP-SP (Business Park, Site Performance Combining) that is developed with a residence.

Further south and southwest are parcels zoned P-SP (Public, Site Performance Combining) that are developed with schools – Ready Springs Elementary and Vantage Point Charter School.

The proposed project includes a Conditional Use Permit application to allow a 10,000 square foot building with attached 1,134 square foot covered outdoor seating area as a community event facility to support a wide array of activities, events and services. The project includes an Oak Resources Management Plan for potential impacts to a Landmark Oak Tree and a Landmark Grove on the subject property.

Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**	**Reference Source (Appendix A)**
a. Induce substantial unplanned 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)?				✓	A
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓	A

Impact Discussion:

14a. The project proposes a community event facility that will support a wide array of activities, events and services including a community garden, a visitor center, a business and workforce development center, a technology center, a commercial kitchen, a banquet hall with theater and stage, and meeting rooms. The facility will host both indoor and outdoor events including local non-profit fundraisers, private weddings and parties, and outdoor concerts and live theater.

The project does not propose any new homes that could otherwise induce an unplanned population growth in the area. People attending events at the facility will be existing residents of the Penn Valley community and other areas of Nevada County. Therefore, there is ***no impact*** related to unplanned population growth.

14b. The project is proposed on a vacant property with C2-SP (Community Commercial, Site Performance Combining) zoning. No residents will be displaced as a result of this project and there is no existing housing that will be impacted that would necessitate the construction of replacement housing elsewhere. Therefore, the proposed project would have ***no impact*** related to the induction or displacement of housing and people.

Mitigation Measures: None required.

15. Public Services

Existing Setting: The following public services are provided to the project parcel:

Fire: The Penn Valley Fire Protection District provides fire protection services to the project parcel.
Police: The Nevada County Sheriff's Department provides law enforcement services.
Schools: The project site is within the Penn Valley Union School District and the Nevada Joint Union High School District.
Parks: The project site is within the Western Gateway Park and Recreation District.
Water: The site is served by public water from Nevada Irrigation District.
Sewer: The site is served by the Nevada County Sanitation District (Penn Valley).

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in substantial adverse physical impacts associated with the provision of or 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 following the public services:					
i) Fire protection?			✓		A,E
ii) Police protection?			✓		A
iii) Schools?			✓		A
iv) Parks?			✓		A
v) Other public services or facilities?			✓		A

Impact Discussion:

15a. The proposed project includes a Conditional Use Permit application to allow a 10,000 square foot building with attached 1,134 square foot covered outdoor seating area as a community event facility to support a wide array of activities, events and services. The project also proposes two, 1,728 square foot covered outdoor pavilions and a 225 square foot restroom building. A proposed 2.5-acre garden area and detention pond are proposed in the rear half portion of the subject 4.77-acre parcel. A total of 140 parking spaces are proposed with 51 proposed to be gravel surfaced within landscaped parking lot area. The project includes an Oak Resources Management Plan for potential impacts to a Landmark Oak Tree and a Landmark Grove on the subject property.

The property site is currently undeveloped. Services from the local fire protection district and sheriff's department is not anticipated to be significantly impacted by the proposed project. The project will be subject to the requirements of the Penn Valley Fire Protection District including the payment of fire mitigation fees. No impact is expected to be added to the local school district as the project will not increase population and does not propose any new residential housing. Local park use is not anticipated to substantially increase due to the project. Applicable recreation development fees will also be required. Applicable fees to compensate for service will be paid at time of building permit issuance and/or certificate of occupancy. Additionally, the project has been routed to all applicable service providers

during the initial distribution review phase and no comments indicating that services cannot be provided have been received. Therefore, this project is anticipated to have ***a less than significant impact*** on public services.

Mitigation Measures: None required.

16. Recreation

Existing Setting: The project parcel is located in Penn Valley, within the Penn Valley Village Center, and is zoned for commercial use. The Western Gateway Park is located approximately ½ mile northwest of the project site between State Highway 20 and Penn Valley Drive and provides extensive recreational opportunities for Penn Valley residents.

In addition to the community event facility building, the project proposes two (2) outdoor pavilions that will be used for barbecue's and other similar outdoor events. An eight-foot wide bike and pedestrian path is proposed along the subject parcels Spenceville Road frontage.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
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?				✓	A
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?			✓		A
c. Conflict with established recreation uses of the area, including biking, equestrian and/or hiking trails?				✓	A

Impact Discussion:

16a.,c. The proposed community event facility does not have the potential to increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur. The facility will contain a recreational component by providing outdoor pavilions for barbecues, outdoor concerts, and other similar events. The project will not conflict with established recreation uses of the area, including biking, equestrian and/or hiking trails. Based on this information, the project would have **no impact** related to recreational facilities.

16.b. The project includes two outdoor pavilions that will provide area for events such as barbecues and outdoor concerts. The pavilions will be located behind the proposed community event building. Due to the relatively small area these pavilions and immediately surrounding area will occupy on site (approximately 0.28 acre), this recreational facility will

not have an adverse physical effect on the environment. A ***less than significant impact*** is anticipated.

Mitigation Measures: None required.

17. Transportation

Existing Setting: The proposed project site is in Penn Valley in unincorporated western Nevada County, within the Penn Valley Village Center. The site is located on the west side of Spenceville Road (10592 Spenceville Road), approximately 375 feet south of Penn Valley Drive. Spenceville Road is designated a Major Collector by the Circulation Element of the Nevada County General Plan. The Circulation Element classifies "Collectors" as streets that connect arterials to local roads.

Pedestrian and bicycle facilities in the project area are minimal. There are no existing pedestrian sidewalks along Spenceville Road immediately adjacent to the project site. The nearest sidewalk is located to the north at the intersection of Spenceville Road and Penn Valley Drive At this intersection, an asphalt sidewalk extends from the intersection approximately 150 feet south along the west side of Spenceville Road. Nevada County Transit (Connects) provides a bus route (Route #6) that serves the Penn Valley-Lake Wildwood area. According to the bus route schedule, there's an existing bus stop within a commercial business parking area Penn Valley Drive/Spenceville Road (Northridge Pizza).

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle or pedestrian facilities?			✓		A,14,15; C
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			✓		A,14,15; C
c. Substantially increase hazards due to a geometric design feature (e.g., a sharp curve or dangerous intersection) or incompatible uses (e.g., farm equipment)?			✓		A,C,E
d. Result in inadequate emergency access?				✓	A, E
e. Result in an increase in traffic hazards to motor vehicles, bicyclists, or pedestrians, including short-term construction and long-term operational traffic?			✓		A,C

Impact Discussion:

17a. The project involves a Conditional Use Permit application to allow a 10,000 square foot building with attached 1,134 square foot covered outdoor seating area as a community event facility to support a wide array of activities, events and services. The project also

proposes two, 1,728 square foot covered outdoor pavilions and a 225 square foot restroom building. A proposed 2.5-acre garden area and detention pond are proposed in the rear half portion of the subject 4.77-acre parcel. A total of 140 parking spaces are proposed with 51 proposed to be gravel surfaced within landscaped parking lot area. The project includes an Oak Resources Management Plan for potential impacts to a Landmark Oak Tree and a Landmark Grove on the subject property.

The project will generate additional vehicle trips and traffic to the site that could conflict with a program plan, ordinance, or policy addressing the circulation system. The applicant was required to submit a Traffic Impact Study (TIS) to analyze the project's trip generation and potential transportation related impacts. This study was prepared by Kunzman Associates and has been consulted in the review of this project and is summarized in the discussion that follows.

Trip Generation

The traffic generated by the project is determined by multiplying an appropriate trip generation rate by the quantity of land use. Trip generation rates are predicated on the assumption that energy costs, the availability of roadway capacity, the availability of vehicles to drive, and our life styles remain similar to what we know today. A major change in these variables may affect trip generation rates.

Trip generation rates were determined for weekday morning, weekday evening, and Saturday mid-day peak hour inbound and outbound traffic for the proposed land use. By multiplying the traffic generation rates by the land use quantity, the traffic volumes are determined.

Table 1 below exhibits the trip generation rates and peak hour volumes and project daily traffic volumes. The trip generation rates are from the Institute of Transportation Engineers, Trip Generation, 11th Edition, 2021.

Based on the Institute of Transportation Engineers, the proposed development is projected to generates approximately 228 weekday daily vehicle trips, 20 of which will occur during the weekday morning peak hour, and 25 of which will occur during the weekday evening peak hour. The proposed development is projected to generate approximately 900 Saturday daily vehicle trips, 11 of which will occur during the Saturday mid-day peak hour.

Based on engineering judgement, this project is not likely to cause a significant impact because it generates less than 100 peak hour vehicle trips.

Table 1

Project Trip Generation[1]

Proposed Project													
			Peak Hour							Saturday			
			Morning			Evening				Peak Hour			
Land Use	Quantity	Units[2]	Inbound	Outbound	Total	Inbound	Outbound	Total	Daily	Inbound	Outbound	Total	Daily
Trip Generation Rates													
Recreational Community Center (495)	1.000	TSF	1.26	0.65	1.91	1.17	1.33	2.50	28.82	0.58	0.49	1.07	90.00
Trips Generated													
Recreational Community Center (495)	10.000	TSF	13	7	20	12	13	25	288	6	5	11	900

[1] Source: Institute of Transportation Engineers, Trip Generation, 11th Edition, 2021, Land Use Category 495.

[2] TSF = Thousand Square Feet

Penn Valley Drive/Spenceville Road Intersection

Based on the "DOLLAR GENERAL FOCUSED TRAFFIC ANALYSIS", prepared by Kunzman Associates, Inc., dated August 7, 2015 and the "DOLLARE GENERAL – PENN VALLEY SUPLIMENTAL TRAFFIC ANALYSIS", prepared by Kunzman Associates, Inc., date September 30, 2016, the intersection of Penn Valley Drive/Spenceville Road (NS) at Penn Valley Drive (EW) operates at Level of Service "B" during the morning peak hour and "A" during the evening peak hour.

Based on engineering judgement, this project is not likely to significantly impact the adjacent intersection that operates better than Level of Service "C" during the peak hours because it generates less than 40 peak hour vehicle trips.

Conclusion of Traffic Study

Based on the Institute of Transportation Engineers, the proposed development is projected to generates approximately 228 weekday daily vehicle trips, 20 of which will occur during the weekday morning peak hour, and 25 of which will occur during the weekday evening peak hour. The proposed development is projected to generates approximately 900 Saturday daily vehicle trips, 11 of which will occur during the Saturday mid-day peak hour peak hour.

Based on engineering judgement, this project is not likely to cause a significant impact because it generates less than 100 peak hour vehicle trips. In addition, this project is not likely to significantly impact the adjacent Penn Valley Drive/Spenceville Road intersection that operates better than Level of Service "C" during the peak hours because it generates less than 40 peak hour vehicle trips.

Department of Public Works

The Nevada County Public Works Department has reviewed the project and has provided conditions of approval to address Department requirements. These conditions include: obtaining an Encroachment Permit prior to any work within the Spenceville Road right of way; constructing new driveways for the proposed project in conformance with the

County's Commercial Approach standards; payment of traffic mitigation fees; submittal of a truck turning analysis; and providing a designated on-site location for dropping off passengers at the entrance to the facility.

Proposed Bicycle and Pedestrian Path

As previously stated above, pedestrian and bicycle facilities in the project area are minimal. There are no existing pedestrian sidewalks along Spenceville Road immediately adjacent to the project site.

In addition to the County General Plan, the project parcel is also subject to the Penn Valley Area Plan. The Area Plan contains the following applicable goal and policies:

GOAL PS-1: Provide Safe and Efficient Multi-Modal Circulation

Policy PS-1.1: Safe Connectivity
Provide for safe movement of vehicles, pedestrians, bicyclists and equestrians, as well as to accommodate various transportation modes, safe highway, street and road crossings are encouraged throughout the Penn Valley and the Lake Wildwood area.

Policy PS-1.2: Multi-Purpose Paths
Commercial and multi-family residential development with frontage along Penn Valley Drive, Pleasant Valley Road or Spenceville Road, and both public and development-related road improvements should include the construction of multi-purpose paths.

To address these policies, the applicant is proposing an eight (8) foot wide paved bicycle and pedestrian path along the subject parcels Spenceville Road frontage. This requirement will be addressed as a condition of approval.

Based on the results of the Traffic Study and with the above noted Public Works conditions and the condition for the paved bicycle and pedestrian path required, potential transportation impacts related to conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle or pedestrian facilities are ***less than significant***.

17b. CEQA Guidelines Section 15064.3(a) states that "Generally, vehicle miles traveled is the most appropriate measure of transportation impacts." Vehicle miles traveled (VMT) refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Regarding land use projects, CEQA Guidelines Section 15064.3(b)(1) states that vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact.

The California Governor's Office of Land Use and Climate Innovation (LCI) has prepared a Technical Advisory as a basis for guidance in determining VMT. According to this Advisory, development projects that are considered "local-serving" as opposed to "regional-serving" and do not exceed 50,000 square feet in area, and considered to be in a "low vehicle travel area", may be screened out and do not require a VMT analysis.

The Traffic Study prepared for the project by Kunzman Associates addresses the project's VMT by stating that based on its small size (10,000 square feet) and its local serving nature, it is exempt from being required to prepare a Vehicle Miles Traveled (VMT) analysis. Based on this information, the project's impacts associated with VMT increases are considered ***less than significant***.

17c,e. The project has been reviewed by the Nevada County Department of Public Works, Caltrans, the Penn Valley Fire Protection District, and the Nevada County Fire Prevention Planner/CalFire. Spenceville Road is a county-maintained road and will provide ingress and egress to the project site. At this location, Spenceville Road is straight and relatively flat. This access does not propose any sharp curves or geometric design features that would result in a potential hazard to vehicles accessing the subject parcel.

As stated in Section 17a above, the County Public Works Department has reviewed the project and has provided conditions of approval to address Department requirements. These conditions include: obtaining an Encroachment Permit prior to any work within the Spenceville Road right of way; constructing new driveways for the proposed project in conformance with the County's Commercial Approach standards; payment of traffic mitigation fees; submittal of a truck turning analysis; and providing a designated on-site location for dropping off passengers at the entrance to the facility. As an additional condition, the applicant will be required to provide a sight distance exhibit and analysis for the encroachments onto the public right of way using the County's procedures for measurements in Standard Drawing A-6.

Based on this information and with the condition requiring a sight distance analysis required, potential safety and traffic related impacts are ***less than significant***.

17d. The subject property is located on the west side of Spenceville Road, directly across from the Penn Valley Fire Protection District station. Spenceville Road will serve the project site for emergency access. No new roadways are proposed with this project.

The Penn Valley Fire Protection District, Nevada County Department of Public Works, and the Nevada County Fire Prevention Planner/CalFire have reviewed the proposed project and have not identified any significant impacts to emergency access. The proposed driveway access from Spenceville Road will meet Nevada County design standards and no adverse impacts have been identified resulting in impacts to emergency access. Therefore, the proposed project will have ***no impact*** to emergency access.

Mitigation Measures: None required.

18. Tribal Cultural Resources

Existing Setting: California State Assembly Bill (AB) 52 required an update to CEQA Appendix G (Initial Study Checklist) of the CEQA Guidelines to include questions related to impacts to Tribal

Cultural Resources (TCRs). Changes to Appendix G were approved by the Office of Administrative Law on September 27, 2016. The most common types of Tribal Cultural Resources include stone tools (projectile points, flaked stone, and milling stones), shell beads, and a cultural soil called "midden" that have cultural or sacred value to California Native American Tribes. TCRs can also be native plants, trees, and cultural landscapes. Types of artifacts and sites from the historic era include bottles, cans, ceramics, building foundations, and bricks. The proposed project was circulated to traditionally and culturally affiliated Native American tribes having historical lands within Nevada County. See Section 5 (Cultural Resources) for additional information regarding tribal resources.

Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**	**Reference Source (Appendix A)**
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: 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 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		✓			A,H

Impact Discussion:

18a. In accordance with AB 52, the project application was distributed to respective tribal agencies for tribal cultural resource review and comment. The United Auburn Indian Community (UAIC) requested consultation with the Nevada County Planning Department regarding the proposed project.

The United Auburn Indian Community (UAIC) is a federally recognized Tribe comprised of both Miwok and Maidu (Nisenan) Tribal members who are traditionally and culturally affiliated with the project area. The Tribe has a deep spiritual, cultural, and physical ties to their ancestral land and are contemporary stewards of their culture and landscapes. The

Tribal community represents a continuity and endurance of their ancestors by maintaining their connection to their history and culture. It is the Tribe's goal to ensure the preservation and continuance of their cultural heritage for current and future generations.

UAIC conducted a background search for the identification of Tribal Cultural Resources for the project, which included a review of pertinent literature, historic maps, and a records search using UAIC's Tribal Historic Information System (THRIS). UAIC's THRIS database is composed of UAIC's areas of oral history, ethnographic history, and places of cultural and religious significance, including UAIC Sacred Lands that are submitted to the Native American Heritage Commission (NAHC). The THRIS resources shown in this region also include previously recorded indigenous resources identified through the California Historic Resources Information System Center (CHRIS) as well as historic resources and survey data. According to THRIS data, there are 5 known TCRs, including bedrock milling features, habitation sites, and lithic scatters, less than a 1-mile radius of the project area. No known TCRs are recorded in the project area.

On August 20, 2025, UAIC Representative Anna M. Starkey conducted a tribal survey for the identification of TCRs. Ground visibility was excellent due to recent goat grazing. Five meter transects heading north-south were used. A few scattered cobbles were observed across the parcel, and no bedrock outcroppings are present. Native plants observed include blue oaks and turkey mullein. A Landmark Blue Oak is in the southeastern corner of the parcel.

The survey did not identify any TCRs in the project area and there is a moderate to low potential for buried TCRs. UAIC indicated it would like to close AB52 consultation with the following two mitigation measures, which would reduce potential impacts to Tribal Cultural Resources to less than significant:

1. MM 18A: Preserve and protect the Landmark Oak as a TCR
2. MM 18B: Unanticipated Discoveries of TCRs

The existing single, large blue oak tree located near the southeastern corner of the subject property has an approximate 42-inch diameter at breast height (DBH) and is mapped as a Landmark Oak tree by the Oak Resources Management Plan prepared for the project. The United Auburn Indian Rancheria (UAIC) classifies this tree as a Heritage Tree.

According to the UAIC, heritage trees are typically over 100 years old and hold historical significance in addition to providing many benefits to communities and landscapes. These trees have born witness to history and human interactions and are thought to hold a collective memory that is remembered and passed down from generation to generation. These resources also provide continuity between the past, present, and future. Heritage trees are no longer common due to persistent and ongoing development in the Tribe's traditional territory. These trees represent an important part of a landscape and cultural heritage that were once a part of the Tribe's social, economic, and religious wellbeing.

Mitigation Measure 18A requires the preservation and protection of the existing Landmark Oak tree located near the southeastern corner of the property. **Mitigation 18B** provides guidance for stopping work in the event there are unanticipated discoveries of tribal cultural resources. With the described mitigation measures in place, impacts to these Tribal Cultural Resources will be ***less than significant with mitigation***.

Mitigation Measures: To address potentially adverse cultural or historical resources impacts associated with project construction activities, the following mitigation measures shall be required and shall be included as notes on all future site plans.

Mitigation Measure 18A: Preserve and protect the existing Landmark Oak tree. The existing single, large blue oak tree located near the southeastern corner of the subject property has an approximate 42-inch diameter at breast height (DBH) and is mapped as a Landmark Oak tree by the Oak Resources Management Plan prepared for the project. The United Auburn Indian Rancheria (UAIC) classifies this tree as a Heritage Tree.

This tree shall be preserved and protected by the applicant/property owner during construction of the proposed project and during use of the project site once construction is completed. Preservation and monitoring of this tree is also addressed through Mitigation Measure 4B.

Timing: *During any project-related grading or construction; ongoing;*
Reporting: *Noted on improvement plans Landmark Oak tree to be preserved and protected;*
Responsible Agency*: Planning Department*

Mitigation Measure 18B: Unanticipated Discoveries of Tribal Cultural Resources.
If any suspected TCRs or resources of cultural significance to UAIC, including but not limited to features, anthropogenic/cultural soils, cultural belongings or objects (artifacts), shell, bone, shaped stones or bone, or ash/charcoal deposits are discovered by any person during construction activities including ground disturbing activities, all work shall pause immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. Work shall cease in and within the immediate vicinity of the find regardless of whether the construction is being actively monitored by a Tribal Monitor, cultural resources specialist, or professional archaeologist.

A Tribal Representative and the Nevada County Planning Department shall be immediately notified, and the Tribal Representative in coordination with the Planning Department shall determine if the find is a TCR (PRC §21074) and the Tribal Representative shall make recommendations for further evaluation and treatment as necessary.

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

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

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

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

Work at the TCR discovery location shall not resume until authorization is granted by the Nevada County Planning Department in coordination with the culturally affiliated Tribe.

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

Timing: *During project-related grading or construction*
Reporting: *Noted on improvement plans; Notify Planning Department if TCRs discovered and construction work stopped*
Responsible Agency: *Planning Department*

19. Utilities and Service Systems

Existing Setting: The subject property is in Penn Valley in the western portion of unincorporated Nevada County, within the Penn Valley Village Center. The site is located on the west side of Spenceville Road (10592 Spenceville Road), approximately 375 feet south of Penn Valley Drive. The site is served by Pacific Gas & Electric (PG&E) for electricity needs. Solid waste services are provided by Waste Management. Nevada Irrigation District (NID) serves the parcel with potable water and Nevada County Sanitation District No. 1 (Penn Valley Zone 6) services the site for wastewater disposal.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Require or result in the relocation or the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?			✓		A,G,C
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			✓		A,G
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?			✓		A,C
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 goals?			✓		A
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓		A

Impact Discussion:

19a. The project parcel is located within the boundaries of the Nevada Irrigation District (NID). The applicant provided email correspondence from NID dated September 29, 2025, that provided a fixture unit count (toilets, sinks, hose bibs, dishwashers, etc.) for the project. According to this correspondence, the project will result in a total fixture unit (FU) count of 132.5 which equates to about 75 gpm (gallons per minute). The water meter will need to be 1-1/2" in size which is capable of handling flows up to 120 gpm.

On October 20, 2025, NID provided the applicant with a letter addressing treated water availability for the subject property. According to NID records, the subject property does not currently have a water service account and does not have adequate frontage to a waterline; therefore, a mainline extension is required. Pursuant to NID regulations, the cost of any improvements necessary to provide treated water service, including off-site and on-site improvements, are the sole responsibility of the property owner/developer. A conveyance agreement provides for District's acceptance of newly constructed treated water improvements for maintenance, operation and replacement after the property owner has complied with the terms of the agreement.

The District has adequate capacity for consumptive needs. Upon compliance with all the terms of the conveyance agreement, potable water service would be available to this parcel from the Lake Wildwood Treatment Plant. Due to the proposed use of the property, a Water Demand Analysis is required to determine the appropriate meter size and related connection and capacity fees. Additionally, required backflow prevention devices will be installed with each connection to the NID system.

The responsibility of the District ends at the meter. It is the property owner's responsibility to acquire necessary easements and to install and maintain the private service pipeline(s) and appurtenances there from.

In addition to the required Water Demand Analysis, the subject parcel will need a minor waterline extension to comply with NID Rules and Regulations. A backflow (RP) device) will be required and a dedicated water meter for landscaping will be required, with backflow. These requirements will be addressed as conditions of approval.

Regarding wastewater treatment, the proposed project is located within the boundaries of the Nevada County Sanitation District which has capacity for the proposed project. The Sanitation District has reviewed the project and will require the following as conditions of approval:

1. Detailed plans will need to be submitted and approved prior to permit issuance.
2. A sewer report will be required that shall include anticipated flows, sizing of pipe, sizing of the tanks and effluent pump, pump curves to show that the pumps will meet the requirements for the force main pressure, types of uses for the development, including uses that will have the potential of sending prohibited materials through the collection system to the WWTP. It will also include a plan for capture of any prohibited substances from entering the collection and treatment system. Please see the Sanitation District Code for a description of prohibited items.
3. Equivalent Dwelling Units for this development will be provided once the Sewer report referenced above is provided at the equivalent to 196 gal/day = 1 EDU. EDUs already allocated to the parcel would be eligible for use.
4. The Sanitation District will need copies of the Quality Control and testing reports (force main pressure tests, tank level tests, and pump performance tests, etc.) performed on all project components.

A Preliminary Drainage Report was submitted with the application. The Report indicates the proposed site improvements will have some increase in flows for the 10-year and 100-year events. In order to not significantly impact the existing natural drainage flows, the resulting drainage improvements require the detention of the 100-year storm event. This is achieved by restricting the outlet of the storm drain system in a Detention Pond prior to being discharged back into the existing natural drainage course. As a condition of approval, the applicant will be required to submit grading and drainage plans, accompanied by a Hydrology and Hydraulics report prepared by a licensed civil engineer. The report must demonstrate the proposed development will result in no net increase in stormwater runoff. Storm drainage improvements shall meet County standards.

The project will not result in the relocation or expansion of other utilities that would result in significant impacts. Based on this information, a ***less than significant*** impact related to utilities and service systems and their environmental effects is anticipated.

19b. As stated above, the Nevada Irrigation District has adequate capacity to serve the proposed project. Upon compliance with all the terms of the conveyance agreement, potable water service would be available to this parcel from the Lake Wildwood Treatment Plant. Due to the proposed use of the property, a Water Demand Analysis is required to determine the appropriate meter size and related connection and capacity fees.

The applicant has submitted a preliminary landscape plan showing all proposed trees, shrubs, and groundcovers. From a total of 19 different plant species proposed, 15 species are categorized as being low water users and 13 species are native. The preliminary landscape plan also contains a table which demonstrates the plan is compliant with the State of California's Model Water Efficiency Landscape Ordinance (MWELO). Compliance with MWELO is a condition of approval rather than a mitigation measure since the Nevada County Code requires compliance. Water fixtures in the proposed buildings shall be required to be low-flow and in compliance with California Building Code requirements for efficient use. Since the project will comply with all state and local regulations related to water conservation, the impacts related to sufficient water supplies are anticipated to be ***less than significant***.

19c. As previously noted above, the proposed project is located within the boundaries of the Nevada County Sanitation District which has indicated it has capacity for the proposed project. The Sanitation District has reviewed the project and will require conditions of approval. Based on this information, potential impacts are ***less than significant***.

19d,e. The proposed project is not anticipated to result in significant amounts of solid waste; however, any waste generated will be required to comply with federal, state and local statutes and regulations related to solid waste. The applicant is proposing a trash enclosure area to serve the proposed community event facility located southwest of the proposed community event building. Based on this information, there should be a ***less than significant*** impact.

Mitigation Measures: None required

20. Wildfire

Existing Setting: The project parcel is within the Penn Valley Fire Protection District and is within a Moderate Fire Hazard Severity Zone designated by the CalFire Fire Hazard Severity Zone maps. The project site is adjacent to commercial uses to the north, commercial and public uses (Penn Valley Fire Station, Penn Valley rodeo grounds) to the northeast and east, a residence and schools to the south and southwest, and a church to the west.

The project will result in removal of existing trees located on the eastern half of the project site to provide area for the proposed community event building, parking, and circulation areas. The existing Landmark Oak Grove area located in the north central portion of the site will be retained.

Landscaping including trees and shrubs will be planted near the north, east, and south property lines and within the proposed parking lot area.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?			✓		A,E
b. Due to slope, prevailing winds, or other factor, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrollable spread of wildfire?			✓		A,E
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?				✓	A,E
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?				✓	A,E

Impact Discussion:

20a. The subject parcel is currently undeveloped. The proposed project would result in construction of a 10,000 square foot building with attached 1,134 square foot covered outdoor seating area as a community event facility to support a wide array of activities, events and services. The project also proposes two, 1,728 square foot covered outdoor pavilions and a 225 square foot restroom building.

Access to and from the project site will be provided by two, one-way driveways from Spenceville Road, which is designated a Major Collector by the Circulation Element of the Nevada County General Plan. The driveways will be required to meet County requirements for width, surfacing, and vegetative clearance. In the event of evacuation, persons attending an event held at the facility would access Spenceville Road and travel either northeast to State Highway 20 or southwest towards Indian Springs Road.

The project has been reviewed by the Penn Valley Fire Protection District, the Nevada County Department of Public Works, and the Nevada County Fire Prevention Planner and no adverse impacts from the project resulting in the impairment of an emergency or evacuation plan were raised. The site is located directly across Spenceville Road from the Penn Valley Fire Station, which will result in short response times. Therefore, the impact of this project related to the impairment of an adopted emergency response plan or emergency evacuation plan is considered ***less than significant***.

20b. The general topography of the parcel is relatively flat. The eastern portion of the site will be cleared of vegetation and graded to provide area for the community event building, parking, and circulation areas. The proposed buildings will be designed to meet applicable California Building Code requirements and will be equipped with automatic fire sprinkler systems, emergency access, and other fire safety measures. Appropriate defensible space/vegetative clearance will be required. With State and local fire standards required, there is a ***less than significant impact*** related to exposing project occupants to pollutant concentrations from a wildfire or the uncontrollable spread of wildfire.

20c. The project does not propose the installation or maintenance of new infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk. The driveways, parking, and circulation areas will be developed to County standards. Therefore, there is ***no impact*** on exacerbating fire risk or temporary or ongoing impacts to the environment related to installation or maintenance of associated infrastructure.

20d. The project does not expose people or structures to significant wildfire risks. The project site is not located downstream from a potential flood source or in an area with potential for landslides due to run off. There will be no post-fire slope instability due to proper grading addressed through the required grading permit. Additionally, a large portion of the eastern portion of the site will be cleared of natural vegetation which reduces potential wildfire impacts. There are also no significant changes of drainage instability with a proposed water drainage system. There are no watercourses in the vicinity of the project site that could receive runoff or sediment from the project. Standard requirements for erosion control and regulatory permitting are in place to ensure slope instability, and potential drainage changes because of the project do not impact downstream resources. Subsequently, this project will have ***no impact*** to this criterion.

Mitigation: None required.

21. Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Does the project have the potential to substantially 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, substantially 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?		✓			A

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
b. Does the project have environmental effects that 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
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		✓			A

Impact Discussion:

21a. This Initial Study and proposed Mitigated Negative Declaration evaluates the potential impact the proposed project could have on the environment. Compliance with existing federal, state, and local regulations and mitigation measures identified in this Initial Study will reduce all potential impacts of the proposed project to a less than significant level. As discussed in the Biological Resources section, the project will have a less than significant impact with mitigation on the habitat and populations of protected plant and animal species. The Cultural Resources, Geology and Soils, and Tribal Cultural Resources sections find that impacts to important examples of major periods of California's history or prehistory will also be less than significant with mitigation. With the proposed mitigation measures, this project will have a ***less than significant impact with mitigation*** to substantially 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, substantially 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.

21b. The proposed project includes a Conditional Use Permit application to allow a 10,000 square foot building with attached 1,134 square foot covered outdoor seating area as a community event facility to support a wide array of activities, events and services. A Visitor Center hosted by the Penn Valley Chamber of Commerce is proposed in the main entry of the building. A Business and Workforce Development Hub is proposed to help local entrepreneurs and start-ups to grow their businesses, as well as provide rural workforce development/job training. An E-Connectivity Hub and Collaborative Technology Center is proposed to provide high-speed, broadband and WIFI access for community members with computer stations. A commercial kitchen, a banquet hall, a theater/stage, and smart meeting rooms are also proposed. Access to and from the project site will be provided by two, one-way driveways from Spenceville Road.

The project also proposes two, 1,728 square foot covered outdoor pavilions and a 225 square foot restroom building. A proposed 2.5-acre garden area and detention pond are proposed in the rear half portion of the subject 4.77-acre parcel. A total of 140 parking

spaces are proposed with 51 spaces proposed to be gravel surfaced within landscaped parking lot area. The project includes an Oak Resources Management Plan for potential impacts to a Landmark Oak Tree and a Landmark Grove on the subject property.

The project's resulting construction of the community event facility and related improvements is not anticipated to create potential impacts that are individually limited but cumulatively considerable. The proposed buildings and structures are subject to all applicable local, state, and federal regulations and permitting, and any future change in use will require environmental review pursuant to CEQA. Therefore, the project's cumulatively considerable impacts are ***less than significant***.

21c. The proposed project would not result in any substantial adverse effects to human beings, directly or indirectly, since each potentially significant impact can be reduced to a less than significant level with adherence to the mitigation measures outlined in this initial study and compliance with existing federal, state, and local regulations. This includes potential impacts to aesthetics, geology and soils, hydrology and water quality, noise, and transportation. Therefore, there would be no substantial adverse effects to human beings because of the project, resulting in impacts that would be ***less than significant with mitigation.***

Mitigation Measures: To offset potentially adverse impacts to aesthetics, biological resources, cultural resources, geology and soils, hydrology and water quality, noise, transportation, and tribal cultural resources, see the listing of **Recommended Mitigation Measures** beginning on page 12 of this initial study.

Recommendation of the Project Planner

Based on 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.

__X__ 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 a "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.

Prepared by:

_Steve Geiger_____ Date: May 15, 2026

Steve Geiger, Principal Planner

Appendix A – Reference Sources

A. Nevada County Department of Planning
B. Nevada County Department of Environmental Health
C. Nevada County Department of Public Works
D. Nevada County Building Department
E. Penn Valley Fire Protection District
F. Northern Sierra Air Quality Management District (NSAQMD)
G. Nevada Irrigation District (NID)
H. United Auburn Indian Community (UAIC)

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15. *Nevada County Regional Transportation Plan (NCRTP) 2015-2035* (*Nevada County, January 2018*). Retrieved from: https://www.nctc.ca.gov/Reports/Regional-Transportation-Plan/index.html

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