

**NEVADA COUNTY, CALIFORNIA
INITIAL STUDY**

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| To: | Dept. of Public Works – Engineering Dept. of Public Works – Surveyor Dept. of Public Works – Transit No. Sierra Air Quality Mgt. District Airport Manager Ophir Hill Fire District Nevada Irrigation District Nevada Co. Airport Land Use Commission Caltrans – Highways Fire Protection Planner Native American Heritage Commission CA Native Plant Society – Redbud Federation of Neighborhoods Kevin Johnston | United Auburn Indian Community Friends of Nevada City General Plan Defense Fund Rattlesnake Road Association Wolf Creek Community Alliance AT&T PG&E Environmental Health CA Fish and Wildlife Commissioner Aguilar, District III Supervisor Miller, District III Principal Planner, Tyler Barrington CEO |
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**receives full report, others receive NOA only with report available online.*

Date: May 22, 2019

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File Number(s): PLN18-0089; TPM18-0006, EIS19-0002

Assessor's Parcel Numbers: 012-020-002

Applicant/Representative: Sandy Jansen
California Survey Company
136 Idaho Maryland Road
Grass Valley, CA 95945

Property Owner: Christiaan & Kashi Royer, Trustees

Zoning District: RA-3 (Residential Agriculture with a minimum parcel size of 3 acres)

General Plan Designation: EST (Estate)

Project Location: 12489 State Highway 174, Grass Valley
Between Grass Valley and the Cedar Ridge Rural Center

Project Description: A Tentative Parcel Map application (TPM18-0006) proposing to divide a 6.25-acre parcel zoned RA-3 into two parcels (3.01-acres and 3.24-acres in size). Both proposed parcels would take access from State Highway 174, at an existing access point that is proposed to be an access and utility easement. Proposed Parcel 1 is developed with single-family residential improvements including an individual well and septic system. Minimum Useable Sewage Disposal Areas are delineated on both parcels, setting aside area for septic disposal and/or future repair. Either the Nevada Irrigation District would provide treated water to proposed Parcel 2, or an individual well could be added. Building envelopes

are delineated on both proposed parcels. The building envelope on proposed Parcel 1 would contain existing improvements, and is sized to allow any potential future improvements and designed to avoid the 100-foot setback to Rattlesnake Ditch and 50-feet from a man-made swimming hole. The building envelopes on both proposed parcels span to the building setbacks, allowing a large area for the development of new improvements. Figure 1, shows the property along with the proposed new property line, highlighted in green.

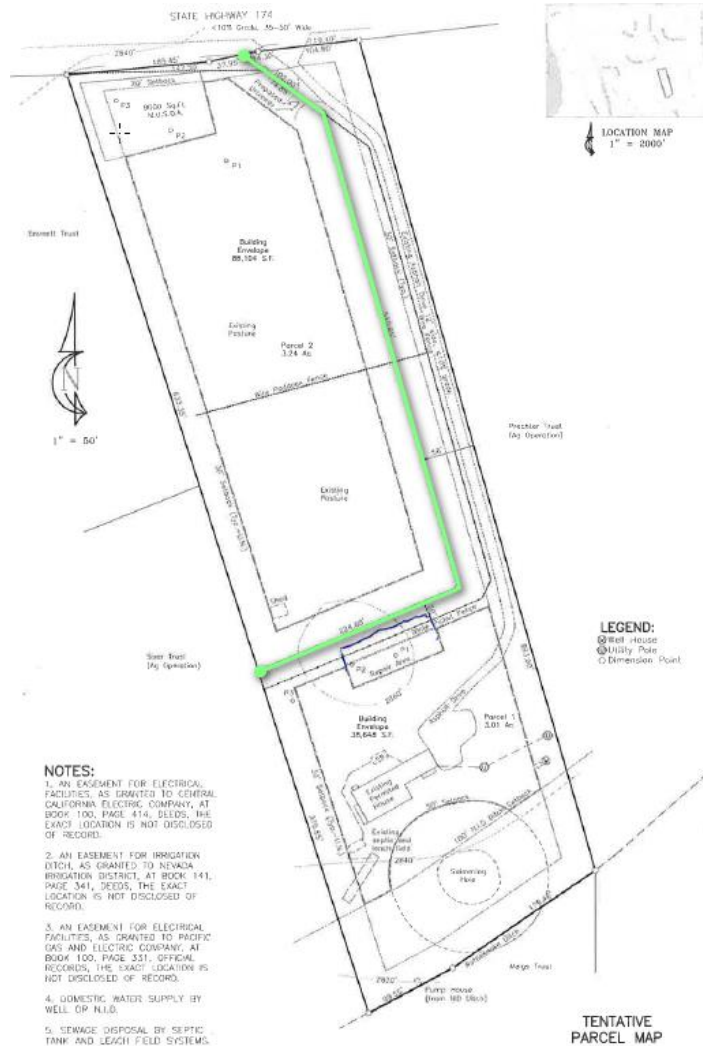
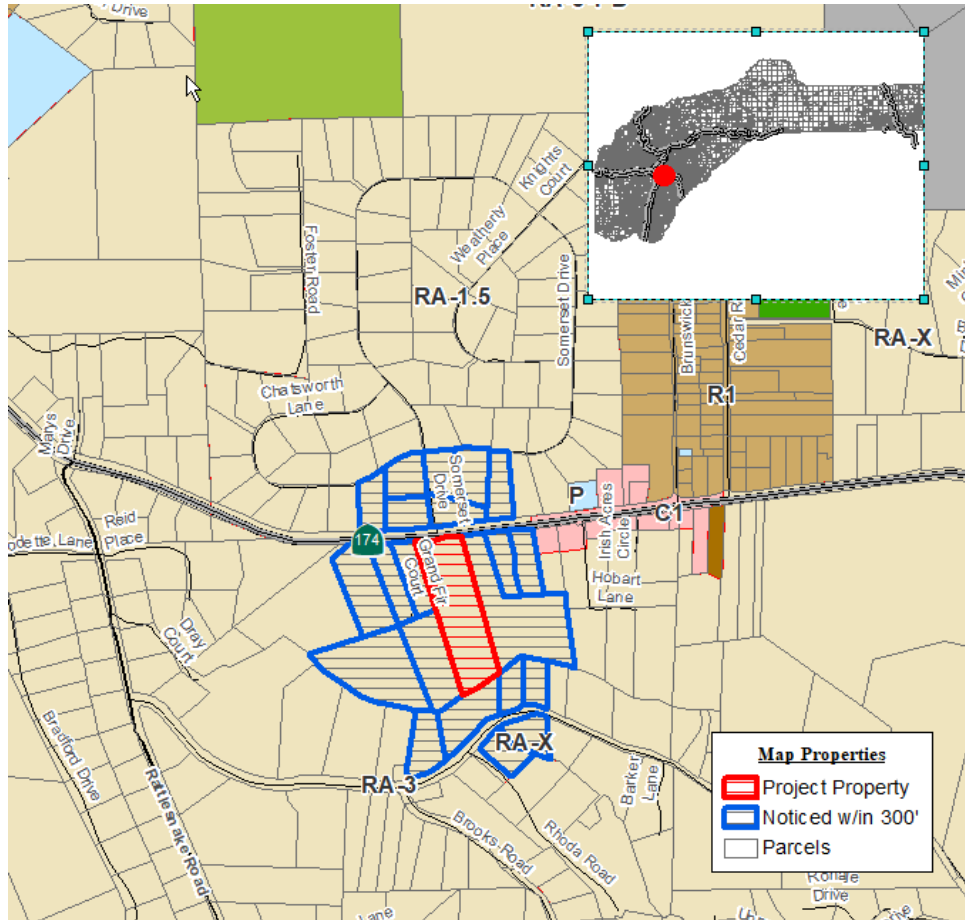


Figure 1

Project Site and Surrounding Land Uses: The subject 6.25-acre property is located approximately 2.5 miles Southeast from Grass Valley, in an unincorporated area of Nevada County. The property is situated on the south side of State Highway 174, a CalTrans maintained roadway. The project biologist describes the property as being approximately 4.0 acres of pastureland and 2.0 acres of Ponderosa Pine forest. The project parcel also contains a Nevada Irrigation District (NID) canal along the southern boundary, as well as a man-made swimming hole, that is approximately 50X60 feet, with a clay bottom and approximately four (4) feet deep. The subject property takes access from California State Highway 174, via a driveway and emergency/fire access easement. The project parcel is developed with a single-family residence, storage shed, man-made swimming hole, and paved driveway that will serve both of the proposed parcels. The

surrounding parcels to the west, east and south are all developed with single-family residences and agricultural buildings. Parcels in the neighborhood generally have rural residential uses.

This parcel and surrounding parcels are zoned Residential Agriculture with a 3 acre minimum parcel size (RA-3). The parcel and surrounding parcels have a General Plan designation of Estate (EST). Adjacent parcels are of variable size ranging from 1.09-acres to 6.48-acres. Figure 2 shows the zoning and configuration of the project parcel and surrounding parcels.



Other Permits, Which May Be Necessary: Based on initial comments received, the following permits may be required from the designated agencies:

1. Building Permits- Nevada County Building Department

Relationship to Other Projects: None.

Tribal Consultation: California Native American Tribes with ancestral land within the project area were routed the project during distribution. The United Auburn Indian Community (UAIC) requested consultation on October 24, 2018, and closed consultation after a follow up phone call. The California Native American Tribes will be sent a Notice of Availability for Public Review and Notice of Intent to Adopt a Mitigated Negative Declaration for this project, which will allow the California Native American Tribes the opportunity to comment on the analysis of environmental impacts. Mitigation has been included in Sections 5 and 18 of this initial study to address a plan for further consultation, if needed.

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

Summary of Impacts and Recommended Mitigation Measures:

- AIR QUALITY:** To offset potentially adverse air quality impacts associated with the project activities, the following mitigation measures shall be required:

Mitigation Measure 3A: Reduce emissions during construction. The following are minimum recommended mitigation measures designed to help reduce project emissions related to construction, which shall be included as notes on all plans prior to issuance of all grading, improvement, and building permits. In addition to these measures, all statewide air pollution control regulations shall be followed, including diesel regulations (which may be accessed at www.arb.ca.gov/diesel/diesel.htm). This mitigation shall be included as a note on the Supplemental Map prior to recordation of each project phase.

- Grid power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction.
- At least 50% of the mobile off-road construction equipment in use at anytime on the project shall be equipped with Tier 1 engines (or cleaner).
- All architectural coatings shall comply with the California Air Resources Board's 2007 Suggested Control Measure for Architectural Coatings (available at www.arb.ca.gov/coatings/arch/Approved_2007_SCM.pdf)

4. Construction equipment idling times shall be minimized either by shutting equipment off when not in use, or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]) and all construction equipment shall also be maintained and properly tuned in accordance with manufacturer's specifications." Clear signage shall be provided for construction workers at all access points.
5. The applicant shall use reasonable precautions to minimize dust generation. Reasonable precautions may include watering exposed soils, as well as any stockpiled material, and limiting traffic speeds. Such methods shall be noted on improvement plans prior to approval.

Timing: Prior to map recordation and issuance of grading/improvement/building permits.

Reporting: Approval of the Parcel Map for recordation and future permit issuance

Responsible Agency: Planning Department and Northern Sierra Air Quality Management District

Mitigation Measure 3B: Provide energy-efficient utilities. Residential improvement plans shall include documentation that they comply with the following measures prior to issuance of building permits. This mitigation shall be included as a note on the Supplemental Map prior to recordation of each project phase.

1. The project shall use energy efficient lighting (includes controls) and process systems beyond Title 24 requirements where practicable. (e.g. water heating, furnaces, boiler units, etc.)
2. The project shall utilize water heating featuring low-NOx water heating burners if electric water heating is not used.
3. The project shall use energy efficient, automated controls for air conditioning beyond Title 24 where practicable.

Timing: Prior to map recordation and prior to issuance of the residential building permits.

Reporting: Agency approval of the Parcel Map recordation and building permits.

Responsible Agency: Planning Department and Northern Sierra Air Quality Management District

Mitigation Measure 3C: Limit wood stoves. The project shall include no more than one wood-fired heat source in any residential unit, which may be a pellet stove or an EPA-certified wood stove, and open fireplaces shall not be permitted within this project. Each residence shall be equipped with a non-woodburning source of heat. This mitigation shall be included as a note on the Supplemental Map prior to recordation of each project phase and implemented prior to the issuance of residential building permits

Timing: Prior to map recordation and prior to issuance of residential building permits.

Reporting: Agency approval of the Parcel Map recordation and building permits.

Responsible Agency: Planning Department and Building Department

4. **BIOLOGICAL RESOURCES:** To reduce potential construction impacts to sensitive species, the following mitigation measures are recommended:

Mitigation Measure 4A: Establish Building Envelopes. Delineate building envelopes, in accordance with the approved tentative map, with the exception of the building envelope on Parcel 1, which includes the 100-foot setback to the NID ditch and the 50-foot setback from the swimming hole. The building envelopes shall be shown on the supplemental data sheets to be recorded concurrently with the parcel map and on all future grading/improvement/building permit plans. All above ground structures shall be limited to the building envelopes identified on each of the parcels, this restriction does not apply to underground utility placement or driveways.

Timing: Prior to map recordation and prior to issuance of grading/improvement/building permits

Reporting: Approval of the Parcel Map for recordation and future permit issuance
Responsible Agency: Planning Department

Mitigation Measure 4B: Wildlife Safety Fencing. If fencing is constructed as a perimeter barrier in and around the project site, then it should adhere to the following design requirements:

1. Height: Fencing height shall be no greater than 38 inches above the ground to the top of the top wire or rail. Spacing between the top two wires shall be at least 12 inches, and this is not applicable when the top is a rail or pole. Rails and poles are visually and spatially preferable for wildlife.
2. Materials and Design: Wood (or similar material) top rails, and either wood rails or wire strands are permitted as horizontal elements in a fence. The wire strands shall be smooth or barbless. The required fencing design includes a top level of wood pole, or similar material, rather than wire. The bottom rail or wire strand shall be at least 18 inches above the ground. The spacing of fence posts is recommended to be on 12- foot centers unless topography prohibits this spacing. Spacing of the second and third wire shall be evenly spaced. Spacing distances may vary from 6-8 inches.

Timing: Prior to map recordation and prior to issuance of residential building permits.

Reporting: Agency approval of the Parcel Map recordation and building permits.

Responsible Agency: Planning Department and Building Department

5. **CULTURAL RESOURCES:** To offset potentially adverse cultural or historical resources impacts associated with the construction activities, the following mitigation measure shall be required:

Mitigation Measure 5A: Halt work and contact the appropriate agencies if human remains, cultural materials, or paleontological resources are discovered during project construction. Prior to issuance of grading permits or improvement plans, all plans shall incorporate, at a minimum, the following cultural resources protection measures, which shall be implemented in the field: 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 or paleontological resources. If such resources are encountered or suspected, work shall be halted immediately and the Nevada County Planning Department 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 map recordation and prior to issuance of grading or improvement permits and during construction

Reporting: Approval of grading or improvement permits

Responsible Agency: Planning Department

7. **GEOLOGY / SOILS:** To offset potentially adverse geological impacts associated with the construction activities, the following mitigation measure shall be required:

Mitigation: See Mitigation Measure 5A.

- 13. NOISE: Mitigation Measures:** To reduce potentially significant impacts associated with construction noise, the following mitigation measure shall be noted on improvement plans:

Mitigation Measure 13A: Limit construction activities to reduce noise impacts. Hours of operation for construction activities shall be limited to the hours of 7 a.m. to 7 p.m. Monday through Saturday. These limited hours of operation shall be noted on grading and building plans, which shall be reviewed and approved by the Planning Department prior to permit issuance.

Timing: *Prior to issuance of grading or improvement permits and during construction*

Reporting: *Agency approval of permits and by complaint*

Responsible Agency: *Planning Department and Code Compliance*

- 18. TRIBAL CULTURAL RESOURCES: Mitigation Measures:** To offset potentially adverse tribal cultural resource impacts associated with the construction activities, the following mitigation measure shall be required:

Mitigation: *See Mitigation Measure 5A.*

- 19. UTILITIES/SERVICE SYSTEMS:** To offset potentially adverse impacts related to construction waste, the following mitigation measure is recommended:

Mitigation Measure 19A: Appropriately Dispose of Vegetative and Toxic Waste. Neither stumps nor industrial toxic waste (petroleum and other chemical products) are accepted at the McCourtney Road transfer station and if encountered, shall be properly disposed of in compliance with existing regulations and facilities.

Timing: *Prior to map recordation and prior to issuance of grading or improvement permits and during construction*

Reporting: *Agency approval of permits or plans*

Responsible Agency: *Nevada County Planning Department*

Mitigation Monitoring Matrix:

| MEASURE # | MONITORING AUTHORITY | IMPLEMENTATION TIMING |
|-----------|---|--|
| 3A | Planning Department and Northern Sierra Air Quality Management District | Prior to map recordation and prior to issuance of grading or improvement permits |
| 3B | Planning Department and Northern Sierra Air Quality Management District | Prior to map recordation and prior to issuance of improvement permits and during construction |
| 3C | Planning Department and Building Department | Prior to map recordation and prior to issuance of improvement permits and during construction |
| 4A | Planning Department | Prior to map recordation and prior to issuance of grading or improvement permits |
| 4B | Planning Department | Prior to map recordation and prior to issuance of grading or improvement permits |
| 5A | Planning Department | Prior to map recordation and prior to issuance of grading or improvement permits and during construction |

| | | |
|-----|---|---|
| 13A | Planning Department and Code Compliance | Prior to issuance of improvement permits and during construction. |
| 19A | Planning Department | Prior to map recordation and prior to issuance of grading or improvement permits and during 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). The information, analysis and conclusions contained in the checklist are the basis for deciding whether an Environmental Impact Report (EIR) or Negative Declaration is to be prepared. If an EIR is determined to be necessary based on the conclusions of the Initial Study, the checklist is used to focus the EIR on the effects determined to be potentially significant. 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 Royer property is a 6.25-acre parcel containing one single-family residence an accessory structure, and a man-made swimming hole. Elevation of the property is 2,640-feet above mean sea level, with a maximum of 10% grade change across the entire parcel. Vegetation on the parcel is consists of approximately 4.0-acres of pasture land, and the remaining includes Ponderosa Pine forests and the existing improvements. Due to the openness of the parcel and it’s proximity to the State Highway 174, improvements are visible from offsite. Surrounding parcels range from 1.09-acres to 6.48-acres and land uses are described as low density rural residential.

| Except as provide in Public Resources Code Section 21099, would the proposed 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, L |
| b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? | | | | ✓ | A, L,29 |
| c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | | | ✓ | | A |

| Except as provide in Public Resources Code Section 21099, would the proposed project: | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? | | | ✓ | | A, 18 |

Impact Discussion:

- 1a.b. The subject property is not located within or near a state scenic highway, no historic buildings are located on the property, nor is the property within a designated historic district, and therefore, the project would result in *no impact* to those resources.
- 1c, d The project proposes a land division of a residential parcel into two residential parcels 3.01-acres and 3.24- acres in size. Parcel 1, the southerly portion of the original parcel, will be a flagpole lot. The project is not anticipated to result in significant negative aesthetic impacts as it is consistent with existing rural residential development as found on the adjacent developed parcels.

The project property has frontage on State Highway 174. The proposed Parcel 1, the southerly portion of the lot, will be a flagpole lot with 119.10 feet of road frontage. Parcel 2 will have the remaining 185.45 feet of frontage. Parcel 1 is developed with one residential home, as well as a man-made swimming hole, neither of which are currently visible from the roadway. Future development of a single family residence on Parcel 2 may be visible from the roadway and surrounding parcels depending on configuration. Views into the proposed parcels are anticipated to be mimic views into the surrounding residential environs with similar residential improvements. Similar to the surrounding properties, the project does not propose streetlights. Light and glare impacts from future residential development are anticipated to be minimal and may include daytime reflection from windows or nighttime illuminations from residential exterior lighting. The proposed project would not create a significant new source of light or glare, only that as anticipated with typical rural residential improvements and uses. Therefore, aesthetic impacts are expected to be *less than significant* as a result of this project.

Mitigation: None required.

2. AGRICULTURAL/FORESTRY RESOURCES

Existing Setting: The project site is designated as predominantly “Grazing Land” and a smaller portion as “Other Land” by the Farmland Mapping and Monitoring Program of the California Department of Conservation. It does not contain any Important Farmlands and the project parcel is not being used for agriculture. The parcel is mostly undisturbed, with the Southerly portion containing a single-family residence, one storage shed and a man-made swimming hole.

| Would the proposed 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 | | | | ✓ | A, L, 7 |

| Would the proposed project: | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| California Department of Conservation’s Division of Land Resource Protection, to non-agricultural use? | | | | | |
| b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract? | | | | ✓ | A |
| c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)), timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | | | | ✓ | A, L, 18 |
| d. Result in the loss of forest land or conversion of forest land to non-forest use? | | | | ✓ | L, 18 |
| 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, L, 7 |

Impact Discussion:

2a-e The project parcel does not contain any Important Farmlands as identified by the Farmland Mapping and Monitoring Program by the California Department of Conservation. The site is not zoned in Forest or the Timber Production Zone designations and does not propose any changes to the zoning designation. No forest land is involved in the project; therefore, there would be no loss of forest land or conversion of forest land to non-forest use. The zoning would remain Residential Agricultural, allowing potential agricultural uses on each proposed parcel. The proposed project would result in *no impact* relative to agricultural and forestry resources, on or off the subject land.

Mitigation: None required.

3. AIR QUALITY

Existing Setting: Nevada County is located in the Mountain Counties Air Basin. The overall air quality in Nevada County has improved over the past decade, largely due to vehicles becoming cleaner. State and Federal air quality standards have been established for specific “criteria” air pollutants including ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, lead, and particulate matter. In addition, there are State standards for visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride. State standards are called California Ambient Air Quality Standards (CAAQS) and federal standards are called National Ambient Air Quality Standards (NAAQS). NAAQS are composed of health-based primary standards and welfare-based secondary standards.

Western Nevada County is classified as a Serious Nonattainment Area for the 2008 ozone NAAQS and Moderate Nonattainment for the 2015 ozone NAAQS. It is also Nonattainment for the ozone CAAQS. The area is also Marginal Nonattainment for the 2008 ozone NAAQS and is Nonattainment for the ozone CAAQS. Most of western Nevada County’s ozone is transported to the area by wind from the Sacramento area and, to a lesser extent, the San Francisco Bay Area. Ozone is created by the interaction of Nitrogen Oxides and Reactive Organic Gases (also known as Volatile Organic Compounds) in the presence of

sunlight, especially when the temperature is high. Ozone is mainly a summertime problem, with the highest concentrations generally observed in July and August, especially in the late afternoon and evening hours.

Nevada County is also Nonattainment for the PM10 CAAQS, but Unclassified for the PM10 NAAQS due to lack of available recent data. The number after “PM” refers to maximum particle size in microns. PM10 is a mixture of dust, combustion particles (smoke) and aerosols, whereas PM2.5 is mostly smoke and aerosol particles. PM2.5 sources include woodstoves and fireplaces, vehicle engines, wildfires and open burning. PM10 sources include the PM2.5 plus dust, such as from surface disturbances, road sand, vehicle tires, and leaf blowers. Some pollen and mold spores are also included in PM10, but most are larger than 10 microns. All of Nevada County is Unclassifiable/Attainment for the PM2.5 NAAQS and Unclassified for the PM2.5 CAAQS (US Environmental Protection Agency, 2015).

Ultramafic rock and its altered form, serpentine rock (or serpentinite), both typically contain asbestos, a cancer-causing agent. Ultramafic rock and serpentine are likely to exist in several areas of western Nevada County; however, the area of the project site is not mapped as an area that is likely to contain natural occurrences of asbestos (California Department of Conservation, 2000). The project site is not underlain with serpentine or gabbro-derived soils in the Rescue, Secca, or Chaix variant soil series, and are not mapped near the project area.

An evaluation of project impacts related to greenhouse gas emissions is provided in Section 8 of this Initial Study.

| Would the proposed 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,G |
| b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard? | | ✓ | | | A,G |
| c. Expose sensitive receptors to substantial pollutant concentrations? | | | | ✓ | A,G,L |
| d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | | | | ✓ | A,G |
| e. Generate substantial smoke ash or dust? | | ✓ | | | A,G |

Impact Discussion:

3a The proposed two-way land division would not conflict with or obstruct implementation of an applicable air quality plan; therefore, *no impact* is anticipated on the potential adoption or implementation of an air quality plan.

3b, e Western Nevada County is in non-attainment for the Federal 8-hour ozone standard, and the entirety of Nevada County is in non-attainment for the State 1- and 8-hour ozone standards and PM10 standards. While most of the ozone in the County is transported from urban areas to the southwest, PM10 sources primarily come from within the County. PM10 violations in winter are largely due to wood smoke from the use of woodstoves and fireplaces, while summer and fall violations often occur during forest fires or periods of open burning. The proposed project would result in a

temporary but incrementally small net increase in pollutants due to vehicle and equipment emissions. Therefore, this impact is *less than significant*.

The California Emissions Estimation Model (CalEEMod) provides a means to estimate potential emissions associated with both construction and operation of land use project. Estimated construction impacts were determined using the parameters specific to the is proposed two-way land division and conservative CalEEMod defaults (CalEEMod Version 2013.3.1 2016). The Northern Sierra Air Quality Management District (NSAQMD) established thresholds of significance for assessing and mitigating air quality impacts of land use projects, as shown in the tables provided below. Level A requires the most basic mitigations, projects falling within the Level B range require more extensive mitigations and Level C requires the most extensive mitigations. Table 1, below, shows that estimate project construction related pollution levels would fall within NSAQMD Level A thresholds.

| Table 1. Project Construction Air Quality Impacts | | |
|--|--------------------------|------------------------------|
| Pollutant | NSAQMD Threshold* | Project Impact |
| NOx | <24 lbs/day | 22.8 lbs/day (4.16 tons/yr) |
| ROG | <24 lbs/day | 14.09 lbs/day (2.57 tons/yr) |
| PM10 | <79 lbs/day | 7.75 lbs/day (1.42 tons/yr) |
| CO | N/A | 17.16 lbs/day (3.13 tons/yr) |
| *These thresholds are “Level A” in NSAQMD’s <i>Guidelines</i> . CalEEMod Version 2016.3.1 2016 | | |

Mitigation Measure 3A is proposed to reduce emissions during project construction (increased particulate matter from diesel and dust and increase hydro carbon release from synthesis of ozone) from heavy equipment used for grading, brush chipping, and other construction activities, as well as from vegetative burning. Mitigation Measure 3A regulates type of power used during construction, idling times, construction equipment engine types, and architectural coatings compliant with the California Air Resources Board’s 2007 Suggested Control Measures. Table 2, below, shows resultant operation impacts are within NSAQMD Level A. These emissions are associated with energy use, landscape equipment (stationary sources) and mobile sources associated with vehicle use.

| Table 2. Project Operational Air Quality Impacts | | |
|--|--------------------------|------------------------------|
| Pollutant | NSAQMD Threshold* | Project Impact |
| NOx | <24 lbs/day | 0.498 lbs/day (0.09 tons/yr) |
| ROG | <24 lbs/day | 3.25 lbs/day (0.59 tons/yr) |
| PM10 | <79 lbs/day | 3.70 lbs/day (0.67 tons/yr) |
| CO | N/A | 4.78 lbs/day (0.87 tons/yr) |
| *These thresholds are “Level A” in NSAQMD’s <i>Guidelines</i> . CalEEMod Version 2016.3.1 2016 | | |

In order to ensure the project remains within the operational levels identified above, and to ensure that it does not contribute cumulatively considerable net increases in criteria pollutants that would substantially deteriorate ambient air quality or violate air quality standards, Mitigation Measures 3B and 3C reduce operational emissions, minimizing impacts through energy-efficient requirements and a limitation on wood stoves. Therefore, with implementation of those mitigation measures, the potential for this project to violate any air quality standards during either the construction or the operational phases would be *less than significant with mitigation*.

- 3c, d The Royer land division proposes to divide 6.25-acres into two parcels. One resultant parcel would contain the existing residential improvements, while the other would be raw land that can be utilized in future rural developments. Each parcel could also be developed with an accessory dwelling to accompany the existing primary residential structure on Parcel 1 and the future primary residential on Parcel 2. The residential uses are not anticipated to generate substantial pollutant concentrations, nor are there sensitive receptors in the immediate area of the proposed parcels. Union Hill Elementary Charter School and Union Hill Middle School, the closest sensitive receptors, are approximately 1 mile away. There are residences on both the western and eastern boundary lines, each being between 10 and 40 feet away from the property lines. Therefore, *no impacts* related to exposing sensitive receptors to substantial pollutant concentrations are anticipated as a result of this land division and *no impacts* related to the generation of emissions that could affect a substantial amount of people are anticipated.

Mitigation Measures: To offset potentially adverse air quality impacts associated with the project activities, the following mitigation measures shall be required:

Mitigation Measure 3A: Reduce emissions during construction. The following are minimum recommended mitigation measures designed to help reduce project emissions related to construction, and shall be included as notes on all plans prior to issuance of all grading, improvement, and building permits. In addition to these measures, all statewide air pollution control regulations shall be followed, including diesel regulations (which may be accessed at www.arb.ca.gov/diesel/diesel.htm). This mitigation shall be included as a note on the Supplemental Map prior to recordation of each project phase.

1. Grid power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction.
2. At least 50% of the mobile off-road construction equipment in use at anytime on the project shall be equipped with Tier 1 engines (or cleaner).
3. All architectural coatings shall comply with the California Air Resources Board's 2007 Suggested Control Measure for Architectural Coatings (available at www.arb.ca.gov/coatings/arch/Approved_2007_SCM.pdf)
4. Construction equipment idling times shall be minimized either by shutting equipment off when not in use, or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]) and all construction equipment shall also be maintained and properly tuned in accordance with manufacturer's specifications." Clear signage shall be provided for construction workers at all access points.
5. The applicant shall use reasonable precautions to minimize dust generation. Reasonable precautions may include watering exposed soils, as well as any stockpiled material, and limiting traffic speeds. Such methods shall be noted on improvement plans prior to approval.

Timing: Prior to map recordation and issuance of grading/improvement/building permits.

Reporting: Approval of the Parcel Map for recordation and future permit issuance

Responsible Agency: Planning Department and Northern Sierra Air Quality Management District

Mitigation Measure 3B: Provide energy-efficient utilities. Residential improvement plans shall include documentation that they comply with the following measures prior to issuance of building permits. This mitigation shall be included as a note on the Supplemental Map prior to recordation of each project phase.

1. The project shall use energy efficient lighting (includes controls) and process systems beyond Title 24 requirements where practicable. (e.g. water heating, furnaces, boiler units, etc.)
2. The project shall utilize water heating featuring low-NOx water heating burners if electric water heating is not used.
3. The project shall use energy efficient, automated controls for air conditioning beyond Title 24 where practicable.

Timing: Prior to map recordation and prior to issuance of the residential building permits.

Reporting: Agency approval of the Parcel Map recordation and building permits.

Responsible Agency: Planning Department and Northern Sierra Air Quality Management District

Mitigation Measure 3C: Limit wood stoves. The project shall include no more than one wood-fired heat source in any residential unit, which may be a pellet stove or an EPA-certified wood stove, and open fireplaces shall not be permitted within this project. Each residence shall be equipped with a non-woodburning source of heat. This mitigation shall be included as a note on the Supplemental Map prior to recordation of each project phase and implemented prior to the issuance of residential building permits.

Timing: Prior to issuance of residential building permits.

Reporting: Agency approval of the Parcel Map recordation and building permits.

Responsible Agency: Planning Department and Building Department

4. BIOLOGICAL RESOURCES

Existing Setting: A biological inventory of the site was prepared by Tina Costella, a qualified biologist on May 16, 2018 and was revised to include a man-made swimming hole that is existing on site in early 2019. Pre-field investigations and surveys were conducted by the biologist (Costella) in April 2017 to determine the existing setting and assess habitats in and around the project area. Based on information from the biological inventory, the environmental setting and resources are described below.

The proposed project site is approximately 4.0 acres of pasturelands and 2.0 acres of Ponderosa Pine forest. Historically, land was cleared for the grazing of domestic livestock. The under story is composed of native species poison oak (*Toxicodendron diversilobum*), mountain misery (*Chamaebatia foliolosa*), deerbrush (*ceanothus integerrimus*), and bracken fern (*Pteridium aquilinum var. pubescens*). The project area does not contain any major deer migration corridors, known deer holding areas nor critical deer fawning area(s). The project site does not contain any protected resources of wetlands, streams, Landmark Oaks or Landmark Oak Groves, or special status plant or animal species.

The project area has a Nevada Irrigation District (NID) canal on site, that is located along the southern boundary and is a soil lined (partially) part of the Rattlesnake Canal system. Also included on the site is a man-made swimming hole that is approximately 50x60 feet at a depth of approximately 4 feet with a clay bottom. The small water habitat does not have an abundance of life forms, vegetation and/or aquatic-pond species.

| Would the proposed 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? | | | | ✓ | K,19 |
| 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,K,L,19 |
| 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,K,L,19 |
| 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? | | ✓ | | | 19 |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | | ✓ | A,19 |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan? | | | | ✓ | A,19 |
| g. Introduce any factors (light, fencing, noise, human presence and/or domesticated animals) which could hinder the normal activities of wildlife? | | ✓ | | | A,19 |

Impact Discussion:

4a,c,e,f The project area was surveyed by biologist Tina Costella in April 2017 and May 2018, in order to complete the biological inventory of the site. The surveys included each habitat throughout the site to ensure all areas were viewed and included. The biological inventory included a records search of the California Department of Fish and Wildlife’s (CDFW) California Natural Diversity Database (2018), U.S. Fish and Wildlife Service (USFWS 2018), and the California Native Plant Society Electronic Inventory (2018) for special-status species with potential to occur in the vicinity of the project area. Costella’s pre-field investigation also included a review of the Nevada County Natural Resources Report (Beedy and Brussard 2002) for information on the extent of habitats and the relationship between habitats and special-status species in a local and regional context. The pre-field investigation determined that there are special-status plants and animals within range of the project site that are of concern to CDFW and USFWS. The field surveys determined that no suitable habitat exists in or near the project area to support listed and other special-status animals known from the region and there is no suitable habitat present within the project area to support the listed plants known from the region. The biologist noted that 22 bird species were either heard or seen within the property and the surrounding area. This being due to the diversity of habitats available within close proximity to this property and adjoining properties. The biologist noted that

the swimming hole lacks the abundance of life forms, vegetation and aquatic-pond species, that are usually found in ponds of this age. Typically, as ponds age, it is expected that the number of species living within it would steadily increase, along with the complexity of the surround vegetation. Due to the lack of these characteristics, the habitat is considered only a “swimming hole” and the proposed two-way split is anticipated to have *no impact*.

Nevada County has a number of local policies and ordinances that protect biological resources including but not limited to deer habitat; rare, threatened, and endangered species and their habitats; timber resources; and watercourses, wetlands, and riparian areas. While deer habitats are not located on site, there is an existing Nevada Irrigation Canal. The proposed Parcel Map includes the required 100-foot setback for the uphill side of the canal. Conflicts with local policies or ordinances protecting biological resources are expected to have *no impact*.

The project site is not part of a Habitat Conservation Plan or any other adopted conservation plans; therefore, the project would have *no impacts* or conflicts with adopted conservation plans

In addition, the project area does not contain any wetlands. Wetlands have not been mapped on the project parcel or on any of the adjacent parcels and the biological inventory determined that wetlands are not present at or near the project area. Due to the project not having a suitable habitat to support special-status plants or animals and because there are no wetlands present in the project area, the project would have *no impact* on these protected habitats or species.

4b There are no riparian habitats or sensitive plant species identified in or around the project area. The closest waterway is a NID canal, a part of the Rattlesnake Canal system, which runs along the southern boundary line. Building envelopes would be required to maintain a 100-foot setback to the open canal/ditch and a 50-foot setback from the swimming hole. The proposed map meets these standards and are included as Mitigation Measure 4A. Mitigation Measure 4A delineates building envelopes on both of the proposed parcels. Parcel 1 includes the setbacks from the water resources as described above. Due to no existing riparian habitats or sensitive plant species identified in or around the project area, there are expected to be *less than significant impacts* to these resources.

4d,g The project is not anticipated to result in negative impacts relative to the movement of any native resident or migratory fish or wildlife species or with their corridors or nursery sites. The project is not mapped as having major deer migration corridors, deer holding areas or critical deer fawning areas and there are no features with connectivity to waterways to support migratory fish onsite. However, project related uses could introduce additional light, noises, human presence and domestic animals to the area. The project is proposed in an area with similar development and uses therein such that the addition of two residential parcels is anticipated to result in less than significant impacts that could hinder the normal activities of wildlife. To ensure continued free movement of wildlife, Mitigation Measure 4B would prohibit solid perimeter fencing, limiting solid fencing to around single-family dwellings, gardens, cultivated areas and animal enclosures. Due to the developed area as a whole and the inclusion of Mitigation Measure 4B, impacts that could hinder the normal activities of wildlife are anticipated to be *less than significant with mitigation*.

Mitigation: To reduce potential construction impacts to biological resources, the following mitigation measure is required:

Mitigation Measure 4A: Establish Building Envelopes. Delineate building envelopes, in accordance with the approved tentative map, with the exception of the building envelope on Parcel 1, which includes the 100-foot setback to the NID ditch and the 50-foot setback from the swimming

hole. The building envelopes shall be shown on the supplemental data sheets to be recorded concurrently with the parcel map and on all future grading/improvement/building permit plans. All above ground structures shall be limited to the building envelopes identified on each of the parcels this restriction does not apply to underground utility placement or driveways. The building envelopes are

Timing: Prior to map recordation and prior to issuance of grading/improvement/building permits
Reporting: Approval of the Parcel Map for recordation and future permit issuance
Responsible Agency: Planning Department

Mitigation Measure 4B: Wildlife Safety Fencing. If fencing is constructed as a perimeter barrier in and around the project site, then it should adhere to the following design requirements:

1. Height: Fencing height shall be no greater than 38 inches above the ground to the top of the top wire or rail. Spacing between the top two wires shall be at least 12 inches. If the top is a rail or pole, the 12 inch spacing does not apply. Rails and poles are visually and spatially preferable for wildlife.
2. Materials and Design: Wood (or similar material) top rails, and either wood rails or wire strands are permitted as horizontal elements in a fence. The wire strands shall be smooth or barbless. The required fencing design includes a top level of wood pole, or similar material, rather than wire. The bottom rail or wire strand shall be at least 18 inches above the ground. The spacing of fence posts is recommended to be on 12- foot centers unless topography prohibits this spacing. Spacing of the second and third wire shall be evenly spaced. Spacing distances may vary from 6-8 inches.

5. CULTURAL RESOURCES

Existing Setting: The project vicinity was home to the Nisenan or Southern Maidu Native American people. The Nisenan had permanent settlements along major rivers in the Sacramento Valley and foothills and would travel yearly into higher elevations to hunt or gather seasonal plant resources. In the project vicinity, prehistoric-period habitation sites are primarily found adjacent to streams or on ridges or knolls, especially those with a southern exposure.

| Would the proposed 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? | | ✓ | | | J,22,23 |
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | | ✓ | | | J,22,23 |
| c. Disturb any human remains, including those interred outside of formal cemeteries? | | ✓ | | | J,22,23 |

Impact Discussion:

- 5a-c A records search of the California Historic Resources Information System (CHRIS) was conducted by the North Central Information Center (NCIC) on February 5, 2018, for cultural resource site records and survey reports within a quarter of a mile radius of the proposed project area. Three archeological investigation have been conducted within the Area of Potential Impacts (APE).

However, no sites have been formally recorded within the APE. Three sites have been documented within ¼ mile of the APE, but none of these will be affected by the proposed project. An intensive pedestrian survey was conducted on February 25, 2018, by Sean Michael Jensen, a professional archaeologist. Based on the findings of the present archaeological inventory, no significant historical resources or unique archaeological resources will be affected by the project as proposed. However, given that there may be some ground disturbance for this project, there is a potential for unanticipated discovery of cultural resources, including historic, prehistoric, tribal, and paleontological resources, during project construction. Due to a chance of resources being encountered Mitigation Measure 5A has been included, which requires that work shall be halted and proper notification and consultation shall be required if any artifacts or cultural resources are discovered during construction. With the implementation of Mitigation Measure 5A, impacts to cultural resources are expected to be *less than significant with mitigation*.

Mitigation Measures: To offset potentially adverse cultural or historical resources impacts associated with the construction activities, the following mitigation measure shall be required:

Mitigation Measure 5A: Halt work and contact the appropriate agencies if human remains, cultural materials, or paleontological resources are discovered during project construction.

Prior to issuance of grading permits or improvement plans, all plans shall incorporate, at a minimum, the following cultural resources protection measures, which shall be implemented in the field: 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 or paleontological resources. If such resources are encountered or suspected, work shall be halted immediately and the Nevada County Planning Department 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 issuance of grading or improvement permits and during construction*

Reporting: *Approval of grading or improvement permits*

Responsible Agency: *Planning Department*

6. ENERGY

Existing Setting: The project site is developed with a single-family residence. There are two utility poles for electrical service to the residence, located on the southeastern quarter of the project area. The existing utility poles can provide connection for any future improvements added to either parcel.

| Would the proposed 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 |
| b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | | | | ✓ | A,D |

Impact Discussion:

- 6a Through the parcel split an additional parcel would be created that would be powered by electric service that is already established in the area. Due to the minimal size of the project area, the construction period is not expected to be over a long duration. The project does not include energy resources beyond what is required to operate a single family residence. Due to the scale of the project, the use of energy resources would not be excessive and therefore, the project would have a *less than significant impact*.
- 6b The proposed parcel split would not conflict with any state or local plans for renewable energy or energy efficiency. Building permits would be required in order to develop the project site further. As part of the building permit review, all equipment and structures would be required to meet energy standards identified in the California Building Code. Likewise, the project would not obstruct or prevent plans for renewable energy or efficiency. Therefore, the project would have *no impact* to state or local plans for renewable energy or energy efficiency.

Mitigation: None Required.

7. GEOLOGY / SOILS

Existing Setting:

The subject 6.25-acre property is located approximately 2 miles southeast of Grass Valley and has an elevation of 2,860 feet above sea level. The project site is predominately flat with approximately a 10% grade change across it. The site is in the Nevada City and Woodpecker Ravine watershed. The property is underlain with three soils types. Aiken Loam, two to nine percent slopes (AfB), which is gently rolling sloping soil with slow to medium runoff (USDA Soil Conservation Service, 1983) is mapped on the majority of the property; Aiken Cobbly Loam, two to thirty percent slopes (AgD), which is hilly soil with slow to medium runoff, (USDA Soil Conservation Service, 1983) is mapped between the existing single-family home and the Rattlesnake Canal; and Cohasset Loam, two to nine percent slopes (CmB), is gently rolling soil with medium runoff, is mapped with an approximately 250 square foot triangle area on the southeastern boundary of the property to the east of the developed single-family dwelling.

The Alquist-Priolo Earthquake Fault Zoning Act was adopted in 1972 to prevent the construction of buildings in areas where active faults have surface expression. Ground or fault rupture is generally defined as the displacement that occurs along the surface of a fault during an earthquake. The project site is not within an Alquist-Priolo Earthquake Fault Zone, and is approximately 3 miles to the east of a major fault line (Nevada County, 1991). The project site is located within Seismic Zone I—the Low Intensity Zone of the Modified Mercalli scale—meaning the site has a low risk for strong ground motion (Nevada County, 1991). Current USGS Quaternary Fault interactive mapping shows Late Quaternary faults, having displacement within the last 130,000 years, with well-constrained soil, 8 miles southwesterly from the project site; and California Department of Conservation’s interactive Fault Activity Map of California (2010), shows faults within this portion of Nevada County as mirroring the USGS, with Late Quaternary faults (displacement within the past 130,000 years). The Late Quaternary faults are not shown within the subject acreage.

| Would the proposed 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,L,12,31 |
| b. Result in substantial soil erosion or the loss of topsoil? | | | ✓ | | D |
| c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | | | ✓ | D,12 |
| d. Be located on expansive soil creating substantial direct or indirect risks to life or property? | | | | ✓ | D |
| 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? | | | | ✓ | A |
| f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | ✓ | | | A |
| g. Result in substantial grading on slopes over 30 percent? | | | | ✓ | A,L,9 |

Impact Discussion:

7a,c-e,g The proposed two-way land division is not anticipated to result in adverse effects due to unstable soils or cause significant erosion. The subject property is within Seismic Zone 1, the minor to moderate intensity zone of the Modified Mercalli scale. The California Department of Conservation’s interactive Fault Activity Map of California (2010) shows several Late Quaternary faults within this portion of Nevada County; none being mapped within the project boundaries. Additionally, Aiken Loam, which underlies the majority of the project site, nor Aiken Cobbly Loam nor Cohasset Loam are described by the USDA Soil Conservation Service as being unstable or expansive. The Royer Property has minimal grade change throughout the acreage, and future development of the property is not expected to result in substantial soils erosion or in grading on steep slopes. Building permits will be required for all earth work, which would require compliance with the California Building Code (CBC) and the Nevada County Land Use and Development Code requirements to ensure protection during seismic events and to be in compliance with the grading

standards. Therefore, due to the project soils, minimal grade and standard permit requirements, impacts associated with unstable earth conditions are expected to have *no impact*.

The property does not have soils incapable of adequately supporting septic systems. The existing residence on the Royer property utilizes an individual septic system. Additionally, recent soils testing has confirmed onsite soils are capable of adequate sewage disposal. A typical condition of approval requires Minimum Useable Sewage Areas to be delineated around existing leach-fields sized with adequate room for a 100 percent repair area should the initial system ever fail. Based on use of the existing system along with recent soils testing confirmation, the project would have *no impact* relative to lack of soils for sewage disposal.

- 7b. The subject property is a proposal to split a 6.25-acre parcel into two parcels with an existing single-family residence and accessory structures on the rear lot. Slopes within the proposed building envelopes are generally gentle such that only minimal to moderate grading is anticipated for future development of the proposed parcels. Cut and fill details, excavation, and compaction information would be required as part of the grading permits for the access and individual development of the parcels and would be required to be in compliance with standards set forth by the CBC and Nevada County. The impacts of erosion and loss of topsoils is expect to be *less than significant* related to future development.
- 7f. There are no known paleontological resources or unique geological features in or around the property parcel. However, because ground disturbance is anticipated with the potential future development within the building envelopes, Mitigation Measure 5A would require work to halt in the event that there is an unanticipated discovery of paleontological resources. Direct or indirect damage to paleontological resources is anticipated to be *less than significant with mitigation*.

Mitigation: See Mitigation Measure 5A.

8. GREENHOUSE GAS EMISSIONS

Existing Setting: Greenhouse gases (GHGs) 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. 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). CO₂ emissions are largely from fossil fuel combustion. In California, approximately 43 percent of the CO₂ emissions come from cars and trucks. Electricity generation is another important source of CO₂ emissions. 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. The adverse impacts of global warming include impacts to air quality, water supply, ecosystem balance, sea level rise (flooding), fire hazards, and an increase in health related problems.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act, was adopted in September 2006 and requires that statewide GHG emissions be reduced to 1990 levels by the year 2020. This reduction will be accomplished through regulations to reduce emissions from stationary sources and from vehicles. The California Air Resources Board (ARB) is the State agency responsible for developing rules and regulations to cap and reduce GHG emissions. 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.

| Would the proposed 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, G |
| b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? | | | ✓ | | A, G, 20 |

Impact Discussion:

8a-b Given the complex interactions between various global and regional-scale physical, chemical, atmospheric, terrestrial, and aquatic systems, it is not possible to determine to what extent this project’s CO2 emissions could result in any altered physical conditions. Typically, cumulative impacts are analyzed and mitigated in a county’s General Plan and associated EIR. In this case, the General Plan for Nevada County does not address GHG emissions. Additionally, no thresholds have been adopted for project greenhouse gas emissions.

Implementation of the proposed project would contribute to increases of GHG emissions that are associated with global climate change. Estimated GHG emissions attributable to future development would be primarily associated with increased of CO2 and other GHGs, such as methane (CH4) and nitrous oxide (N2O), from mobile sources and utility usage. Short-term GHG emission impacts would result from construction of the site. Construction emissions from the proposed project would generate approximately 125.11 metric tons of CO2e. CO2e is Carbon Dioxide Equivalent, a measurement that expresses units of different greenhouse gases as equivalent to units of carbon dioxide in the ability to affect global warming (CalEEMod Version 2016.3.1 2016).

Typical of residential uses, the proposed project would generate greenhouse gases via vehicle source CO2e emissions through energy and water consumption and waste production during project occupation. In total, project operation of the two parcels would result in approximately 46.17 metric tons (MT) of CO2e, 3.3 MT of N2O and 0.026 MT of CH4 per year (CalEEMod Version 2016.3.1 2016). These emissions are a combination of energy, mobile, waste, water, and area emissions resulting from the occupation within the new parcels. Further, use of default inputs generally results in a gross overestimation of emissions.

Thresholds for greenhouse gases have not been adopted by any relevant agencies, including the California Air Resources Board, the NSAQMD, Nevada County, or the State of California. The Bay Area Air Quality Management District (BAAQMD) is the only known air district in the State that has adopted a threshold for operational GHGs. The BAAQMD’s threshold is 1,100 MT CO2e/year. The Sacramento Metropolitan Air Quality Management District (SMAQMD) also recommends 1,100 MT CO2e/year as an operational threshold for land development projects. The proposed project is under this threshold at 46.17 MT CO2e/year, though, it is noted that the above indicated thresholds are applicable in metropolitan areas. Mitigation Measures 3A, 3B and 3C (reducing emissions during construction, provide energy efficient utilities, and limit wood stoves)

would help to reduce greenhouse gas emissions during the project’s construction and operational phases. Further, compliance with California Green Building Code would ensure that all new residences would be capable of electric vehicle charging, meet the California Building Energy Efficiency Standards, reduce or salvage 50 percent of the nonhazardous construction waste, use interior finishes that comply with current VOC ratings, and have only US EPA Phase-II certified woodstoves. With the implementation of these measures, construction and operational impacts related to GHG emissions are anticipated to be less than significant with mitigation. Additionally, the project would not contribute to a substantial increase in traffic during the operational phase, as it is already developed with one single-family residence. Therefore, project related greenhouse gas emissions impacts are anticipated to be *less than significant*.

Mitigation: None required.

9. HAZARDS/HAZARDOUS MATERIALS

Existing Setting: The property is not within or adjacent to any hazardous materials sites compiled pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control, 2019). The project area is in a very high fire hazard severity zone as designated by CalFire. The Union Hill Elementary Charter School and Union Hill Middle School are approximately 0.7 direct miles from the project site, being the closest sensitive receptors. The closest airport is the Nevada County Airport is approximately 2.1 direct miles from the project site.

| Would the proposed 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? | | | ✓ | | C |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | | | ✓ | | C |
| 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,L |
| 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? | | | | ✓ | C,25 |
| 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 or excessive noise for people residing or working in the project area? | | | | ✓ | L |
| f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | | | | ✓ | H,M |

| Would the proposed project: | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | | | ✓ | | H,M |

Impact Discussion:

- 9a-b The Royer project proposes to divide 6.25-acres, separating an existing single-family residence and vacant grass land into two parcels (3.01 and 3.24-acres). The project does not include routine transport, use or disposal of hazardous materials other than typical household use and storage of hazardous substances such as cleaning agents, paints and solvents. State and federal government regulate the uses of these materials; future residents would be required to comply with usage parameters mandated by these laws. Small quantities of hazardous materials could be stored, used, and handled during construction. The hazardous materials anticipated for use are small volumes of petroleum hydrocarbons and their derivatives (e.g. gasoline, oils, lubricants, and solvents) required to operate the construction equipment. These relatively small quantities would be below reporting requirements for hazardous materials business plans and would not pose substantial public health and safety hazards through release of emissions or risk of upset Safety risks to construction workers for the proposed project would be reduced by compliance with Occupational Safety and Health Administration standards. Therefore, project related hazard impacts relative to routine transport, use and disposal or emission of hazardous substances to the public or environment would be *less than significant*.
- 9c Union Hill Elementary Charter School and Union Hill Middle School are the closest sensitive receptors to the project area, at approximately 0.7 direct miles away. Due to the type of use intended for the project area, hazardous materials are anticipated to be those associated with typical household uses and those small quantities that could be utilized during construction, which will not omit hazardous emissions or required the handling of hazardous materials that will impact these sensitive receptors, and therefore *no impact* is anticipated.
- 9d The project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, there would be *no impact* to this criteria.
- 9e The project site is not located within an airport land use plan and is approximately 2.1 miles southwest of the nearest airport—the Nevada County Airport. The project is not anticipated to result in a safety hazard for people residing or working in the project area and there would be *no impact*.
- 9f,g The Royer two-way land division is not anticipated to interfere with an adopted emergency response plan or emergency evacuation plan, nor would it expose people or structures to a significant risk of loss, injury or death involving wildland fires. The proposed project would divide a 6.25-acre parcel into two stand alone parcels. The subject property is served by the Ophir Hill fire district, in an area designate by CalFire as a Very High Fire Danger area. There is currently no adopted emergency response plan for the area. As a standard Condition of Approval, per Nevada County Land Use and Development Code, for any improvements added to the property defensible space will need to be created and inspected by the Fire Marshall prior to occupancy of the new structures. A Fire Protection Plan will also be a Condition of Approval for any new proposed structures. A Fire Protection Plan includes identification of the project’s defensible space design,

identification of high fuel load areas, provisions to ensure the adequate defensible space is provided, identification of the mechanism proposed for maintaining defensible space, and use of fire-resistant plantings for all landscaping required by County Ordinance. With the standard Conditions of Approval to provide defensible space and a Fire Protection Plan, the impacts of the proposed project related to exposing people or structures to impacts due to wildfire, are anticipated to be *less than significant* and *no impact* to emergency response/evacuation plans are anticipated.

Mitigation: None required.

10. HYDROLOGY / WATER QUALITY

Existing Setting: The project site is located in the Nevada City/Woodpecker Ravine watershed. The project is not located in or near a floodplain, with the closest floodplain being approximately 1.7 miles away to the east. The property has a slight north to south aspect with a 10% grade change towards the rear of the parcel. Onsite water features include an NID Canal and a manmade swimming hole all located within the southerly portion of the property.

| Would the proposed 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,E |
| b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | | | | ✓ | A,C |
| c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would: i. result in substantial erosion or siltation on- or off-site; ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv. impeded or redirect flood flows? | | | ✓ | | A,E,9,19 |
| d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | | | | ✓ | L,9,13 |
| e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | | | | ✓ | A,E |
| f. Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary or | | | | ✓ | L,9,13 |

| Would the proposed project: | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| Flood Insurance Rate Map or other flood hazard delineation map? | | | | | |
| g. Place within a 100-year flood hazard area structures that would impede or redirect flood flows? | | | | ✓ | L,13 |

Impact Discussion:

10a,c The proposed two-way land division is not anticipated to negatively affect water quality standards or waste discharge requirements, nor is it anticipated to contribute amounts that could exceed drainage system capacity or alter existing drainage patterns. The land division is intended to divide the existing single-family residence from the undeveloped area of the project site into two separate parcels. There is an existing on site driveway to provide access to both of the proposed parcels. The potential future work is minor, and will be conducted under permits issued by the Nevada County Building Department. Standard erosion control measures will be required to ensure that this work and any other future improvements within proposed building envelopes does not result in offsite erosion or deposition of sediment into water features. The proposed building envelopes also incorporate the required 100-foot setback from the Nevada Irrigation District canal as well as the 50-foot setback from the swimming hole. These setbacks ensure that no future developments impact the water resources or groundwater existing on site.

The potential future development of the proposed Parcel 2 would require a need of water for the single-family residential use, whether through the inclusion of a well or by connection to the Nevada Irrigation District’s treated water system. The two-way land division of the 6.25-acres would not result in substantial decrease in groundwater supplies or interfere with ground water. The existing improvements will continue to rely on the existing well. Based on the above discussion, project related impacts to water quality standards or waste discharge requirements, and in relation to existing wells both on this site and adjacent would have *less than significant impacts*.

10b,e The proposed two-way land division of 6.25-acres would not result in a substantial decrease in groundwater supplies, interfere with groundwater recharge or conflict with water quality/groundwater management plans. The proposed project to divide an existing single-family residential improvement and undeveloped land into two parcels is anticipated to have *no impact* on the existing wells on this or adjacent properties.

10d,f,g There is no flood hazard or designated flood zone on the Royer parcel; nor is the property within a tsunami or seiche zones. Therefore there would be *no impact* associated with flooding, tsunamis or seiches.

Mitigation: None required.

11. LAND USE / PLANNING

Existing Setting: The Royer property is a 6.25-acre located between Grass Valley and the Cedar Ridge Rural Center, in an unincorporated area of Nevada County. The property is located on the south side of

California State Highway 174 and has an existing driveway/fire access easement. There are several existing improvements on the property including a single-family residence and storage shed.

The project parcel is zoned as Residential Agriculture, which provides for low-density single-family dwellings at densities equivalent to 1.5 acre minimum parcel size, or 3 acre minimum parcel size and has a General Plan designation of Estate which also provides for low density single-family with minimum lot size of three acres. Surrounding parcel designations are zoned similarly with variations to minimum parcel size requirements.

Adjacent parcel sizes are comparable to the proposed two-division of the project parcel, with sizes ranging from 1.09-acres to 6.48-acres. Single-family rural residential uses are found on the majority of the surrounding parcels, with the exception of a nearby Cedar Ridge Rural Center that have a zoning designation of Neighborhood Commercial (C1).

| Would the proposed 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,L |
| 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,18,19 |

Impact Discussion:

11a The proposed two-way land division would not physically divide an established community. The subject property is located in a residential area approximately 2 miles southeast of Grass Valley, in an unincorporated area of Nevada County. Therefore, the Royer project, a proposal to divide 6.25-acres two ways resulting in a 3.01-acre lot and 3.24-acre lot will not physically divide an established community, thus *no impact* is anticipated.

11b The Royer property is designated as Residential Agriculture (RA) with an Estate General Plan designation which prescribe densities of 1.5-acre minimum parcel size or 3-acre minimum parcel size and the single-family dwelling is of primary importance and agricultural uses are secondary. There is currently one single-family residence on the property as is allowed by the zoning. The proposed land division would result in a 3.01-acre and 3.24-acre parcel, one containing a residence, well and septic system, and the other being undeveloped land. These parcel sizes are in compliance with the density allowed by the zoning and General Plan designations. The proposed two-way land division is consistent with the surrounding land uses. The adjacent properties are zoned with similar densities to the project parcel. Potential conflicts with applicable land use plans, policies, or regulations that could result in physical impacts are identified within this Initial Study and are found to be less than significant. Therefore, impacts related to land use policy inconsistency and land use incompatibility are considered *less than significant*.

Mitigation: None required.

12. MINERAL RESOURCES

Existing Setting: The project area is not mapped within a Mineral Resource Zone (MRZ), or area of known valuable mineral deposits.

| Would the proposed 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, 1 |
| b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | | | | ✓ | A, 1 |

Impact Discussion:

12a-b The proposed project is not mapped within a known mineral resource area or MRZ and would not change existing land uses on the project site. Therefore, the project would have *no impact* on mineral resources.

Mitigation: None Required.

13. NOISE

Existing Setting: The Royer project proposes to divide a 6.25-acre parcel into two parcels (3.01-acres and 3.24-acres) in size. The property is located near Cedar Ridge in an unincorporated area of Nevada County, on the southerly side of State Highway 174. The property is developed with one single-family residence that will be separated from the undeveloped area by the creation of two parcels.

Adjacent parcel sizes vary from 1.09-acres to 6.48-acres with development that is similar rural residential in nature. Ambient noise levels in the area are generally those generate by traffic on State Highway 174 and those noises that commonly accompany residential uses.

| Would the proposed project result in: | 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,17,18 |
| b. Generation of excessive ground borne vibration or ground borne noise levels? | | | ✓ | | A |
| 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,L |

Impact Discussion:

13a-b The proposed two-way land division would separate the existing single-family residential use from the potential future construction and uses consistent with those allowed within the Residential Agriculture (RA) zoning district. These residential land uses are not expected to generate significant noise impacts.

The exception to this would be noises and potential vibration generated during any future construction of improvements on either of the new parcels. Vibration is typically sensed at nearby properties when it causes objects within the structures to vibrate such as rattling windows. Construction noises and construction related vibrations are not an ongoing land use and as they are short term in nature they are exempt from the County noise standards. While the County’s Zoning Code does not apply its noise standards to temporary construction (Nevada County 2012), there could be a temporary exposure of nearby uses to noise in excess of County thresholds. Therefore, Mitigation Measure 13A is recommended to limit construction work to the hours of 7AM to 7PM Monday through Saturday. Anticipated noise generated by the future residential use within the proposed land division are anticipated to be in keeping with the noises generated by the already existing residential activities in the area and result in *less than significant* related noise impacts *with mitigation*.

13c The project site is not located within an airport land use plan, nor is it in vicinity of a private airstrip. The property is approximately 2.1 miles southwest of the nearest airport—the Nevada County Airport, therefore the proposed project would result in *no impacts* related to airport noise.

Mitigation Measures: To reduce potentially significant impacts associated with construction noise, the following mitigation measure shall be noted on improvement plans:

Mitigation Measure 13A: Limit construction activities to reduce noise impacts. Hours of operation for construction activities shall be limited to the hours of 7 a.m. to 7 p.m. Monday through Saturday. These limited hours of operation shall be noted on grading and building plans, which shall be reviewed and approved by the Planning Department prior to permit issuance.
Timing: Prior to issuance of grading or improvement permits and during construction
Reporting: Agency approval of permits and by complaint
Responsible Agency: Planning Department and Code Compliance

14. POPULATION / HOUSING

Existing Setting: The project site is zoned Residential Agriculture (RA), a residential district intended to provide low-density residential uses in keeping with the rural character of the area.

The site has single-family residential improvements including one residence and one accessory structure. The closest residences are located along the westerly border of the property the nearest being approximately 10 feet away from the boundary line.

| Would the proposed 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 | | | | ✓ | A |

| Would the proposed project: | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| example, through extension of roads or other infrastructure)? | | | | | |
| b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | | | | ✓ | A |

Impact Discussion:

14a-b The proposed two-way land division would not result in an inducement of unplanned population growth or to displace existing people or housing. The proposed project could result in the one additional primary dwelling and two accessory dwelling units. Both parcels would keep with the minimum densities as described in the Nevada County General Plan and zoning designation. The proposed division would separate the existing residence and the undeveloped are of the site, such that each would be a stand alone parcel. The project does not trigger the need for infrastructure extensions. Therefore, the proposed project would have *no impact* related to these issues.

Mitigation: None required.

15. PUBLIC SERVICES

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

Fire: The Ophir Hill Fire District provides fire protection services to this site.

Police: The Nevada County Sheriff provides law enforcement services.

Schools: The Union Hill and Nevada Joint Union School Districts provides education for the area.

Parks: The Grass Valley Park and Recreation Benefit Zone provide recreational facilities and opportunities.

Water & Sewer: Individual well and septic.

| Would the proposed 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: | | | | | |
| 1. Fire protection? | | | ✓ | | H, M |
| 2. Police protection? | | | ✓ | | A |
| 3. Schools? | | | | ✓ | A, P |
| 4. Parks? | | | | ✓ | A |
| 5. Other public services or facilities? | | | | ✓ | A |

Impact Discussion:

15a(1-2)The proposed two-way division is not anticipated to have significant impacts on fire protection or law enforcement services because of the low density nature of this project, which is anticipated with the zoning and General Plan designations and therefore, this impact is considered *less than significant*.

15a(3-5)The proposed land division would not impact schools, or public recreation facilities because the project would not result in a substantial increase in population that would require additional schools, parks and other public services and facilities. School, fire mitigation, and recreation impact fees are in place and applicable at the time of building permit issuance to offset the incremental impact on these services. These impact fees were collected for the existing residence during the permitting process. School and fire mitigation impact fees would also be applied to accessory dwelling units on both parcels if future owners choose to build them. Recreation impact fees would apply to new homes proposed on Parcel 2, as well as to any additions to the existing residence, based on square footage of the addition. Therefore, there would be *a less than significant impact* as a result of the project approval of this two-way land division.

Mitigation: None required.

16. RECREATION

Existing Setting: The project site is located within the Grass Valley Recreation Benefit Zone, but no recreational facilities occur onsite or in close proximity to the project area.

| Would the proposed 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, L |

Impact Discussion:

16a-c The two-way land division is not anticipated to adversely affect recreation facilities, trigger the need for new facilities, or conflict with established facilities. The residential density established by the General Plan for the area allows for two parcels. Based upon the objectives established in the General Plan, recreation impacts associated with residential growth are offset by a funding program via development fees; see impact fee discussion in 15a (3-5 above). There are no existing recreational facilities on the Royer property. Therefore, the proposed project would have *no impact* related to these issues.

Mitigation: None required.

17. TRANSPORTATION

Existing Setting: The proposed project is intended to divide a 6.25-acre parcel into two parcels (3.01-acres and 3.24-acres in size). The property is situated on the south side of State Highway 174. The existing driveway meets Nevada County Driveway Standards with a 40-foot encroachment and a 12-foot wide paved driveway that provides access to both of the proposed parcels. Per the Caltrans 2016 Traffic Volumes on State Highways traffic counts, the Annual Average Daily Trips (AADT) for the portion of State Highway 174 nearest the project location is 9400 trips.

The property is developed with a single-family residence that will be separated from the undeveloped portion of the property, onto two new parcels. Adjacent parcels are of varying sizes, ranging from 1.09-acres to 6.48-acres, with development similar rural residential in nature.

| Would the proposed 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,B |
| b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? | | | | ✓ | A,B |
| 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,H,M |
| d. Result in inadequate emergency access: | | | | ✓ | H,M |
| e. Result in an increase in traffic hazards to motor vehicles, bicyclists, or pedestrians, including short-term construction and long-term operational traffic? | | | ✓ | | A,H,M |

Impact Discussion:

17a,b,d The proposed two-way land division would not conflict with any policies regarding transit, roadway, bicycle or pedestrian facilities, or with review of traffic impacts. The Royer split would not conflict with CEQA Guidelines Section 15064.3, subdivision (b). The property takes access off State Highway 174, which is classified as a minor arterial road, meaning it provides through service to industrial and commercial areas between cities and/or providing access to highways and freeways. According to CalTrans 2016 Traffic counts, the segment of roadway generates approximately 9400 Annual Average Daily Trips (AADT). Both CalTrans and the Nevada County Department of Public Works (DPW) have reviewed the project. CalTrans did not provide comments for the project. DPW found that the addition of one parcel would not result in a significant increase in traffic that could result in a lower level of service existing roadways. The potential increase in traffic resulting from the proposed two-way land division would be insignificant in nature and there would be *no impacts* relative to conflicts with traffic review nor CEQA Guidelines.

The project site has an existing driveway that meets Nevada County Driveway Standards for emergency access. The existing driveway is a 12-foot wide, paved driveway that provides access to both of the proposed parcels. The proposed two-way land division would not result in inadequate emergency access; therefore there would be *no impacts*.

17c,e The project would not result in an increase in hazards due to incompatible uses, or due to a geometric design feature either during construction or during future occupation of the properties. The two proposed parcels would take access from State Highway 174. The Department of Public Works proposed a condition of approval that would require a no-access easement along the frontage of the property, limiting the access of both properties to the existing 40-foot encroachment. With the application of this standard condition of approval impacts due to geometric design and increased traffic hazards would be *less than significant*.

Mitigation: None required.

18. TRIBAL CULTURAL RESOURCES

Existing Setting: The project site is located between Grass Valley and Cedar Ridge in an unincorporated area of Nevada County. The project archaeologist Sean Jenson describes the area as a transition zone between the lower foothill elevations and the higher Sierra Nevada Mountains, with a wide variety of flora and fauna as found in either the high or lower elevations. The project area is located within territory occupied by the Nisenan or “Southern Maidu” at the time of initial contact with European Americans. Villages of these people were maintained by these people along major rivers in the foothills and Sacramento Valley, travelling periodically to higher elevations to hunt and gather. The Nisenan had a sophisticated knowledge of uses of local plants and animals as well as the availability of raw material sources that could be used in manufacturing a large array of tools and implements. Like all northern California Native groups, the Nisenan had an economic life that revolved around fishing, hunting and collecting plants for food. Prehistoric use and occupation focused on major surface water sources and other natural resource areas, with emphasis given to stream confluences and to ecotones created at the interface of foothill/valley lands, elements of which are located within and/or near the present study area.

| Would the proposed 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: <ul style="list-style-type: none"> 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. | | ✓ | | | J,22,23 |

Impact Discussion:

18a The proposed two-way land division is anticipated to result in less than significant impacts to tribal cultural resources. The project parcel was determined to fall within the areas identified by the Tsi Akim Maidu and the United Auburn Indian Community (UAIC) Tribe as ancestral lands. An initial distribution of the project application and the records search results from the North Central Information Center were sent to the organizations and the Native American Heritage Commission on October 2, 2018. An AB52 consultation request was sent to UAIC on October 2, 2018. UAIC closed consultation, but requested one mitigation measure be incorporated into the project. A project specific archaeological survey performed by Sean Jensen (Genesis Society), which include both an intensive pedestrian survey and records review, confirmed that there were no tribal cultural resources located at the project site or within a 1/4 mile search radius. While no resources are documents onsite and none were found during the site survey, as discussed in Section 5, there is a chance that onsite grading could uncover cultural resources of importance. As recommended by the UAIC and the archaeologist, Mitigation measure 5A has been included, which requires work to halt if cultural resources are discovered and requires local tribes to be notified. With this protection in place, impacts to Tribal Cultural Resources would be *less than significant with mitigation*.

Mitigation: See Mitigation Measure 5A.

19. UTILITIES / SERVICE SYSTEMS

Existing Setting: Of the two proposed parcels, proposed Parcel 1 is developed with a single-family dwelling and an accessory structure. Electricity is currently available on the property along with natural gas and propane. The developed parcel is served by an existing septic system and well. The project area also has accessibility to other services such as telephone, cable, internet and PG&E.

| Would the proposed 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,D |
| b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | | | ✓ | | A |
| c. 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? | | ✓ | | | C |
| d. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | | ✓ | | | C |

Impact Discussion:

19a, b The proposed two-way land division will not require the expansion of water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunication facilities. Proposed

Parcel 1 has existing connection to these utilities. The proposed Parcel 1 has an existing well, while Parcel 2 will have the potential to connect to the Nevada Irrigation District (NID) services, or obtain permits to install a well, during any potential future development. Both of the proposed parcels already have access to utilities and water service options, therefore any improvements made to the project sites are anticipated to have a *less than significant* impact related to utility/service extension.

- 19c,d The Royer land division would not result in an increase in solid waste that would be in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste goals. There is potential for future development of a single-family residence on proposed Parcel 2, as well as potential for both proposed parcels to construct an Accessory Dwelling Unit (ADU) and these construction activities could result in solid waste in the form of construction materials or vegetative debris. Nevada County provides solid waste collection through a franchise for collection and disposal of waste and recyclables for both residential and non-residential areas. Waste Management is the current holder of this contract; refuse and recyclables in this area of the County are typically hauled to the McCourtney Road Transfer Station located at 14741 Wolf Mountain Road in Grass Valley. All solid waste refuse is later hauled to out-of-County landfills, most of which are in the State of Nevada under contract with Waste Management Systems, Inc. There are no known capacity issues with any Waste Management facilities. Any waste generated would be required to comply with federal, state and local statutes and regulations related to solid waste. Mitigation Measure 19A requires solid waste debris generated during construction activities including vegetation and industrial waste such as glues, paints and petroleum products to be appropriately disposed of to avoid a potentially adverse landfill and solid waste disposal impacts. Therefore, impacts related to disposal of construction debris would be *less than significant with mitigation*.

Mitigation: To offset potentially adverse impacts related to construction waste, the following mitigation measures shall be required and shall be included as notes on the supplemental data sheets that record concurrently with the parcel map:

Mitigation Measure 19A: Appropriately Dispose of Vegetative and Toxic Waste. Neither stumps nor industrial toxic waste (petroleum and other chemical products) are accepted at the McCourtney Road transfer station and if encountered, shall be properly disposed of in compliance with existing regulations and facilities.

Timing: *Prior to map recordation and prior to issuance of grading or improvement permits and during construction*

Reporting: *Agency approval of permits or plans*

Responsible Agency: *Nevada County Planning Department*

20. WILDFIRE

Existing Setting: The project parcel is in the Ophir Hill Fire District and is in a very high fire severity zone. The project site takes access from State Highway 174 via an existing paved 12-foot wide driveway. The two-way land division would result in tandem parcels with proposed Parcel 1 being a flagpole parcel. Both of the proposed parcels would have property frontage on State Highway 174. The existing driveway would provide access to both of the parcels.

| If located in or near state responsibility areas or lands classified as very high fire severity hazard zones, 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,H,M,24 |
| 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,B,H,M,18 |
| 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,H,M |
| 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,H,M,12 |

Impact Discussion

20a,c The proposed land division is not anticipated to conflict with emergency plans or result in negative environmental impacts due to infrastructure installation. The Nevada County General Plan Safety Element addresses wildlife hazards in Nevada County and has several policies to improve fire safety. The property is served by the Ophir Hill Fire District in an area designated by CalFire, as a Very High Fire Danger area. There is currently no adopted emergency response plan for the area. Per Nevada County Land Use and Development Code 4.5.18, a Fire Protection Plan will be required and shall be approved by the Nevada County Fire Marshall. The Fire Protection plan shall be site specific and will include, but not limited to the inclusion of a Fuels Management Plan. The project site is located 100-feet from a Nevada Irrigation District fire hydrant, therefore not requiring the installation of water storage. The proposed project will not require the installation or maintenance of associated infrastructure, nor will it substantially impair any emergency response plans, therefore the anticipated impacts are *less than significant*.

20b,d The proposed Royer land division proposes to divide 6.25-acres into 3.01-acre and 3.24-acre parcels. The two-way land division would not result in altered slopes that would increase wildfire risks or expose people or structures to significant risks such as landslides or flooding. The project site has minimal sloping with only a 10% grade change in various areas of the parcel. All future improvements would require building permits and conformance with requirements with such things as maximum impervious surface coverage on each of the parcels, the prohibition of increasing stormflow onto offsite parcels, and adequate erosion control measures. Therefore, the proposed two-way land division is anticipated to have *no impacts* relative to the spread of wildfire and fire risks.

Mitigation: None required.

21. MANDATORY FINDINGS OF SIGNIFICANT ENVIRONMENTAL EFFECT

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

Impact Discussion:

21a,c As discussed in questions 1 through 20 above, the proposed two-way land division would comply with all local, state and federal laws governing general welfare and environmental protection. Project implementation during construction and operation could result in potentially adverse impacts to air quality, biological resources, cultural resources, geology/soils, noise, tribal cultural resources, and utilities/service systems. Mitigation has been included to prevent impacts to wildlife. Although cultural, tribal cultural, and paleontological resources are not known in the project area, mitigation has been added to halt work if resources are discovered. To minimize the disruption to surrounding parcels during construction, mitigation has been included to limit construction daytime hours on Monday through Saturday. In addition, mitigation has been added to reduce potentially adverse impacts related to construction waste. Each of the potential adverse impacts are mitigated to levels that are *less than significant levels with mitigation*, as outlined in each section.

21b A project’s cumulative impacts are considered significant when the incremental effects of the project are “cumulatively considerable,” meaning that the project’s incremental effects are considerable when viewed in connection with the effects of past, current, and probable future projects. Reasonably foreseeable projects that could have similar impacts to the proposed project would include other anticipated projects within the project vicinity. All of the proposed project’s impacts, including operational impacts, can be reduced to less-than-significant level with implantation of the mitigation measures identified in this Initial Study and compliance with existing federal, state, and local regulations, as well as with the application of standard Conditions of

Approval from projects such as this. Therefore the proposed project would have *less than significant* environmental effects that are individually limited by cumulatively considerable.

Mitigation Measures: To offset potentially adverse impacts to air quality, biological and cultural resources, geological resources, noise, tribal cultural resources, and possible impacts utilities/services systems, see Mitigation Measures 3A-3C, 4A-4B, 5A, 13A, and 19A.

RECOMMENDATION OF THE PROJECT PLANNER

On the basis of this initial evaluation:

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

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

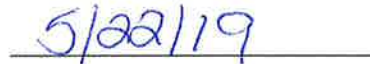
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

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.



Amanda Nolan, Assistant Planner



Date

APPENDIX A – REFERENCE SOURCES

- A. Planning Department
 - B. Department of Public Works
 - C. Environmental Health Department
 - D. Building Department
 - E. Nevada Irrigation District
 - F. Natural Resource Conservation Service/Resource Conservation District
 - G. Northern Sierra Air Quality Management District
 - H. Ophir Hill Park Fire District
 - I. Regional Water Quality Control Board (*Central Valley Region*)
 - J. North Central Information Service, Anthropology Department, CSU Sacramento
 - K. California Department of Fish & Wildlife
 - L. Nevada County Geographic Information Systems
 - M. California Department of Forestry and Fire Protection (Cal Fire)
 - N. Nevada County Transportation Commission
 - O. Nevada County Agricultural Advisor Commission
 - P. Union Hill/ Nevada Joint Union School District
 - Q. Gold Country Stagecoach
-
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 - 2. State Department of Fish and Game. *Migratory Deer Ranges*, 1988.
 - 3. State Department of Fish and Game. *Natural Diversity Data Base Maps*, as updated.
 - 4. Cal Fire. *Fire Hazard Severity Zone Map for Nevada County*, 2007. Adopted by CalFire on November 7, 2007. Available at: <http://www.fire.ca.gov/wildland_zones_maps.php>.
 - 5. State Division of Mines and Geology. *Geologic Map of the Chico, California Quadrangle*, 1992.
 - 6. State Division of Mines and Geology. *Fault Map of California*, 1990.
 - 7. California Department of Conservation, Division of Land Resource Protection. 2016. *Nevada County Important Farmland Data*. Available at: <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/nev16.pdf>.
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 - 9. U.S.G.S, *7.5 Quadrangle Topographic Maps*, as updated.
 - 10. U.S. Fish and Wildlife Service. *National Wetlands Inventory*, December 1995.
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 - 13. Federal Emergency Management Agency. *Flood Insurance Rate Maps*, as updated.
 - 14. Northern Sierra Air Quality Management District. *Guidelines for Assessing Air Quality Impacts of Land Use Projects*, 2000.
 - 15. County of Nevada. *Nevada County General Plan Noise Contour Maps*, 1993.
 - 16. Nevada County. 1991. *Nevada County Master Environmental Inventory*. Prepared by Harland Bartholomew & Associates, Inc. (Sacramento, CA). Nevada County, CA.
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22. North Central Information Center, CHRIS search, February 5, 2018.
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24. Nevada County. *Local Hazard Mitigation Plan Update*. August 2017.
<https://www.mynevadacounty.com/DocumentCenter/View/19365/Nevada-County-LHMP-Update-Complete-PDF?bidId=>
25. California Department of Toxic Substances Control. Accessed April, 2019:
<http://www.envirostor.dtsc.ca.gov/public/>
26. USDA Soil Conservation Service. "Soil Survey of Nevada County Area, California." Soil Survey, Reissued 1993.
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<https://www.conservation.ca.gov/cgs/Pages/Earthquakes/affected.aspx>