

## 5.0 OTHER CEQA

This chapter analyzes the potential environmental consequences of the foreseeable growth and development that could be induced by implementation of the proposed project, effects found not to be significant, and significant unavoidable impacts. A discussion of each of these elements is required by CEQA. The corresponding CEQA guidelines and additional detail is provided under the headings below.

### 5.1 GROWTH INDUCING IMPACTS

Growth facilitated by inclusion in the City sphere is the primary generator of environmental impacts which this EIR analyzes. Section 15126(d) of the State CEQA Guidelines requires that the growth-inducing effects of a proposed project be addressed in an EIR. The evaluation of whether a project would result in growth-inducing effects focuses on the consideration of factors outlined in §15126.2(d) of the State CEQA Guidelines.

Sections 15126(d) and 15126.2(d) of the State CEQA Guidelines require that an EIR analyze growth-inducing impacts and state that an EIR should discuss the ways in which the project could foster economic or population growth or construction of additional housing, either directly or indirectly, in the surrounding environment. This section examines ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. An assessment of other projects that could affect the environment, individually or cumulatively, is also required. To address this issue, potential growth-inducing effects were examined through analysis of the following questions:

- Would the project remove obstacles to growth (e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development)?
- Would this project result in the need to expand one or more public services to maintain desired levels of service?
- Would this project foster population growth (e.g., construction of additional housing), either directly or indirectly?
- Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?
- Would this project promote the development of or encroachment on an isolated or adjacent area of open space (being distinct from an in-fill project)?
- Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

State CEQA Guidelines require an EIR to "discuss the ways" a project could be growth-inducing and to "discuss the characteristics of some projects that may encourage...activities that could significantly affect the environment."

Growth-inducing effects are not to be assumed to be necessarily beneficial, detrimental, or of little significance to the environment (State CEQA Guidelines, Section 15126.2(d)). This issue is presented to provide additional information on ways in which the proposed project could contribute to significant changes in the environment beyond the direct consequences of developing the proposed land uses as described in earlier sections of this Draft EIR.

## **Variables Affecting Growth**

Numerous variables can affect the growth within a city, town, county or region as a whole. These variables can include regional economic trends, market demand for residential and nonresidential uses, land availability and cost, the availability and quality of transportation facilities and public services, proximity to employment centers, the supply and cost of housing, and regulatory policies or conditions.

## **Removal of a Barrier to Growth**

Approval of the SOI Plan update and inclusion of undeveloped or underdeveloped land within the sphere would allow the City of Nevada City (City) and other service providers to plan for future urbanization of the SOI area designated in the Nevada City General Plan (NCGP) and Nevada City Zoning Map for certain land uses. Most significantly, inclusion in the SOI denotes territory that would be eligible to receive City services, such as public sewer service and other municipal services such as police and fire protection, if the City submits an annexation proposal or application for extension of those services and that proposal or application is approved by LAFCo. This action would remove an obstacle to future annexation and development within the SOI Plan update area.

It should be noted, that even though lands may be included within a SOI, this does not guarantee that the lands will be annexed and development projects will be constructed. Inclusion in the updated sphere does not change or modify land uses or zoning, and does not eliminate the need to obtain other discretionary entitlements for development.

There is always the potential for the City to modify its land use planning to allow greater intensity of development than what is currently proposed within the SOI. However, this EIR will presume that future site development will be in accordance with the existing designations and zoning. It is simply too speculative to try to anticipate what future changes the City might make to its land use plan and try to evaluate such possible changes.

LAFCo and the City have identified four priority annexation areas (Annexation Area #1, #2, #3, and #4) that are intended for annexation in the very near future. These four areas are generally developed, and three of the areas include parcels that have already been connected to the City's sewer system. Annexation of these four areas is unlikely to increase existing development levels.

Additionally, six Potential Development Areas (Providence Mine East, Hurst Ranch, HEW Building, Manzanita Diggings, Highway 49 Planned Development Area and Gracie/Gold Flat) have been identified, and are included in each project alternative (with the exception of the 'No Project Alternative.' These six areas have the potential for annexation and further development using sewer service from the City. Inclusion of these Potential Development Areas in the SOI would indirectly induce growth by facilitating annexation or enabling extension of public services to both developed and undeveloped properties within these areas.

Section 5.4 Population Growth below discusses the level of growth anticipated to occur as a result of the removal of barriers under the SOI Plan update and specifically the Consensus Alternative. Historic limited growth of the City suggests that growth within these annexation areas will be spread over time. It is not anticipated that indirect growth would result in a substantial demand for new facilities or result in substantial unplanned new construction. Although some barriers to growth would be removed, through the required environmental review process with each annexation, it is not anticipated that new facilities or other areas would be developed such that significant impacts to the environment would occur.

## **Economic Growth**

The SOI Plan update would result in an updated boundary for the SOI for the City, but as previously noted throughout this EIR, would not directly result in new construction or approval of projects to be constructed.

The SOI Plan update; however, could indirectly result in the facilitation of new development and increased economic activity as a result of that new development. This is considered an indirect growth-inducing effect. Potential secondary effects of future growth could include environmental consequences, such as conversion of vacant land to developed uses, increased demand on community and public services and infrastructure, increased traffic and noise, degradation of air and water quality, or degradation or loss of plant and wildlife habitat.

This Draft EIR considers the economic growth that could result from future development within the SOI Plan Update area. The economic growth potential is evaluated at a high level because the SOI Plan Update does not propose any specific developments and the specific nature of future growth patterns is not known. The adoption of the proposed SOI Plan Update; however, does consider the potential to induce or encourage population growth that could occur as a result of future annexation requests.

All future annexation requests would be required to undergo a formal review process with both LAFCo and the City. These reviews would consider the specific elements of a project once they are known. LAFCo and the City would evaluate the project and consider the potential growth effects. The City also would consider future projects for consistency with growth policies during the City's design and review process. This would include necessary CEQA and other environmental review processes.

As discussed in 5.4 Population Growth below, the SOI Plan update is not anticipated to induce substantial population growth. Population growth is very closely correlated to economic growth and vice versa and

each can help predict changes in the other. Accordingly, while the SOI Plan would result in a change to the SOI plan boundary and would enable annexations of certain areas with planned growth, in the context of the overall City and County growth, the increase is well within that previously planned for in the City's *2017 Annexation Plan and Strategy*, and would be served by relatively minor public service improvements. Therefore, potential economic increases would not result in substantial secondary effects on the environment and these impacts would be less than significant.

## Population Growth

Implementation of the SOI Plan update and specifically the Consensus Alternative would not directly increase population within the City or SOI area. The SOI Plan update does not propose any new development or entitle any development that would increase population. The SOI Plan update; however, could facilitate new development through annexations or extension of public services.

Population growth within the City has been historically low. According to the City Housing element, population in 1980 was 2,431 and was 3,068 in 2010. This is a 30-year increase of approximately 26%. Notably, in year 2000 the population was 3,001 and 3,068 in 2010, an increase in 67 people or approximately two percent (Nevada City, 2014) over those ten years. More recently, according to the California Department of Finance (CDOF), the 2018 population of Nevada City was 3,226, which was a decrease of six people from 2017 when the City was reported to have a population of 3,232 (CDOF, 2018). The January 2019 population estimate from CDOF is 3,122 people, a decrease of 110 people, approximately three percent (CDOF, 2019).

The City's *2017 Annexation Plan and Strategy* provides an estimate of population growth over the Near-, Mid-, and Long-term and corresponds to the average household population of 2.09 people per household. This information is provided in *Table 5-1 – City Estimated Population Growth*. In 2017 the City estimated the population was 3,060, and the projected population in 2039 would be 9,384, which represents a tripling in population and an approximate increase of approximately 6,324 people or 200%.

**Table 5-1 – City Estimated Population Growth**

Horizon	Population
2017 Population	3,060
Near-term <sup>1</sup>	3,762 to 4,264
Mid-term <sup>2</sup>	4,314 to 6,601
Long-term <sup>3</sup>	5,125 to 9,384
Notes: <sup>1</sup> near-term = 2017-2022, <sup>2</sup> Mid-term = 2023-2028, <sup>3</sup> Long-term = 2029-2038 Source: Nevada City, 2017	

The CDOF provides population forecasts for the Counties in the state. CDOF estimates the population of Nevada County in 2038 would be approximately 109,791 people. Considering the 2017 population was 98,554 (CDOF, 2019) this would be a thirty-year increase of approximately 11,237, or eleven percent. If This eleven percent, or 561 people per year over a twenty-year horizon county wide and is not considered substantial. If the eleven percent growth is applied to Nevada City over the 20-year horizon this would account for a population increase of approximately 336 people, or 28 people per year.

The 2015 Wastewater Municipal Services Review (MSR) also provided population estimates for the City. The MSR utilizes the CDOF projections at the County level and did note that making projections for future population growth for a small city such as Nevada City is problematic due to a variety of unknown factors associated with the annexation rate. The 2008 Update of the City's SOI assumed a 0.52 percent annual growth rate and this rate proved to be too high. The City's 2014 Housing Element estimated population for the year 2019 at 3,124 persons. Using this value, the projected average annual growth rate is calculated at 0.0089 percent (less than one percent) (Wastewater MSR, 2015). These values are shown in *Table 5-2 - Wastewater MSR Projected Population Growth (2014–2030)*, below.

**Table 5-2: Wastewater MSR Projected Population Growth (2014–2030)**

	2014	2015	2020	2025	2030
City of Nevada City	3,016	3,043	3,295	3,295	3,445
Assumes an annual growth rate of 0.0089 percent within the City.					

The slower rate of projected growth may be due to:

- remaining slow economic growth and development as an after effect of the U.S. recession from December 2007 through June 2009;
- future long-term effects of SARS-CoV-2 (Covid-19) could affect growth in the City;
- hilly terrain which is more expensive to develop, and which surrounds the City;
- General Plan policies to protect the environment established by City leaders and residents and a tendency to proceed more cautiously with new developments (Wastewater MSR, 2015);
- National Demographic trends favoring population growth in major urban areas over rural areas

It should be noted, that while annexation of existing residential areas would increase the population of the City, this is not new population or growth. While annexation of existing populated areas would increase the population of the City, this is not organic growth but through an adjustment to the City boundaries take existing population from County lands and shift them to within City limits.

Looking at long term overall population projections however may not accurately reflect the potential impacts of the SOI Plan. In particular, the SOI Plan calls for inclusion of six potential development areas (Providence Mine East, Hurst Ranch, HEW Building, Manzanita Diggins' Highway 49 Planned Development Area, and Gracie/Gold Flat). These areas are planned for substantial development. If they are annexed and developed as the City intends, they will generate additional development and additional population and economic growth.

The growth potential of these areas has been estimated by the City of Nevada City and is set forth in Table 3-1 in the Project Description. From this information, reasonable estimates of the number of residential units and hotel units were generated and the consequent growth in population and economic activity evaluated. Based on the Multiple Family Residential designation of (R2) there would be up to 319 units. It is undetermined how many hotel units would be allowed but in either case the site would be developed based on constraints including topography, access, sensitive resources, etc.

Given current modest historical regional growth trends discussed above, it is unlikely that all of the proposed development in the Annexation Areas will occur in the near term. It is far more likely that it will develop gradually over an extended period of time. This will allow more time for any necessary infrastructure and service improvements to be made and for the impacts of the development to be accommodated. There are other considerations in terms of population growth. In consideration of the past growth trends, the anticipated development horizon, and lack of formal development applications for the priority annexation areas. Therefore, although the project would enable development and annexation of undeveloped areas into the City would result in population growth, it is unlikely that significant growth would result as a result of the Consensus Alternative. In addition, the project includes areas for annexation that are already developed. Although annexation of these developed areas would result in an increase of City population, the development has already occurred and impacts on the environment would be limited to a few undeveloped parcels in these areas. Therefore, although the project could result in significant growth of the City population enabled by adoption of the Consensus Alternative, due to the listed reasons but growth is not anticipated to create a significant adverse environmental impacts.

### **Establishment of a Precedent Setting Action**

LAFCo is responsible for determining the boundaries of cities and special districts within its area of responsibility and jurisdiction. Along with its own locally adopted policies, the Nevada County LAFCo operates under the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000, located at Section 56000 and following in the Government Code. The proposed project consists of a SOI Plan update to the current City SOI. LAFCo is required to adopt a SOI plan for each city and district in its jurisdiction, and to review each SOI plan and update as necessary every five years. Nevada City's SOI was first adopted by LAFCo in 1983 with no environmental review. The SOI was affirmed by LAFCo in 2008 with a negative declaration. LAFCo is now in the process of updating the SOI Plan for the City again as required by CKH.

The SOI Plan update to the City of Nevada City would update the existing SOI. The proposed project is consistent with existing legal and planning requirements set forth in the CKH, as well as City and LAFCo guiding documents. The SOI Plan update does not propose any other elements, or require any special considerations, and it does not propose any precedent-setting actions.

### **Encroachment On Open Space**

The SOI Plan update does not propose or authorize any specific development or entitlement that would result in direct impacts or modify any land uses including designations of open space. The SOI Plan update would not result in a direct encroachment to open space. Indirectly, it may facilitate development of currently undeveloped lands. However, all of these lands are privately held and designated by the City for such future development. In addition, it is not anticipated that any annexation would be proposed that would change an existing open space designation such that development that is inconsistent with applicable planning and policy documents would occur.

## 5.2 EFFECTS FOUND NOT TO BE SIGNIFICANT

In accordance with the California Environmental Quality Act (CEQA) Guidelines §15128, this section briefly describes the potential impacts found to be less than significant that do not require mitigation. In the course of this evaluation, certain impacts of the proposed project were found to be less than significant because of the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type. The effects determined not to be significant are not required to be included in primary analysis sections of the Draft Environmental Impact Report (EIR).

### Agriculture and Forestry Resources

Would the project?

- AG-a) Convert Prime Farmland, Unique Farmland, or Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- AG-b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
- AG-c) Conflict with existing zoning for, or cause rezoning for, forest land (as defined in Public Resources code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?
- AG-d) Result in the loss of forest land or conversion of forest land to a non-forest use?
- AG-e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to a non-agricultural use or conversion of forest land to a non-forest use?

**Less than Significant Impact.** The Consensus Alternative area has not been historically used for agricultural purposes such as growing crops or grazing. The Consensus Alternative area does not possess prime classified soils for agricultural production, and the site is not located within an area of Prime, Unique, or Statewide Importance Farmland as identified by the California Department of Conservation's Important Farmland Series Mapping and Monitoring Program.

No properties within the Consensus Alternative Area are under a current Williamson Act contract. Therefore, project implementation would not result in conflicts with existing agricultural zoning or Williamson Act contracts.

The proposed project would not change the existing zoning for parcels that are zoned for Agricultural or production of forestry materials within the Consensus Alternative area. There are no parcels that are zoned for Timberland Production.

Pub. Resources Code, § 12220 (g) defines "Forest land" as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality,

recreation, and other public benefits." Pub. Resources Code, § 4526 defines timberland as follows: "Timberland" means land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis.

The City of Nevada City is located in the midst of an area that would meet the above definition of "forest lands" and "timberlands." Consequently, any development on undeveloped land within the proposed Consensus SOI would result in the conversion of "forest lands" as so defined to urban uses. However, the forest land surrounding Nevada City is mostly in parcels too small and adjacent to conflicting residential uses to warrant use for timber production. These areas also have been planned for development, not for commercial timberland or open space. All of these factors make it unsuitable for management as commercial timberland or forest preserve. Consequently, the impact of such conversion is deemed less than significant.

## Energy

Would the project:

- ENG-a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- ENG-b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The adoption of the proposed Consensus Alternative, itself, would not directly result in an impact to energy resources. It is estimated that the Consensus Alternative could result in an increase of up to a maximum 622 residential units, which would result in additional energy consumption. The increased energy use will foreseeably be reduced by imposition of energy-saving requirements on specific projects as required by already adopted State and local policies and regulations. Future housing development proposals would be subject to project-specific environmental review to ensure that the project would be compliant with local and regional standards and procedures for minimizing short-term and long-term impacts related to wasteful, inefficient or unnecessary consumption of energy resources. As proposed, all future development projects would be required to obtain appropriate Building Permits and would be required to meet all current building standards including but not limited to the California Building Code, California Electrical Code, California Energy Code (Title 24) as well as the Nevada County Land Use and Development Code. Therefore, the indirect energy consumption impacts of the proposed Consensus Alternative development will be reduced to less than significant through conformance with applicable regulations and existing energy reduction measures.

## Hazards and Hazardous Materials

Would the project:

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

- HAZ-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?
- HAZ-c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- HAZ-d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- HAZ-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?
- HAZ-f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- HAZ-g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

**No Impact.** The proposed consensus alternative is not anticipated to result in an impact to the creation of potential hazards or hazardous materials for the citizens of Nevada City. The proposed SOI Plan Update provides direction on certain boundary proposals submitted by Nevada City and special districts. It is estimated that the Consensus Alternative could result in an increase of up to a maximum 622 residential units, yet this update does not provide any entitlements for the construction of these units. The Consensus Alternative does not contain any Goals, Policies or Programs which are anticipated to impact hazardous materials. Future development of projects will be subject to both local and regional hazard and hazardous materials regulation and will also be required to meet all Nevada City requirements including all adopted local and State Fire Safety Standards as well be compatible with both the Nevada County Land Use Compatibility Plans. All potential hazards will be reviewed at the time when a site-specific development project is made. Therefore, the proposed project would have no impact on hazards or hazardous materials.

## Mineral Resources

Would the project:

- MR-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?
- MR-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?

**No Impact.** A mineral resource is land on which known deposits of commercially viable mineral or aggregate deposits exist. The designation is applied to sites determined by the State Division of Mines and Geology as being a resource of regional significance and is intended to help maintain any quarrying operations and protect them from encroachment of incompatible uses. The Consensus Alternative would not 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 since no mineral resources are either identified to exist by the City's General Plan, or located within any "Critical Mineral Resource Overlay" area, on or near the proposed project site.

Additionally, the proposed project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a City's General Plan, specific plan or other land use plan. No impact has been identified.

## Noise

Would the project:

- NOI-a) Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- NOI-b) Generation of excessive groundborne vibration or groundborne noise levels?
- NOI-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?

**No Impact.** The adoption of the proposed Consensus Alternative would not result in the generation of substantial noise throughout the County. The proposed sphere of influence plan update provides direction on certain boundary proposals submitted by Nevada City and special districts. It is estimated that the Consensus Alternative could result in an increase of up to a maximum 622 residential units, yet this update does not provide any entitlements for the construction of these units. All future housing development projects will be considered a project under the California Environmental Quality Act and will be subject to site-specific review for potential noise generation. Additionally, these future projects are required to adhere to City Noise Standards.

Therefore, the proposed Consensus Alternative would have no impact on temporary or permanent increases in ambient noise levels or ground borne vibrations or noise levels nor expose people residing or working within the vicinity of a private airstrip or public or private airport.

## Population and Housing

Would the project:

- POP-a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- POP-b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

**Less Than Significant Impact.** The proposed project does not include any physical improvements or construction of structures within the Consensus Alternative area. The proposed Nevada City SOI update

would not result in the addition or removal of any existing homes. It is estimated that the Consensus Alternative could result in an increase of up to a maximum 622 residential units. Under the County zoning and general plan land uses, buildout in the area of the six potential development areas would result in approximately 166 total units. Although the Consensus Alternative would generate additional units, if demand exists for its eventual buildout, this development has been anticipated by the City and will be consistent with the City General Plan. Additionally, construction and built out would occur over a period of time and phased in based as need for residential units grows. The Consensus Alternative will not produce any unplanned growth, nor will it displace any existing residential areas, homes, or people. In addition, all future projects proposed for annexation from the SOI update area would be considered projects pursuant to CEQA and would require project-specific environmental review. This would account for potential impacts associated with population growth. Additionally, all future development projects would be reviewed for compliance with the General Plan, Land Use and Development Code and specific ordinances, including design review where applicable.

## Recreation

Would the project:

- REC-a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- REC-b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The proposed Consensus Alternative could result in an increase of up to a maximum 622 residential units which would increase the demand for recreational services. However, such impact will likely occur over an extended time and is foreseeably going to be reduced by conformance with existing regulations and policies that would apply to such future development. All future development within the City would be subject to the payment of fees as defined in Chapter 17.116.040 – Fee designated (Nevada City, 1987), which would assist in minimizing potential impacts. These fees would be applied at the appropriate timeframe when future development is being built. Additionally, all future projects would be subject to site-specific environmental review and must comply with all applicable City policies and regulations in regard to recreational services. Therefore, while the development of the Consensus Alternative properties could have a significant impact on recreational services within the City, that impact will be reduced to less than significant by the application of existing policies.

## 5.3 SIGNIFICANT AND UNAVOIDABLE IMPACTS

Section 21100(b)(2)(A) of the State CEQA Guidelines provides that an EIR shall include a detailed statement setting forth "in a separate section: any significant effect on the environment that cannot be avoided if the project is implemented." Accordingly, this section provides a summary of significant environmental impacts of the project that cannot be mitigated to a less-than-significant level.

Sections 4.1 through 4.12 of this Draft EIR describe the potential environmental impacts of the project and recommends various mitigation measures to reduce impacts, to the extent feasible. At the end of the impacts discussion for each resource there is a Conclusion and Cumulative Impacts discussion. The Conclusion provides a brief summary of the previous discussion and the Cumulative discussion determines whether the incremental effects of the proposed project are significant when viewed in connection with the effects of past, present, or reasonably foreseeable projects. After implementation of the recommended mitigation measures, when needed and when feasible, all of the impacts associated with implementation of the SOI Plan update would be reduced to a less than significant level with the exception of Wildfire. Based on that, the following impacts are considered significant and unavoidable; that is, no feasible mitigation is available to reduce the project's impacts to a less than significant level.

## **Wildfire**

**Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildlife?**

**Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

The proposed project would conform to all applicable regulations relative to fire safety set forth by the International Building Code (IBC) and California Building Code (CBC) requirements, the State Board of Forestry and Fire Protection 2018 Strategic Fire Plan, goals and policies of the Nevada County General Plan (NCGP), development standards of the City Zoning Ordinance, City of Nevada City Disaster Plan, as well as CALFIRE defensible space demands. Prior to approval of any projects, future applicants would be required to show conformance to the applicable standards prior to project approval. The proposed project also includes a mitigation measure requiring all future non-ministerial development to submit evacuation plans and if required by the City require an evacuation improvement plan or make a fair share contribution to needed improvements. Nonetheless, due to the unpredictable nature of wildfire as evidenced Santa Rosa, Redding and Paradise, protective measures and massive efforts to control such fires may have only limited success. The proposed project would not directly aggravate the risk, but could indirectly induce growth and more people to the existing significant health and safety danger of wildfires. Even with compliance to regulations and MM WLD-1, in conjunction with site by site CEQA evaluation as required by the City municipal code for all annexations, impacts would not be reduced to less than significant.