

**NEVADA COUNTY, CALIFORNIA
INITIAL STUDY**

To: Building Department
Public Works – Kevin Nelson
Public Works – Pat Perkins
Environmental Health Department
Nevada County Counsel*
Nevada County Fire Protection Planner
CEO – Alison Lehman
Nevada County Consolidated Fire Dist.
F.O.N.A
General Plan Defense Fund
Engineers Association of Nevada County
Supervisor Hall, District I
Commissioner Greeno, District V
Property Owners w/in 500-feet
Nevada County Association of Realtors
Nevada County Contractor’s Association
Sierra Nevada Group / Sierra Club
Tsi-Akim Maidu
United Auburn Indian Community
Nevada City Rancheria Nisenan Tribe
Shingle Springs Band of Miwok Indians
Native American Heritage Commission
Friends of Nevada City
Rural Quality Coalition
Supervisor Bullock, District V
Commissioner Coleman - Hunt, District I
Tyler Barrington, Principal Planner
COB – Jeff Thorsby
**receives full report, others receive NOA/NOI only with report available online.*

Date: October 8, 2021

Prepared by: Matt Kelley, Senior Planner
Nevada County Planning Department
950 Maidu Avenue, Suite 170
Nevada City, CA 95959
(530) 265-1423
Email: matt.kelley@co.nevada.ca.us

File Number(s): PLN21-0051; GPA21-0001; RZN21-0001; EIS21-0002

Assessor’s Parcel Numbers: 034-160-001

Applicant/Property Owner: Dylan Murty and Dana Law
14998 North Bloomfield Road
Nevada City, CA 95959

Representative: Andrew Cassano
Nevada City Engineering
505 Coyote Street, Suite B
Nevada City, CA 95959

Zoning District: Residential Agriculture – 5 Acre (RA-5) – Planned Development (PD)

General Plan Designation: Rural – 5 Acre (RUR-5)

Site Description, Project Location and Surrounding Land Uses:

The undeveloped project site is located at 10460 Harmony Ridge Road within unincorporated western Nevada County of Nevada and is located approximately two miles northeast of the City of Nevada City. The subject parcel is further located northwest of Harmony Ridge Road, southeast of North Bloomfield Road and south of Cooper Road. Access to the subject parcel is by an off-site easement leading from North Bloomfield Road to the project site. The project site is zoned Residential Agriculture – 5 Acre (RA-5) with a Planned Development Combining District (PD) and it has a Rural – 5 Acre (RUR – 5) General Plan designation. Surrounding parcels are similarly zoned with RA-5-PD and AG-10 to the north, south and west and REC to the east. Parcels to the south are developed with existing single-family residential uses.

Project Description:

The project is as proposed in a General Plan Land Use Map Amendment and Zoning District Map Amendment to change the subject project site, located at 10460 Harmony Ridge Road from Rural (RUR) – 5 to Rural (RUR) – 20 and a Zoning District Map Amendment to change the Zoning District from Residential Agricultural (RA) – 5 with Planned Development (PD) to General Agricultural (AG) – 20. The project as proposed, does not include a proposal to develop the parcel and only seeks to change the existing General Plan Land Use Map and Zoning District Map as shown below in Figures 2 and 3.

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
2. County Road Encroachment Permit - Nevada County Department of Public Works
3. Septic Permit – Nevada County Department of Environmental Health

Relationship to Other Projects: The proposed project is not related to any other known or foreseeable projects.

Tribal Consultation: Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

California Native American Tribes with ancestral land within the project area were routed the project during distribution. The California Native American Tribes will be sent a Notice of Availability for Public Review and Notice of Intent to Adopt a Declaration for this project, which will allow the California Native American Tribes the opportunity to comment on the analysis of environmental impacts.

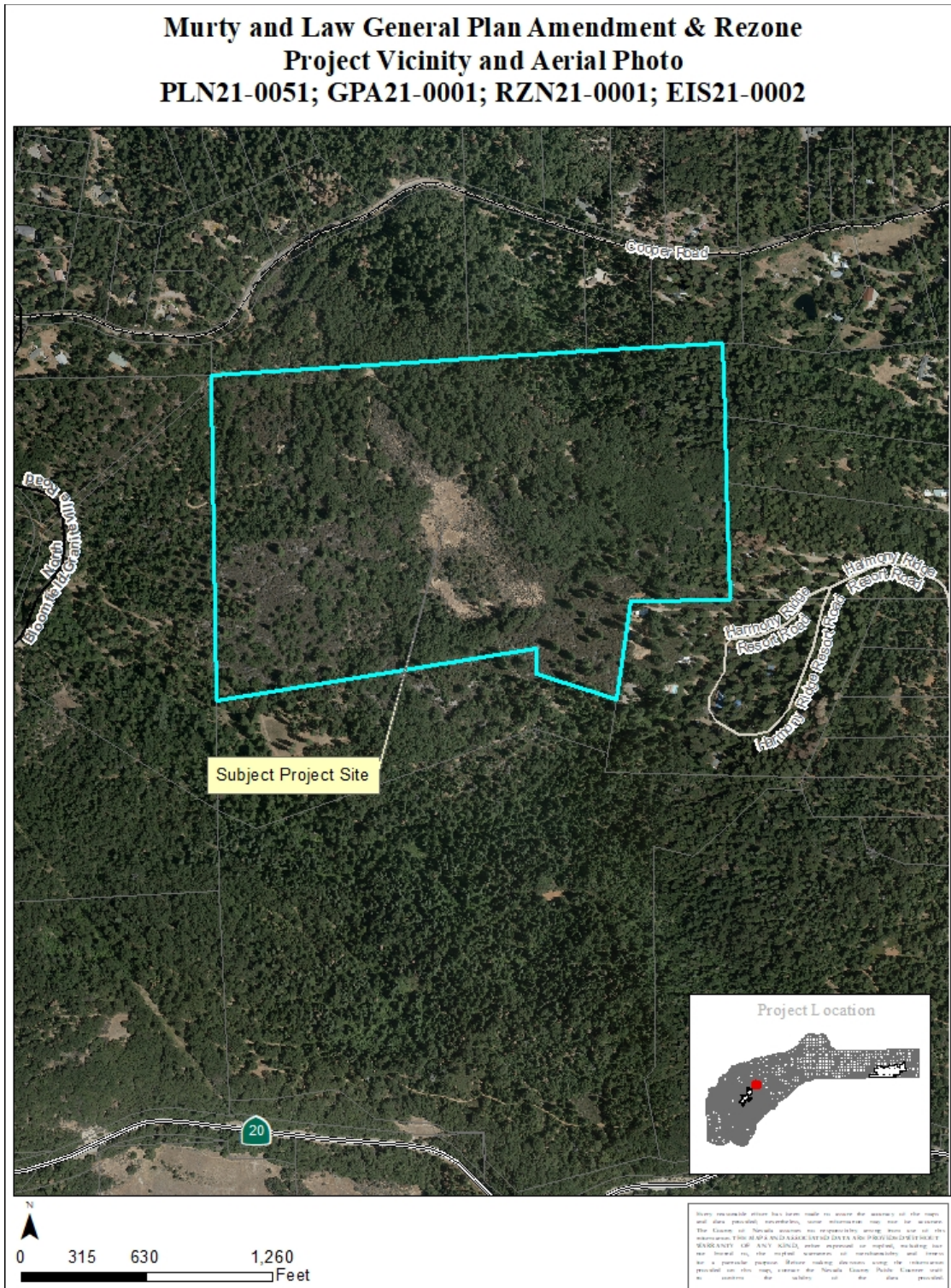


Figure 1 - Vicinity Map

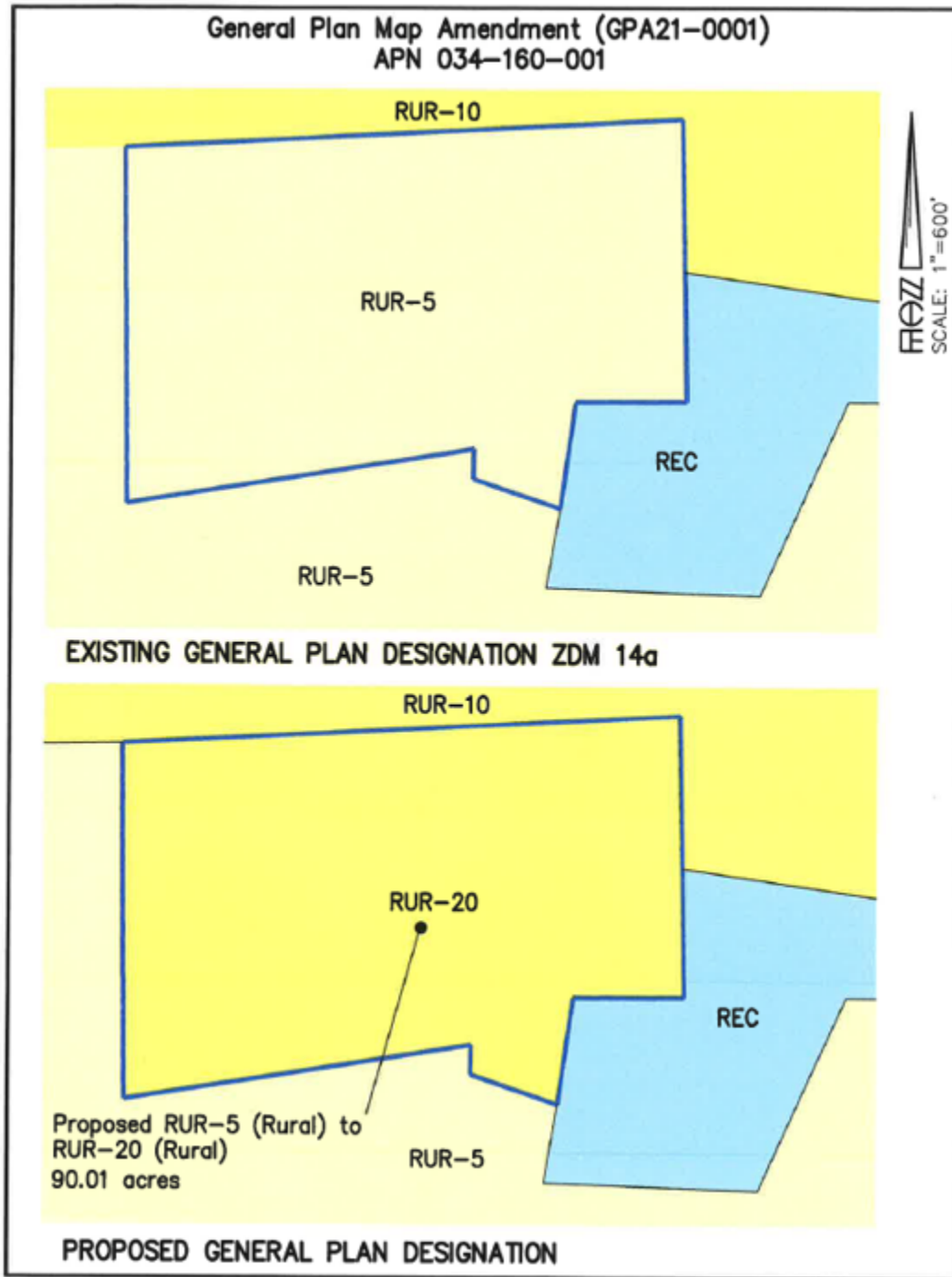


Figure 2 - General Plan Land Use Map

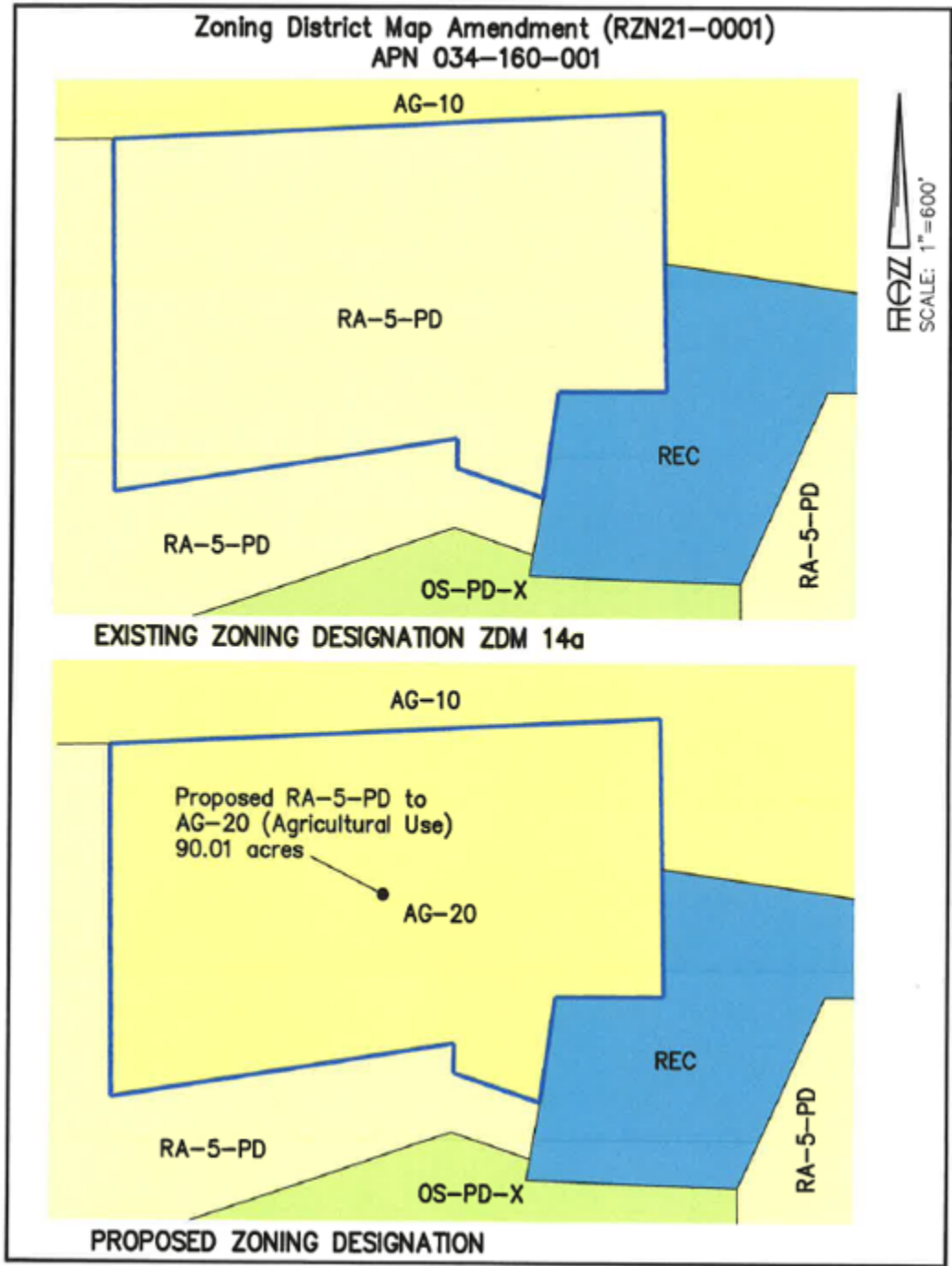


Figure 3 - Zoning District Map

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.

<input type="checkbox"/>	1. Aesthetics	<input type="checkbox"/>	2. Agriculture / Forestry Resources	<input type="checkbox"/>	3. Air Quality
<input type="checkbox"/>	4. Biological Resources	<input type="checkbox"/>	5. Cultural Resources	<input type="checkbox"/>	6. Energy
<input type="checkbox"/>	7. Geology / Soils	<input type="checkbox"/>	8. Greenhouse Gas Emissions	<input type="checkbox"/>	9. Hazards / Hazardous Materials
<input type="checkbox"/>	10. Hydrology / Water Quality	<input type="checkbox"/>	11. Land Use / Planning	<input type="checkbox"/>	12. Mineral Resources
<input type="checkbox"/>	13. Noise	<input type="checkbox"/>	14. Population / Housing	<input type="checkbox"/>	15. Public Services
<input type="checkbox"/>	16. Recreation	<input type="checkbox"/>	17. Transportation	<input type="checkbox"/>	18. Tribal Cultural Resources
<input type="checkbox"/>	19. Utilities / Service Systems	<input type="checkbox"/>	20. Wildfire	<input type="checkbox"/>	21. Mandatory Findings of Significance

Summary of Impacts and Recommended Mitigation Measures: No potential significant impacts have been identify and therefore no mitigation is required.

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 project site is currently undeveloped with any structures, but has been historically mined and logged and has a network of skid roads and paths. Surrounding land uses included undeveloped parcels with similar historic uses, rural residential uses and a Recreational Vehicle Park and Campground immediately adjacent to the east of the subject project site.

The elevation of the subject project site, range from approximately 2,800 feet above mean sea level (AMSL) to approximately 3,420 feet AMSL. The subject parcel is characterized by moderate to steep southwest-facing closes and is located adjacent to off-site historical mining locations which are known as the former Hoge Mine and Harmony Shaft.

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,28
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			✓		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)
vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?					
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-d: The project site is currently undeveloped with any structures, but has been historically mined and logged and has a network of skid roads and paths. Surrounding land uses included undeveloped parcels with similar historic uses, rural residential uses and a Recreational Vehicle Park and Campground immediately adjacent to the east of the subject project site. The project site is zoned RA-5 and has a RUR-5 General Plan Land Use Map designation. The proposed project is a legislative action and if approved would amend the General Plan Land Use Designation from RUR-5 to RUR-20 and the Zoning District Map from Residential Agriculture (RA-5) – Planned Development (PD) to General Agriculture (AG-20). The project site is approximately 91.01 acres in size and is generally consistent in size with some of the surrounding parcels within this area. It is assumed that the project site would be developed for residential uses which are consistent with the General Agriculture Zoning District, along with the potential for commercial agriculture uses, including potential for the cultivation of cannabis. The County does not impose landscaping, lighting or design review requirements on single family development nor does the County enforce Conditions, Covenants and Restrictions (CC&Rs) of specific developments which may require a specific design or color palate for future development of this site. This parcel was not created by a known subdivision map with CC&Rs and therefore it is assumed that the County’s site development standards, (setbacks, height, fencing and hedges, etc.) will ensure that future development of this site is compatible with surrounding development. The project site is not within a scenic vista, will not substantially damage scenic resources and will not degrade the existing visual character or quality of the site or surroundings. This project, if approved, will accommodate potential residential investment into this property, which would be consistent with other uses in the area and has the potential to improve the aesthetic character of the site. For the reasons discussed above, this project will have a *less than significant impact* to aesthetic resources in this area of Nevada County.

Mitigation: None required.

2. AGRICULTURAL/FORESTRY RESOURCES

Existing Setting: The project site is designated “Other Land” by the Farmland Mapping and Monitoring Program of the California Department of Conservation. There are no known agricultural resources within the project site.

The project site does not contain any land within a Williamson Act contract, nor is the parcel within a Timberland Production Zone.

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 California Department of Conservation’s Division of Land Resource Protection, to non-agricultural use?				✓	A, L, 7
b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?				✓	A, 18
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 site does not contain any known or historic agricultural uses and is not within the areas of Nevada County that are mapped as Important Farmlands by the USDA Important Farmland Mapping and Monitoring Program. The re-designation of this property to land uses that are consistent with other surrounding land uses (RUR/AG-20) would not convert important farmlands to a non-agricultural use or result in any potential conflicts with existing or future agricultural uses. The project area and adjacent lands are not zoned or designated as Farmland, nor are within any lands with Williamson Act contracts; therefore, there would be no impact to farmlands from the proposed project. The project site is not within a Timberland Production Zone and will not result in the rezoning of forest land. As proposed, the project is a legislative action and while it could facilitate some construction activities for future residential use or commercial agriculture operations, including the cultivation of cannabis, both the Residential Agricultural Zoning District and the General Agricultural Zoning District allow for agricultural uses, as outlined in Nevada County Land Use and Development Code, Section L-II 2.2.1 – Single Family and Section L-II Rural Districts with the issuance of appropriate permits. Therefore, any impacts to agricultural and forestry resources that are anticipated to occur would be minor when taken in context with the size and scope of the property and the anticipated future use for residential and agricultural purposes. Therefore, **no impact** will occur as a result of the action necessary to approve the proposed General Plan Land Use and Zoning District Map amendments associated with this project.

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). A Biological Inventory of the project site also found that no serpentine or gabbro-derived soils in the Aiken loam and Aiken cobbly loam soils series are mapped near the project area (Dunn, 2021).

Please see Section 8 of this Initial Study for a discussion on project impacts related to Greenhouse Gas Emission.

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-e: The proposed project is a General Plan Amendment to change the existing General Plan Designation from Rural (RUR) – 5 to Rural (RUR) – 20 and the zoning from Residential Agriculture (RA) – 5 with Planned Development (PD) to General Agriculture (AG) – 20. The project proposes to match the existing General Agriculture Zoning District and Rural General Plan Land Use Designation, creating a consistent use type for this project site with other uses in the area. It is assumed that the project site would be developed for residential uses which are consistent with the General Agriculture Zoning District, along with the potential for commercial agriculture uses, including potential for the cultivation of cannabis. The County’s Grading Ordinance, the application of the California Building Code, and those regulations enforced by the Northern Sierra Air Quality Management District and the Nevada County Cannabis Compliance Division will ensure future development of this property will not result in significant air quality impacts associated with grading (dust), smoke (vegetation disposal) or emissions (construction equipment) as those regulations are intended minimize impacts associated with construction activities. This project is a legislative action and while it could facilitate some construction activities for future residential use or commercial agriculture operations, the impacts to air quality that are anticipated to occur will be minor when taken in context with the size and scope of the property and the anticipated future use for residential and agricultural purposes. Therefore, *no impact* will occur as a result of the action necessary to approve the proposed General Plan Land Use and Zoning District Map amendments associated with this project.

Mitigation: **None required.**

4. BIOLOGICAL RESOURCES

Existing Setting: The project site is currently undeveloped with any structures, but has been historically mined and logged and has a network of skid roads and paths. Surrounding land uses included undeveloped parcels with similar historic uses, rural residential uses and a Recreational Vehicle Park and Campground immediately adjacent to the east of the subject project site.

The elevation of the subject project site, range from approximately 2,800 feet above mean sea level (AMSL) to approximately 3,420 feet AMSL. The subject parcel is characterized by moderate to steep southwest-facing closes and is located adjacent to off-site historical mining locations which are known as the former Hoge Mine and Harmony Shaft.

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			✓		A,K,L,19

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					
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-g: As discussed throughout this initial study, the project site is undeveloped with any structures, however, it has been historically mined and logged and has a network of skid roads and paths. Surrounding land uses included undeveloped parcels with similar historic uses, rural residential uses and a Recreational Vehicle Park and Campground immediately adjacent to the east of the subject project site. It is assumed that the project site would be developed for residential uses which are consistent with the General Agriculture Zoning District, along with the potential for commercial agriculture uses, including potential for the cultivation of cannabis. While future disturbance and construction could occur on the property, the County’s Land Use and Development Code, California Building Code, and requirements for compliance with all County and California State regulations. Thus, as proposed, the project is a legislative action and while it could facilitate some construction activities for future residential use or commercial agriculture operations, the impacts to biological resources that are anticipated to occur would be minor when taken in context with the size and scope of the subject project site, and the anticipated future use for residential and agricultural purposes. Therefore, as proposed, the project would have a *less than significant impact* related to these biological resources.

Mitigation: **None required.**

5. CULTURAL RESOURCES

Existing Setting: The subject parcel is located in western Nevada County, at elevations of approximately ranging from approximately 2,800 feet above mean sea level to approximately 3,420 feet AMSL. The subject parcel is characterized by moderate to steep southwest-facing closes and is located adjacent to off-site historical mining locations which are known as the former Hoge Mine and Harmony Shaft.

The varied environmental zones, the geological characteristics and the geographical position of Nevada County account for an exceedingly rich and exceptionally complex cultural resource base. There are a relatively large number, and wide array, of recorded prehistoric site types in Nevada County. The Nevada County region has been occupied by Native American people for a period of at least 1,000 to 2,000 years

in duration. The local people who occupied the territory where this project site is located were known as the Hill Nisenan, or “Southern Maidu”. The Nisenan maintained permanent settlements along major rivers in the Sacramento Valley and foothills; they also periodically traveled to higher elevations to hunt or gather plants. 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, 32
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			✓		J,22, 32
c. Disturb any human remains, including those interred outside of formal cemeteries?			✓		J,22, 32

Impact Discussion:

5a-c As discussed throughout this initial study, the project site is currently undeveloped with any structures, but has been historically mined and logged and has a network of skid roads and paths. Surrounding land uses included undeveloped parcels with similar historic uses, rural residential uses and a Recreational Vehicle Park and Campground immediately adjacent to the east of the subject project site.

As proposed, the project is a legislative action and therefore, the County did not require a site specific cultural inventory. The County did however send out tribal consultation request letters to local Native American representatives pursuant to SB12 and AB52 but did not receive a formal request for consultation. While future disturbance and construction could occur at the project site, no specific mitigation is required as State Law dictates how cultural resources are dealt with should they be found during grading activities. If such resources are encountered or suspected, State Law requires that all work shall be halted immediately, and the appropriate tribe be contacted. A professional archaeologist is required to 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.

The proposed changes in the specific Land Use Designations and Zoning associated with this project will not create significant impacts to cultural resources. Additionally, this change in Land Use Designations and Zoning does not change local and state requirements for protection of cultural resources that will be applied to any development whether it was proposed under current land use/zoning or under the proposed land use/zoning designations. Furthermore, this project is primarily a legislative action only which includes amending the General Plan Land Use Designation and Zoning on the project property.

Mitigation: **None required.**

6. ENERGY

Existing Setting: The subject parcel is located in western Nevada County and has access to the existing PG&E energy grid and infrastructure.

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-b: The proposed project is a General Plan Amendment and Rezone to change the existing General Plan Designation from Rural (RUR) -5 to Rural (RUR) – 20 and the zoning from Residential Agriculture (RA) – 5 with Planned Development (PD) to General Agriculture (AG) – 20. The project proposes to match the existing General Agriculture Zoning District and Rural General Plan Land Use Designation, creating a consistent use type for this project site with other uses in the area. It is assumed that the project site would be developed for residential uses which are consistent with the General Agriculture Zoning District, along with the potential for commercial agriculture uses, including potential for the cultivation of cannabis. As part of typical Building Department permit review, all equipment and structures would be required to meet energy standards identified in the California Building Code. Therefore, re-designating this property to accommodate future residential and agriculture uses is expected to result in *less than significant impacts* to the environment due to wasteful, inefficient or unnecessary consumption of energy resources during either the construction or the residential use of the property. Additionally, the legislative action required for the project cannot be foreseen to result in negative energy impacts.

Mitigation: None Required.

7. GEOLOGY / SOILS

Existing Setting: The Natural Resources Conservation Service (NRCS) has mapped three soil complexes within the project area: Aiken loam (AfB), 2 to 9 and Aiken loam (AfC) 9 to 15 percent slope and Aiken cobbly loam (AgD), 2 to 30 percent slope. The proposed project area occurs mostly within the AfC complex, which the Soil Survey of Nevada County Area describes as having a slow to moderate runoff potential and slight to high erosion potential. (USDA Soil Conservation Service, 1993).

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 1.3 miles to the west 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).

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: 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 1.3 miles to the west 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). Future development of the project site will be subject to California Building Code standards which will effectively ensure future construction is designed for structural integrity. This project does not include associated development or construction and is primarily a map amendment proposal only. The applicant however, has indicated that they intend to development the subject parcel for residential and potentially commercial agricultural uses including the cultivation of cannabis. The proposed change in General Plan Land Use and Zoning District Maps for this property would have a *less than significant* impact that could result in exposure future residents to geologic hazards.

7b, d-g: There is no grading or other construction activities being considered with this proposed General Plan Land Use and Zoning District Map amendment project as the project is a legislative action. While this is the case, the purpose of this project is to establish appropriate land use designations/zoning consistent with surrounding uses to allow for the property to be converted to residential and agricultural uses. Once established, it is assumed some development and reinvestment will occur for conversion to a residential use. If grading activities are required, they will be subject to the Nevada County Grading Ordinance as well as other applicable state (and federal, if applicable) regulations which include provisions for ensuring Best Management Practices (BMPs) are in place to minimize erosion. With the implementation of these standard grading ordinance and erosion control measures, the potential for this project to result in significant geologic hazards would be *less than significant*.

Mitigation: None required.

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 (California Attorney General’s Office, 2010). The Northern Sierra Air Quality Management District (NSAQMD) has prepared a guidance document that includes mitigations for general air quality impacts that can be used to mitigate GHG emissions, *Guidelines for Assessing Air Quality Impacts of Land Use Projects* (Northern Sierra Air Quality Management District, 2016).

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

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			✓		A, 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 would result in any altered physical conditions. In considering this project’s GHG emissions within the context of statewide and regional emissions it is anticipated to be minimal given the small scale of the proposed projects. Typically, cumulative impacts are analyzed and mitigated in the County’s General Plan and associated EIR. In this case, the General Plan for Nevada County does not address GHG Emissions. Therefore, this analysis uses the precautionary principle and acknowledges that the project will make a small, minor contribution to regional and statewide GHG emissions.

It is anticipated that based on the desires of the applicant, the development of future residential and agriculture uses on the project site would result in small but incremental increases in CO2 levels from the new vehicle trips to this site as well as from minor construction activities. Short-term GHG emission impacts could result from construction of the site for future uses, however, development would be short term in nature. As this project is primarily a legislative action, a CalEEMOD model was not run for this project, as any inputs would be purely speculative.

Current requirements of the California Building Code, Northern Sierra Air Quality District and the California Air Resources Board, will ensure future construction that may occur as a result of this project is done in a manner that is consistent with these codes and will minimize greenhouse gas emissions to the greatest extent possible.

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 project site is located approximately 4.5 miles northeast of the Nevada County Airport.

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,24
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,24

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

Impact Discussion:

9a-b. The project as proposed is a legislative action that would amend the General Plan Land Use designation from RUR-5 to RUR-20 and the Zoning District Map from RA-5-PD to AG-20 and is anticipated to allow for redevelopment of the subject parcel for residential and commercial agricultural purposes, including the potential cultivation of cannabis. During the construction phase of future residential or agricultural development, it is anticipated that small quantities of hazardous materials would be stored, used, and handled. 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 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. Once established, it is anticipated that small amounts of common household chemicals (cleaners, 2 and 4-cycle engine fuel, oil, vegetation killers, etc.) will likely be stored on the project property in small residential quantities that are not subject to Environmental Health storage regulations. Therefore, this impact is considered *less than significant*.

9c: The project site is not within a ¼ mile from an existing school and therefore the proposed project does not have the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste that could impact such a facility. Further this project is a primarily a General Plan Land Use and Zoning District Map Amendment, which has no potential to result in hazardous material emission or storage and therefore this project will have *no impact* to the criterion.

9d: The project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, subsequently this project would not create a significant hazard to the public or the environment. As discussed in the existing setting and throughout this Initial Study, the subject

project site is currently undeveloped with any structures, but has been historically mined and logged and has a network of skid roads and paths. Surrounding land uses included undeveloped parcels with similar historic uses, rural residential uses and a Recreational Vehicle Park and Campground immediately adjacent to the east of the subject project site. The surrounding project area as the site of placer mining from the late 1800s through the early 1990s. On February 25, 2019, Nancy Blanchard, at that time property owner, entered in a Voluntary Cleanup Agreement with the Department of Toxic Substances Control (DTSC), and a Preliminary Endangerment Assessment (PEA) was completed by on April 10, 2019 that identified all potential contaminants within the acceptable levels for residential uses of the project site. DTSC concurred with the PEA's "No Further Action" finding on November 12, 2019.

The PEA prepared by NV-5 – Holdredge & Kull conducted field sampling under the approved work plan and completed the PEA report to investigate environmental conditions related to historical gold mining and gold ore processing within the vicinity of the project site. The PEA identified that soil sampling and laboratory analysis were previously performed at the subject parcel property by Versar in 1996. No mine features were identified on the subject property by Versar or NV-5.

The PEA prepared for the project site also identified that in the early 1990s, the adjacent parcel to the west (APN: 034-180-062) was part of a proposed development for a Final Map (FM97-001), which proposed to subdivide the approximately 31.75-acre parcel into eight parcels, known as Pinewood Glen Estates. The Pinewood Glen Estates site (DTSC Site Code 101487) was the subject of hazardous substance site investigations which identified and characterized the Hoge Mine site and other properties comprising the Pinewood Glen Estates development site. The Hoge Mine site is located adjacent to and west of the subject project site and is impacted by elevated metals concentrations resulting from historical gold mining. The Hoge Mine site was subject of previous DTSC site investigation as part of the Davis Mill/Hoge Mine Site (DTSC Site Code 102007). Previous investigation of the Hoge Mine site by URS (2011) and others identified elevated metals concentrations (e.g., arsenic, lead and mercury) in soil and mine waste at the Hoge Mine site and at locations downgradient (northwest) of the Hoge Mine site, including a surface water drainage course. DTSC (2011) concurred with the URS (2011) recommendations to consider land use controls at the former Hoge Mine site including fencing and/or signage denoting environmental restrictions. This project does not include associated development or construction and is primarily a map amendment proposal only. The applicant however, has indicated that they intend to development the subject parcel for residential and potentially commercial agricultural uses including the cultivation of cannabis.

However, given the above discussion and that the proposed project is a legislative action consisting of a General Plan Land Use and Zoning District Map Amendment that has no potential to create a significant hazard to the public or the environment as the result of disturbing a known hazardous material site and therefore this project would have a *less than significant impact*.

- 9e: The project site is not located within 2 miles of a public use airport and is approximately 4.5 miles from the nearest airport – the Nevada County Airport, located Southwest of the project site. Future development of this parcel could result from this General Plan Land Use and Zoning District Map Amendment project does not have the potential to result in a safety hazard for people residing or working in the project area due to airport hazards and therefore this project will have *no impact* to this criterion.
- 9f-g: The project will not alter any existing emergency evacuation plans for the areas where the project is located. The Office of the Nevada County Fire Marshal and the Nevada County Consolidated

Fire Protection District (NCCFD) have reviewed the proposed project and did not comment on any adverse impacts to emergency response or evacuation plans. While future growth in this service area of NCCFD is possible, NCCFD does not anticipate that the change would substantiate the need for additional staffed fire stations in the vicinity of the project. Given that, as proposed the project would not affect NCCFD’s ability to perform their mission or physically interfere with any adopted emergency response and evacuation plan; there would be a *less than significant* impact as a result of this project.

Mitigation: None required.

10. HYDROLOGY / WATER QUALITY

Existing Setting: The project is not located in or near a floodplain, with the closest floodplain being approximately 1.5 miles southeast, at Deer Creek. There are no aquatic resources on the project site and the project site is located within Rock Creek South Yuba River Subzone of the Rock Creek Watershed.

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,D
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: <ul style="list-style-type: none"> 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,D,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,D
f. Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			✓		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)
g. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?			✓		L,13

Impact Discussion:

10a-b: As discussed throughout this Initial Study, this project is a legislative action which proposes to amend the General Plan Land Use Designation of the project site with surrounding properties by amending the RUR-5 General Plan Land Use Designation and RA-5-PD Zoning District and replace it with the RUR-20 General Plan Land Use Designation and General Agriculture (AG-20) Zoning District. The project does not include associated development or construction and is primarily a map amendment proposal only. The applicant however, has indicated that they intend to development the subject parcel for residential and potentially commercial agricultural uses including the cultivation of cannabis. Future development on the site, including permitting for the potential future cultivation of cannabis would be subject to building permit issuance and compliance with the California Building Code along with any required annual cannabis licensing inspections. The action necessary to amend the land use and zoning designations for the subject project site would *less than a significant impact* on water quality or waste discharge.

10c-g: The subject project site has been disturbed by past historical timber harvesting and mining activities. While the proposed project is a legislative action and a General Plan Land Use and Zoning District Map Amendment, future development of the project site, could result in the development of the subject parcel for residential and potentially commercial agricultural uses including the cultivation of cannabis. The County’s Building/Grading Ordinance and the application of the California Building Code would ensure that adequate measures are taken to ensure any future site disturbance would not result in direct or indirect impacts to water quality on the project site. Furthermore, the project site does not have onsite water courses that could be impacted for future grading on construction activities. Notwithstanding, any potential ground disturbance has the potential to alter onsite drainage patterns, but those impacts are expected to be *less than significant*. Finally, as expressed throughout this Initial Study, the project is a legislative action and does not include any physical disturbance to the environment at this time.

Mitigation: None required.

11. LAND USE / PLANNING

Existing Setting: The project site is currently undeveloped with any structures, but has been historically mined and logged and has a network of skid roads and paths. Surrounding land uses included undeveloped parcels with similar historic uses, single-family residences, agricultural uses and a Recreational Vehicle Park and Campground immediately adjacent to the east of the subject project site. The elevation of the subject project site, range from approximately 2,800 feet above mean sea level (AMSL) to approximately 3,420 feet AMSL. The subject parcel is characterized by moderate to steep southwest-facing slopes and is located adjacent to off-site historical mining locations which are known as the former Hoge Mine and Harmony Shaft.

The subject project site is currently zoned Residential Agriculture (RA-5) with Planned Development (PD) as shown on Zoning District Map 64 and has a RUR – 5 General Plan Land Use Designation. The applicant requests to amend the General Plan Land Use Designation from RUR – 5 to RUR – 20 and amend the

Zoning District Map from RA-5 – PD to AG-20. The subject parcel is approximately 91.01 acres in size and based on the current zoning of RA-5-PD, it would allow for a density of 1 dwelling unit for every 5 acres, with an overall density of approximately 18 dwelling units.

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-b: The subject project site is currently zoned Residential Agriculture (RA-5) with Planned Development (PD) as shown on Zoning District Map 64 and has a RUR – 5 General Plan Land Use Designation. The applicant requests to amend the General Plan Land Use Designation from RUR – 5 to RUR – 20 and amend the Zoning District Map from RA-5 – PD to AG-20. The subject parcel is approximately 91.01 acres in size and based on the current zoning of RA-5-PD it would allow for an overall density of 18 dwelling units. If approved, the overall density would be reduced by 14 units and allow for up to 4 dwelling units. While the project as proposed does not include a proposal for development at this time, the applicant has stated that they intend to develop the project site for residential and potentially commercial agricultural uses including the cultivation of cannabis. As proposed, this type of use would be compatible with the surround subject parcels which are zoned General Agriculture with a 10 acre minimum parcel size. As a result, this impact would be *less than significant*.

Mitigation: None required.

12. MINERAL RESOURCES

Existing Setting: The project area is within an area classified as within a Mineral Resource Zone (MRZ-2), lode gold and silver, and the surrounding area has been historically mined.

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 subject project site is currently zoned Residential Agriculture (RA-5) with Planned Development (PD) as shown on Zoning District Map 64 and has a RUR – 5 General Plan Land Use Designation. As proposed, the project is a legislative action which would amend the General Plan Land Use Designation from RUR – 5 to RUR – 20 and amend the Zoning District Map from RA-5 – PD to AG-20. As proposed and if the General Plan Amendment is approved, Nevada County General Plan Policies and the allowable land uses within the General Agricultural Zoning District would allow for the potential for surfacing and sub-surface mining within the project site, subject to the approval of a Use Permit. Due to surface and sub-surface mineral extraction as an allowed use subject the approval of a Use Permit, within the General Agricultural Zoning District, the availability of these potentially significant mineral resources would not change as a result of this project. Impacts related to the availability of mineral resources would be *less than significant*.

Mitigation: None Required.

13. NOISE

Existing Setting: Nevada County Land Use and Development Code, Section L-II 4.1.7 – Noise, establishes noise standards for Residential and Public land use categories at the following average levels:

- 7 a.m. to 7 p.m. – 55 dB Leq and maximum 75 dB Lmax
- 7 p.m. to 10 p.m. – 50 dB Leq and 65 dB Lmax
- 10 p.m. to 7 a.m. – 45 dB Leq and 60 dB Lmax

Pursuant to Nevada County Land Use and Development Code, Section L-II 4.1.7.D.8, the above standards shall not apply to those activities associated with the actual construction of a project or to those projects with the provision of emergency services or functions.

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-c: The subject project site is located within a relatively rural area of development and is located near North Bloomfield-Graniteville Road and Cooper Road. As a result, vehicle traffic is the primary source of ambient noise in this area. Secondary noise generators are attributed to some residential

uses and the Harmony Ridge Resort Campground and Recreational Vehicle Park which east of the project site. The applicant notes that if this project is approved the intent to develop the site, with residential and commercial agricultural uses, including the potential cultivation of cannabis. The use of this property would be consistent with other residential and agricultural uses in the surrounding vicinity. The project is not within the vicinity of a private or public airport and therefore would not expose people residing there to excessive noise levels. The project is a General Plan Amendment and Rezone and is a legislative action. While construction activities to develop the project site will result in some increases in noise, construction noise is temporary in nature and not subject to the County’s noise standards. Therefore, the project is anticipated to result in *less than significant* noise impacts.

Mitigation: None required.

14. POPULATION / HOUSING

Existing Setting: The project site is currently undeveloped with any structures, but has been historically mined and logged and has a network of skid roads and paths. Surrounding land uses included undeveloped parcels with similar historic uses, rural residential uses and a Recreational Vehicle Park and Campground immediately adjacent to the east of the subject 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. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓		A
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓	A

Impact Discussion:

14a-b The proposed project, if approved, would result in the potential for the construction of residential and commercial agricultural uses. The applicant notes that if this project is approved they intended to develop the site, with residential and commercial agricultural uses, including the potential cultivation of cannabis. Therefore, based on the County’s most recent census data (2010 Census) which provide the County’s persons per household at 2.35 persons, this project has the potential to result in a population growth of approximately 9 people, as would be allowed by the proposed AG-20 Zoning District, which would allow for an overall density of the project site of up to 4 dwelling units based on the project size being approximately 91.01 acres in size, assuming the project is approved and occupied for residential use. Since the project area is within an area developed with residential and agricultural uses, the addition of a new potential single-family use on this property is not anticipated to result in substantial population growth; therefore this impact is *less than significant*. Further, the site is not developed with residential uses and therefore this project does not have the potential to displace any housing units or people and as a result this project will have *no impact* to these criteria.

Mitigation: None required.

15. PUBLIC SERVICES

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

The following public services are provided to this site:

Fire: The Nevada County Consolidated Fire District provides fire protection services to this site.

Police: The Nevada County Sheriff provides law enforcement services.

Schools: The Nevada City School District and Nevada Joint Union High School Districts provides education for the area.

Parks: The Grass Valley / Nevada City Recreation District 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.1-5: The proposed project, if approved would change the sites RUR-5 General Plan Land Use Designation and RA-5-PD zoning to RUR-20 and AG-20 which is consistent with the surrounding uses which are primarily residential and agricultural. The project site is undeveloped with any structures, but has been historically mined and logged and has a network of skid roads and paths. Surrounding land uses included undeveloped parcels with similar historic uses, rural residential uses and a Recreational Vehicle Park and Campground immediately adjacent to the east of the subject project site. The proposed change to the property's General Plan Land Use designation will have no impact on the ability of police and fire services to serve the site and will have minimal impact to parks or schools in this area.

The project site would be served by individual water wells and septic systems and PG&E would provide electrical service to the project site. Correspondence from the County Environmental Health Division (whom is responsible for permitting water wells and septic systems) states that they have no objection to the proposed General Plan Amendment and Rezone for this property and permits would be required for an individual well and septic system. Subsequently, this proposed project is anticipated to have a *less than significant* impact to Public Services.

Mitigation: None required.

16. RECREATION

Existing Setting: The project site is located within the Grass Valley / Nevada City 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 proposed project if approved, will result in changing the project site’s General Plan Designation from Rural – 5 (RUR-5) to Rural – 20 (RUR-20) and the zoning will change from Residential Agriculture (RA-5) with Planned Development (PD) to General Agriculture (AG-20). The project would not adversely affect recreation facilities because they are not on or near the project site. Therefore, the proposed project would have *no impact* related to these issues.

Mitigation: None required.

17. TRANSPORTATION

Existing Setting: The subject project site takes access of North Bloomfield-Graniteville Road and Cooper Road, both County maintained roads.

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.* The site would not conflict with any policies regarding transit, roadway, bicycle or pedestrian facilities. Existing transit service are not available in this area and would not be affected by the project. The project would have ***no impact*** regarding these policies or services.
- 17b-d.* The proposed project is not expected to result in a substantial increase in traffic nor is it anticipated to result in inadequate emergency access. The proposed project would take site access from the existing easement which is located off of North Bloomfield-Graniteville Road. The proposed project is a legislative action, consisting of a General Plan Amendment to from Rural (RUR-5) to Rural (RUR-20) and the zoning from Residential Agriculture (RA-5) to General Agriculture (AG-20). This change would be consistent with surrounding land use and zoning designations; and would be supported by some of the residential uses in the area. This General Plan Land Use and Zoning District Map amendment project would have ***less than significant impact*** upon traffic in the vicinity of the project property as it is primarily a legislative action and does not include the approval of a significant development project.

Mitigation: None required.

18. TRIBAL CULTURAL RESOURCES

Existing Setting: Assembly Bill 52 (Chapter 532, Statutes 2014) required an update to Appendix G (Initial Study Checklist) of the CEQA Guidelines to include questions related to impacts to tribal cultural resources. Changes to Appendix G were approved by the Office of Administrative Law on September 27, 2016. Tribal Cultural Resources include sites, features, and places with cultural or sacred value to California Native American Tribes. The Washoe Tribe of Nevada and California, United Auburn Indian Community of the Auburn Rancheria (UAIC) and the Shingle Springs Band of Miwok Indians has contacted the County to request consultation on projects falling within their delineated ancestral lands. The subject cellular telecommunication facility is proposed within UAIC lands. See Section 5 for additional information regarding tribal resources.

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

Impact Discussion:

18a As discussed throughout this initial study, the project site is in an undeveloped area, containing residential and agricultural uses. As proposed, the project is a legislative action and therefore, the County did not require a site specific cultural inventory. The County did however send out tribal consultation request letters to local Native American representatives pursuant to SB12 and AB52 but did not receive a formal request for consultation. While future disturbance and construction could occur at the project site, no specific mitigation is required as State Law dictates how cultural resources are dealt with should they be found during grading activities. If such resources are encountered or suspected, State Law requires that all work shall be halted immediately, and the appropriate tribe be contacted. A professional archaeologist is required to 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.

The proposed changes in the specific Land Use Designations and Zoning associated with this project will not create significant impacts to cultural resources. Additionally, this change in Land Use Designations and Zoning does not change local and state requirements for protection of cultural resources that will be applied to any development whether it was proposed under current land use/zoning or under the proposed land use/zoning designations. Furthermore, this project is a primarily a legislative action, and includes amending the General Plan Land Use Designation and Zoning on the project property.

Mitigation: None required.

19. UTILITIES / SERVICE SYSTEMS

Existing Setting: The project site is not currently served by any utilities, but Pacific Gas & Electric would provide electrical service to the project site. Solid waste generated either during the development of the site or after occupancy, is processed at the McCourtney Road Transfer Site, which is maintained by the County of Nevada, which contracts with a solid waste disposal company to haul material to a permitted sanitary landfill. There are a number of wireless telephone services available in western Nevada County but with variable coverage depending upon the carrier. Sewage treatment and disposal would occur via onsite septic systems.

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-d: This project as proposed is a General Plan Land Use Map and Zoning District Map amendment for the subject project site. The action necessary for amending the designations of this property will have no physical impacts on the environment or public utilities that serve it and therefore this impact is anticipated to be less than significant.

Mitigation: None required.

20. WILDFIRE

Existing Setting: The project parcel is in the Nevada County Consolidated Fire District and is in a Very High Fire Hazard Severity Zone. The project site is also located approximately 1.1 miles southwest of the existing Nevada County Consolidated Fire Station located at the intersection of North Bloomfield-Graniteville Road and Ridge Road. The project site is further located approximately 1.6 miles northeast of the Nevada County Consolidated Fire Station 82 which is unstaffed and is located at the intersection of Highway 20 and Scotts Flat Road. According to CalFire Fire Hazard Severity Maps, the project site is within a Very High Fire Hazard Area as is the surrounding area.

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,23
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-d: The project if approved would result in appropriate General Plan and Zoning designations that would support the property owner’s desire to development the project site for residential development and potentially future commercial agricultural operations including the cultivation of cannabis. While the project as proposed does not include a proposal for development at this time, the applicant has stated that they intend to develop the project site for residential and potentially commercial agricultural uses including the cultivation of cannabis. While future disturbance and construction could occur on the property, the County’s Land Use and Development Code, California Building Code, California Fire Code specific to the Wildland Urban Interface and requirements for compliance with all County and California State regulations would ensure that wildland fire impacts would be minor. Thus, as proposed, the project is a legislative action and while it could facilitate some construction activities for future residential use or commercial agriculture operations, the impacts to this criterion that are anticipated to occur would be minor when taken in context with the size and scope of the subject project site, and the anticipated future use for residential and agricultural purposes. Furthermore, no adverse wildfire impacts have been identified by the Office of the County Fire Marshal or the NCCFD and both agencies support the proposed General Plan Amendment. Therefore, the proposed project as proposed would have a *less than significant impact* to this criterion.

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				✓	See Appendix A

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

Impact Discussion:

21a-c: As discussed in Sections 1 through 20 above, the proposed project is primarily a legislative action, consisting of a General Plan Amendment to change the existing General Plan Land Use Map designation of the property from Rural (RUR-5) to Rural (RUR-20), and a corresponding Zoning District Map Amendment to change the existing Residential Agriculture (RA-5) – Planned Development (PD) to General Agriculture (AG-20). The Rural and General Agriculture designation are generally consistent with surrounding land use and zoning designations and would allow for the property owner to eventually develop the project site to a residential uses and potentially future commercial agricultural uses including cannabis cultivation through appropriate permits.

Future development of this property will be subject to applicable local, state and federal codes, standards, permitting requirements and regulations that are applicable to the type of redevelopment that might be proposed. This Initial Study disclose that the applicant’s desired future use of the property will be for future residential uses and potentially future commercial agricultural uses including potential cannabis cultivation which would be consistent with both the proposed land use and zoning designations. Further this Initial Study makes a good faith effort to disclose anticipated future impacts of the redevelopment of the site. If this project is approved the issuance of future building and environmental health permits would become a ministerial action. No significant impacts have been identified within this Initial Study as a result of this project and therefore the proposed change to the Zoning District Map and General Plan Land Use Map designation that are being requested by the applicant are anticipated to have a *less than significant impact* to environmental resources.

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.

Matt Kelley, Senior 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. Nevada County Consolidated 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. Grass Valley/ Nevada Joint Union School District
 - Q. Gold Country Stagecoach
1. State Division of Mines and Geology. *Mineral Classification Map*, 1990.
 2. State Department of Fish and Game. *Migratory Deer Ranges*, 1988.
 3. State Department of Fish and Game. *Natural Diversity Data Base Maps*, as updated.
 4. 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>.
 8. State Dept. of Forestry & Fire Protection. *Nevada County Hardwood Rangelands*, 1993.
 9. U.S.G.S, *7.5 Quadrangle Topographic Maps*, as updated.
 10. U.S. Fish and Wildlife Service. *National Wetlands Inventory*, December 1995.
 11. Natural Resources Conservation Service. 2007. *Official Soil Series Descriptions (OSD) with series extent mapping capabilities*. Available at http://soildatamart.nrcs.usda.gov/manuscripts/CA619/0/nevada_a.pdf.
 12. U.S. Geological Service. *Nevada County Landslide Activity Map*, 1970, as found in the Draft Nevada County General Plan, Master Environmental Inventory, December 1991, Figure 8-3.
 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.
 17. Nevada County. 1995. *Nevada County General Plan: Volume 1: Goals, Objectives, Policies, and Implementation Measures*. Prepared with the assistance of Harland Bartholomew & Associates, Inc. (Sacramento, CA). Nevada County, CA.
 18. Nevada County. *Nevada County Zoning Regulations*, adopted July 2000, and as amended.
 19. California Attorney General's Office. "Addressing Climate Change at the Project Level." January 6, 2010.
 20. US Environmental Protection Agency. *Current Nonattainment Counties for All Criteria Pollutants*. January 31, 2015. www.epa.gov/oaqps001/greenbk/ancl.html.

21. North Central Information Center, CHRIS.
22. Nevada County. *Local Hazard Mitigation Plan Update*. August 2017.
<https://www.mynevadacounty.com/DocumentCenter/View/19365/Nevada-County-LHMP-Update-Complete-PDF?bidId=>
23. California Department of Toxic Substances Control. September 2021,
<http://www.envirostor.dtsc.ca.gov/public/>
24. USDA Soil Conservation Service. "Soil Survey of Nevada County Area, California." Soil Survey, Reissued 1993.
25. California Department of Conservation, Division of Mines & Geology. "Report 2000-19: A General Location Guide for Ultramafic Rocks in California -- Areas More Likely to Contain Naturally Occurring Asbestos." 2000.
26. California Department of Transportation. *California Scenic Highway Mapping System*. September 7, 2011. http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm
27. Nevada County. *Land Use and Development Code Section 5, Article 13, Grading*. Amended December 2016.
28. California Department of Conservation, California Geological Survey. 2010.
<https://www.conservation.ca.gov/cgs/Pages/Earthquakes/affected.aspx>