

**NEVADA COUNTY, CALIFORNIA
INITIAL STUDY**

TO:

Nevada County Building Department	Nevada County Department of Public Works
Nevada County Environmental Health Department	Nevada County Transportation Comm. / NCALUC
Nevada County DPW – Transit	Nevada County Airport Manager
City of Grass Valley	Department of Water Resources
Native American Heritage Commission	United Auburn Indian Community
Nevada City Rancheria Nisenan Tribe	Nevada County Contractors' Association
Greater Grass Valley Chamber of Commerce	Nevada Irrigation District
Cal Trans Aeronautics	CA Fish & Wildlife
AT&T	Central Valley Regional Water Quality Control
US Fish & Wildlife	PG&E
Northern Sierra Air Quality Management District	Air Resources Control Board
Bear Yuba Land Trust	Rural Quality Coalition
LAFCO	FREED
California Native Plant Society – Redbud Chapter	Resource Conservation District
Nevada County Economic Resource Council	General Plan Defense Fund
Sierra Nevada Group/Sierra Club	FCC
U. S. Army Corps of Engineers	Friends of Nevada City
Kevin Johnston	F.O.N.A
Nevada County Fire Protection Planner	FAA
Grass Valley Fire Department	County Executive Office
Supervisor Hall – District I	Supervisor Miller, District III
Tyler Barrington, Principal Planner	County Counsel *

**receives full report, others receive NOA only with report available online.*

Date: May 17, 2019

Prepared by: Neil O'Hara, consultant
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The project applicant has requested a density bonus, based on a restriction of all units (except the manager's) to homeless households earning 40% of the Area Median Income (AMI) or below. This will allow the third story, a maximum height of 42', and a unit density of 17.67 per acre, compared to zoning limits of 2 stories, 35 feet, and 15 units per acre.

A 1± acre portion of the parcel, south of the apartments, will be the site of a County Resource Center, intended to provide social services to project residents as well as other members of the community in need. The facility will be a 10,558 sq. ft. building that will provide services for homeless individuals and families. The services to be provided include self-care facilities, general mail service/lockers, facilities and services for pets of the homeless, case management services, housing services, mental health services, substance abuse services, benefit/application services, veterans benefit services, self-help groups/meetings, domestic violence counseling/resources, legal aid, disability and advocacy services, employment services, and transportation services. Brunswick Commons Resource Center will also provide nine Transitional Housing units that will be available to support the process of moving the individual and family clients into permanent housing.

A 20' by 275' strip of land extend from the west side of the site to Sutton Way. A pedestrian path will be constructed within this strip, connecting the apartments and the resource center to Sutton Way. A 1.7± acre portion, in the northwest area of the parcel, will remain undeveloped at this time.

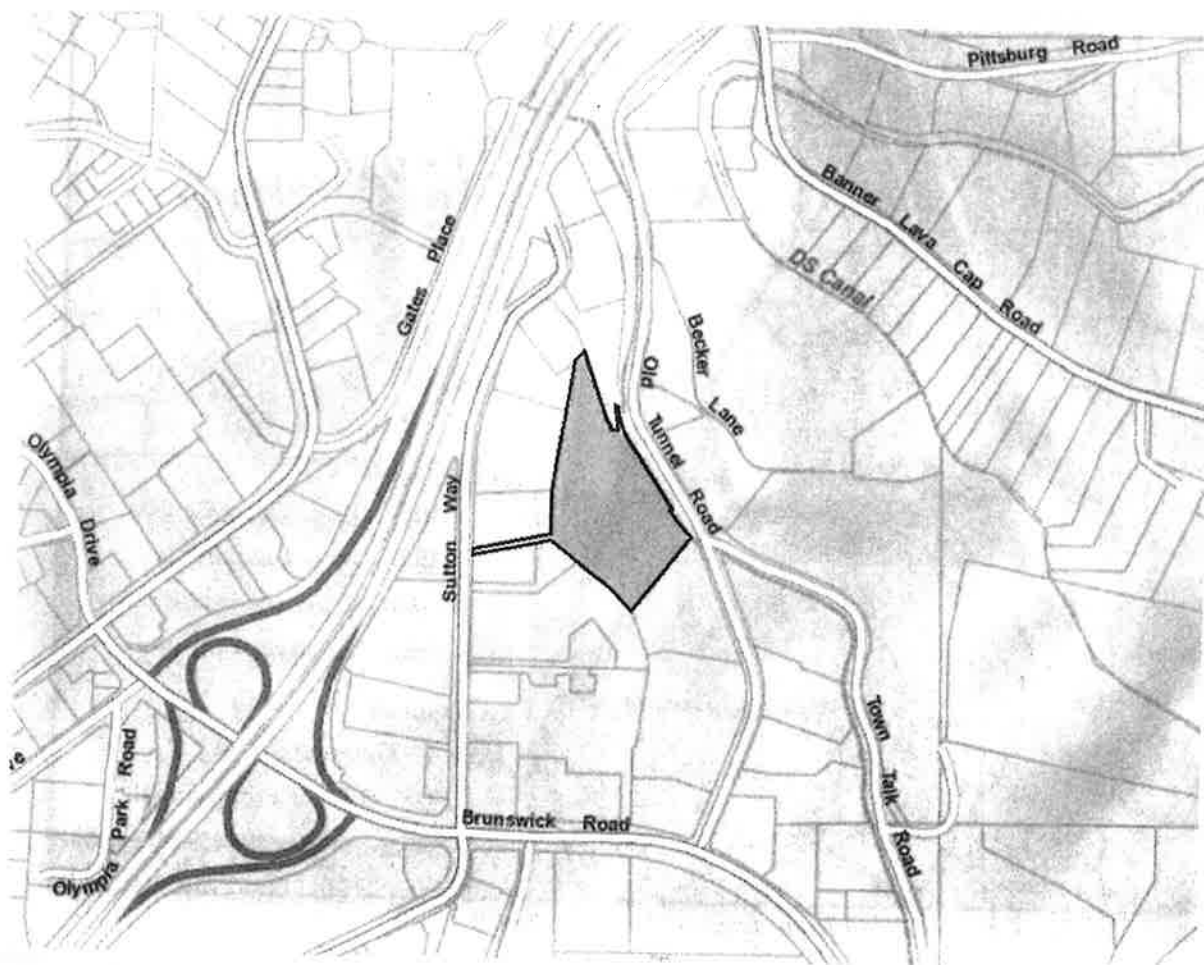



Figure 1. Project location

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**BRUNSWICK COMMON'S
RESOURCE CENTER**

NEVADA COUNTY
HOSPITALITY HOUSE

Proj. No.: 2018023

Date: 4/15/2019

Scale:

Drawn By: RMW

WallisDesignStudio.com
(530) 264-7010

Drawing Title:

**SCHEMATIC
PERSPECTIVE**

Drawing Number:

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Figure 5. Resource Center

Other Permits Which May Be Necessary:

The project site is crossed by an ephemeral drainage, which enters the property through a culvert under Old Tunnel Road, and enters the city storm drain system beneath the adjacent shopping center. Due to site grading restrains, this channel will need to be placed in a culvert for its entire length. A permit will be required from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act for placement of fill into Waters of the United States. The project is expected to qualify under Nationwide Permit 39, as an impact of less than one-half acre. Water Quality Certification, under Section 401 of the Clean Water Act, will be required from the Regional Water Quality Control Board in order to validate the permit.

Fire plans will need approval from the Grass Valley Fire Department.

Building permits will be issued by the Nevada County Building Department.

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 provided notification of the project as a part of the Cultural Resources Study. The United Auburn Indian Community (UAIC) requested consultation on March 26, 2019, and provided requested mitigation measures. The California Native American Tribes will be sent a Notice of Availability for Public Review and Notice of Intent to Adopt a Mitigated Negative Declaration for this project, which will allow the California Native American Tribes the opportunity to comment on the analysis of environmental impacts. Mitigation has been included in Sections 5 and 18 of this Initial Study to address a plan for further consultation, if needed.

3C: Use Alternative Methods to Open Burning for Vegetation Disposal	Northern Sierra Air Quality Management District	Prior to issuance of Grading Permits, Building Permits or Improvement Plans; ongoing during construction
3D: Comply with the Asbestos Airborne Toxic Control Measure	Northern Sierra Air Quality Management District	Prior to issuance of Grading Permits, Building Permits or Improvement Plans
4A: Avoid impacts to nesting raptors and migratory birds.	Nevada County Planning Department	Prior to tree removal
4B: Authorization to fill wetlands and other Waters of the U.S. under the Section 404 of the federal CWA must be obtained	Nevada County Planning Department; U. S. Army Corps of Engineers	Prior to issuance of Grading Permits, Building Permits or Improvement Plans
4C: A Water Quality Certification or waiver pursuant to Section 401 must be obtained	Nevada County Planning Department; Regional Water Quality Control Board	Prior to issuance of Grading Permits, Building Permits or Improvement Plans
4D: A Streambed Alteration Agreement pursuant to Section 1602 of the California Fish and Game Code must be obtained	Nevada County Planning Department; California Department of Fish and Wildlife	Prior to issuance of Grading Permits, Building Permits or Improvement Plans
5A: Halt work and contact the appropriate agencies if Cultural Resources are discovered during construction	Nevada County Planning Department	If Cultural Resources are discovered
7A: Prepare and Implement an Erosion and Sediment Control Plan	Nevada County Planning Department	Prior to issuance of Grading Permits, Building Permits or Improvement Plans; ongoing during construction
7B: Prepare a Final Soils and Geotechnical Report for Project Grading and Structural Work	Nevada County Planning Department	Prior to issuance of Grading Permits, Building Permits or Improvement Plans
7C: Limit the grading season.	Nevada County Planning Department	Prior to issuance of Grading Permits, Building Permits or Improvement Plans
17A: Limit Timing of Soil Import.	Planning and Building Department,	Approval of grading and improvement plans; ongoing during construction
18A: If potential tribal cultural resources are discovered by Native American Representatives or Monitors from interested Native American Tribes, qualified cultural resources specialists or other Project personnel during construction activities, work will cease within 100 feet of the find	Nevada County Planning Department and United Auburn Indian Community	A note shall be shown on the final grading plans; During construction, if a discovery is made
18B. A minimum of seven days prior to beginning soil disturbance, activities, the United Auburn Indian Community (UAIC) shall be invited to inspect the project site.	Nevada County Planning Department and United Auburn Indian Community	Prior to start of construction. Construction contractor to provide documentation to Nevada County Planning Department that contact was made.

Reporting: Planning Department approval of Grading Permits or Building Permits / Complaint driven

Responsible Agencies: Planning and Building Department, Code Compliance Division

Mitigation Measure 3C: Use Alternative Methods to Open Burning for Vegetation Disposal. Open burning of site-cleared vegetation is prohibited. Among suitable alternatives are chipping, grinding, hauling to an approved disposal site, cutting for firewood, and conversion to biomass fuel.

Timing: Prior to issuance of Grading Permits, Building Permits or Improvement Plans and during construction

Reporting: Approval of the grading permit and improvement plans

Responsible Agency: Northern Sierra Air Quality Management District

Mitigation Measure 3D: Comply with the Asbestos Airborne Toxic Control Measure (ACTM) for construction. If serpentine, ultramafic rock, or naturally occurring asbestos is discovered during construction or grading, the Northern Sierra Air Quality Management District shall be notified no later than the following business day and specific requirements contained in Section 93105 of Title 17 of the California Code of Regulations shall be strictly complied with. This measure shall be included as a note on all grading and improvement plans.

Timing: Prior to issuance of the grading permits and improvement plans and during grading activity

Reporting: Approval of the grading permit and improvement plans

Responsible Agency: Northern Sierra Air Quality Management District

Mitigation Measure 4A: Avoid impacts to nesting raptors and migratory birds. If construction occurs between February 1 and August 31, pre-construction surveys for nesting raptors and migratory birds shall be conducted pursuant to California Department of Fish and Wildlife requirements and according to the Migratory Bird Treaty Act. These surveys should be accomplished within 7 days prior to commencement of grading activities. If a legally-protected species nest is located in a tree for removal, the removal shall be deferred until after August 31 or until the adults and young are no longer dependent on the nest, as determined by a qualified biologist.

If any active nests are located onsite, an appropriate no disturbance buffer zone shall be established around the nests, as determined by the qualified biologist. The biologist shall mark the buffer zone with construction tape or pin flags and maintain the buffer zone until the end of the breeding season or until the young have successfully fledged. Buffer zones are 100 feet for migratory bird nests and 250 feet for raptor nests. If active nests are found in areas of work, a qualified biologist shall monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. If establishing the typical buffer zone is impractical, the qualified biologist may reduce the buffer depending on the species and daily monitoring is required to ensure that the nest is not disturbed and no forced fledging occurs. Daily monitoring shall occur until the qualified biologist determines that the nest is no longer occupied.

Timing: Prior to tree removal

Reporting: Approval of the grading and improvement permits

County shall be notified and consulted about any plans for treatment. A note to this effect shall be included on the grading and construction plans for any future projects.

Timing: Prior to issuance of future grading permits or improvement plans

Reporting: Agency approval of permits or plans

Responsible Agency: Nevada County Planning Department

Mitigation Measure 7A: Prepare and Implement an Erosion and Sediment Control Plan. Prior to issuance of a Grading Permit or improvement plans for all project-related grading including driveway construction and drainage improvements, all plans shall incorporate, at a minimum, the following erosion and sediment control measures, which shall be implemented throughout the construction phase:

1. During construction, Best Management Practices (BMPs) for temporary erosion control shall be implemented to control any pollutants that could potentially affect the quality of storm water discharges from the site. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in accordance with California State Water Resources Control Board (SWRCB) requirements. The SWPPP shall include the implementation of BMPs for Erosion Control, Sediment Control, Tracking Control, Wind Erosion Control, Waste Management and Materials Pollution Control and Low Impact Development (LID)/post-construction standards that include a hydromodification component and shall be provided to the Nevada County Planning, Building and Public Works Departments prior to issuance of grading permits or approval of improvement plans.
2. Topsoil that will be used as fill material shall be removed and stockpiled for later reuse prior to excavation activities. Topsoil shall be identified by the soil-revegetation specialist who will identify both extent and depth of the topsoil to be removed.
3. Upon completion of grading, stockpiled topsoil shall be combined with wood chips, compost and other soil amendments for placement on all graded areas. Revegetation shall consist of native seed mixes only. The primary objectives of the soil amendments and revegetation is to create site conditions that keep sediment on site, produce a stable soil surface, resist erosion and are similar to the surrounding native ecosystem.
4. Geo-fabrics, jutes or other mats may be used in conjunction with revegetation and soil stabilization.
5. All construction and grading plans shall include a Note outlining the requirements provided below to ensure there is no introduction of noxious Weeds onto the subject parcel. If straw bales are used for erosion control, or if straw is broadcast over seeded areas, only certified weed-free straw or rice straw shall be utilized to minimize the risk of introducing or spreading noxious weeds such as Scotch Broom, yellow star thistle, or Italian thistle. Inspect all construction equipment to ensure that it does not transport noxious weeds into the project area.
6. To ensure the proper timely implementation of all Standard Construction Conditions, the applicant shall distribute copies of these measures and any other permit requirements to the contractors prior to construction commencing.

Timing: Prior to Issuance of Grading Permit or Building Permit and throughout construction

Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. These recommendations will be documented in the project record. For any recommendations made by traditionally and culturally affiliated Native American Tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

If adverse impacts to tribal cultural resources, unique archeology, or other cultural resources occurs, then consultation with UAIC and other traditionally and culturally affiliated Native American Tribes regarding mitigation contained in the Public Resources Code sections 21084.3(a) and (b) and CEQA Guidelines section 15370 should occur, in order to coordinate for compensation for the impact by replacing or providing substitute resources or environments.

Timing: A note shall be shown on the final grading plans; During construction, if a discovery is made

Reporting: Approval of the grading and improvement permits

Responsible Agency: Nevada County Planning Department and United Auburn Indian Community

Mitigation Measure 18B. A minimum of seven days prior to beginning earthwork or other soil disturbance activities, the applicant shall notify the United Auburn Indian Community (UAIC) of the proposed earthwork start-date. A UAIC tribal representative shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of ground breaking activity. During this inspection, a site meeting of construction personnel shall also be held in order to afford the tribal representative the opportunity to provide tribal cultural resources awareness information. If any tribal cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains are encountered during this initial inspection or during any subsequent construction activities, work shall be suspended within 100 feet of the find, and the project applicant shall immediately notify the CEQA lead agency representative. The project applicant shall coordinate any necessary investigation of the site with a UAIC tribal representative, a qualified archaeologist approved by the City, and as part of the site investigation and resource assessment the archeologist shall consult with the UAIC and provide proper management recommendations should potential impacts to the resources be found by the CEQA lead agency representative to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the CEQA lead agency representative by the qualified archaeologist. Possible management recommendations for tribal cultural resources, historical, or unique archaeological resources could include resource avoidance or, where avoidance is infeasible in light of project design or layout or is unnecessary to avoid significant effects, preservation in place or other measures. The contractor shall implement any measures deemed by CEQA lead agency representative staff to be necessary and feasible to avoid or minimize significant effects to the cultural resources, including the use of a Native American Monitor whenever work is occurring within 100 feet of the find.

Timing: A note shall be shown on the final grading plans; During construction, if a discovery is made

Reporting: Approval of the grading and improvement permits

Responsible Agency: Nevada County Planning Department and United Auburn Indian Community

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 Measures** An environmental effect that may cause a substantial adverse change in the environment without mitigation, but which is reduced to a level that is less than significant with mitigation identified in the Initial Study.
- **Potentially Significant Impact:** An environmental effect that may cause a substantial adverse change in the environment; either additional information is needed regarding the extent of the impact to make the significance determination, or the impact would or could cause a substantial adverse change in the environment. A finding of a potentially significant impact would result in the determination to prepare an EIR.

1. AESTHETICS

Existing Setting

The project parcel is located at the edge of the City of Grass Valley in western Nevada County. The area is a transition from the more densely developed urban area within the city to the unincorporated rural County. The terrain slopes down from Old Tunnel Road on the northeast side to the rear of a shopping center on Sutton Way. The elevation ranges from about 2,650 to 2,750 feet above mean sea level. The site is covered in Sierran mixed conifer forest dominated by ponderosa pine, incense cedar and scattered black oak.

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?			X		A, L
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X	A, L, 18

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?				X	A, 7
b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?				X	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))?				X	A, 18
d. Result in the loss of forest land or conversion of forest land to non-forest use?			X		A, 21
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?				X	A, L, 7

Impact Discussion

- 2 a. The subject parcel is identified as Urban and Built-Up Land and therefore does not contain any Important Farmlands as identified by the Farmland Mapping and Monitoring Program of the California Department of Conservation's Division of Land Resource Protection. Parcels which are located to the northeast of the subject parcel are zoned Residential - Urban Estate Density, and are identified as Other Land on the Farmland Mapping and Monitoring Program and have been developed with single-family residences. **No impact.**
- 2 b. Neither the subject parcel, nor any adjacent parcel, has a recent history of agricultural use, and are not currently used for agricultural purposes. None are zoned or designated as Farmland, nor are they within a Williamson Act Contract. **No impact.**
- 2 c. The subject parcel is not within a Timberland Production Zone. **No impact.**
- 2 d. The project site is currently forested land, and will be converted to non-forest use. The site is located within the City of Grass Valley, is adjacent to urbanized property, and is not used for timber resources. **Less than Significant Impact.**
- 2 e. The project site is within the City of Grass Valley, and is adjacent to urbanized land. No agricultural land is nearby. **No impact.**

Mitigation Measures

None.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
c. Expose sensitive receptors to substantial pollutant concentrations?		X			A,G
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X	A,G
e. Generate substantial smoke ash or dust?		X			A,G

Impact Discussion

- 3 a. As shown below on Table 2, it is anticipated that long-term development of the project site would have little effect as the residential apartments and resource center will not involve activities that generate significant quantities of air pollutants.

The proposed project would result in short-term project construction activities which have the potential to generate dust and impact local ambient air quality with grading and excavation as well as construction activities from site preparation. The preliminary grading plan for the project projects a total volume of 3,539 cubic yards of cut and 13,337 cubic yards of fill, for a net import of fill soil of almost 10,000 cubic yards.

Grass Valley's General Plan does not contain a specific Air Quality Element. It makes several general comments about how encouraging non-motorized transportation and reducing wildfire risk are beneficial for air quality. Policy 17-COSI states that the City will "[i]ncorporate applicable mitigation measures specified in the *Indirect Source Review Guidelines of the Northern Sierra Air Quality Management District, 1996-1997*, in all future discretionary land use approvals."

Northern Sierra Air Quality Management District Rule 226 requires dust control measures. A dust control plan must be submitted to and approved by the Air Pollution Control Officer before topsoil is disturbed on any project where more than one (1) acre of natural surface area is to be altered or where the natural ground cover is removed. Mitigation Measure 3A below addresses this requirement.

By assessing air pollution and emissions associated with the proposed project and recommending mitigation measures based on Thresholds of Significance established by the Northern Sierra Air Quality Management District (NSAQMD), the project as proposed would comply with Northern Sierra Air Quality Management District regulations. In addition, based on the County's review of the NSAQMD Rules and Guidelines for Assessing and Mitigation Air Quality Impacts of Land Use Projects, it appears several of the objectives of the NSAQMD regulations are achieved through the application of mitigation measures provided below and due to the size and type of the project. This includes the fact the proposed buildings will not utilize wood heat, the minimization of heavy equipment idling times, use of alternative methods to open burning for vegetation disposal, and the compliance with Asbestos Airborne Toxic Control Measures.

should be mitigated to the extent possible through dust control measures such as watering and stabilizing of excavated materials, slow vehicle speeds on-site, and halting work during windy periods as required in Mitigation Measure 3A.

Short-term project construction activities have the potential of generating dust and impacting the local ambient air quality with grading and excavation, vegetation removal, and construction activities from site preparation, the installation of underground utilities, and associated storm water detention facilities. If improperly managed or controlled, and depending upon the time of year and air conditions, the construction activities associated with this project may have the potential to produce off-site dust impacts. The NSAQMD therefore recommends mitigation during the construction phase of this project including Mitigation Measure 3B requiring that diesel construction equipment not be idled for more than 5 minutes to prevent smoke and ozone precursors and a requirement for alternatives to open burning of cleared vegetation, as outlined in Mitigation Measure 3C.

As shown below on Table 2, it is anticipated that long-term development of the project site would have little effect on ambient air quality.

Table 2. Project Operation Air Quality Impacts

Pollutant	NSAQMD Threshold*	Project Impact
NO _x	24-136 lbs/day	3.98 lbs/day (0.7265 tons/year)
ROG	24-136 lbs/day	2.84 lbs/day (0.5174 tons/year)
PM ₁₀	79-136 lbs/day	2.22 lbs/day (0.4052 tons/year)
CO	N/A	14.25 lbs/day (2.5999 tons/year)

*These thresholds are "Level B" in NSAQMD's Guidelines. All projects require basic mitigations under Level A, which is under 24 pounds per day of any pollutant shown above.

Ultramafic Rock

The project site has the potential to contain ultramafic rock according to the Northern Sierra Air Quality Management District. Ultramafic rock may contain naturally occurring asbestos, a cancer-causing agent. Disturbance of this rock and nearby soil during project construction can result in the release of microscopic cancer-causing asbestos fibers into the air, resulting in potential health and safety hazards. Health risks related to project grading would be reduced by the incorporation of Mitigation Measure 3D, which would require compliance with the Asbestos Airborne Toxic Control Measure (ACTM) for construction.

Impact: **Less than significant with mitigation.**

Mitigation Measures

Mitigation Measure 3A: Implement dust control measures. Prior to the approval of any Grading or Building Permits, to reduce short-term construction impacts, all future development permits shall comply with the following standards to the satisfaction of the Northern Sierra Air Quality

grinding, hauling to an approved disposal site, cutting for firewood, and conversion to biomass fuel.

Timing: Prior to issuance of Grading Permits, Building Permits or Improvement Plans and during construction

Reporting: Approval of the grading permit and improvement plans

Responsible Agency: Northern Sierra Air Quality Management District

Mitigation Measure 3D: Comply with the Asbestos Airborne Toxic Control Measure (ACTM) for construction. If serpentine, ultramafic rock, or naturally occurring asbestos is discovered during construction or grading, the Northern Sierra Air Quality Management District shall be notified no later than the following business day and specific requirements contained in Section 93105 of Title 17 of the California Code of Regulations shall be strictly complied with. This measure shall be included as a note on all grading and improvement plans.

Timing: Prior to issuance of the grading permits and improvement plans and during grading activity

Reporting: Approval of the grading permit and improvement plans

Responsible Agency: Northern Sierra Air Quality Management District

4. BIOLOGICAL RESOURCES

Existing Setting

The proposed project is sited on sloping terrain within an elevation range of about 2,650 and 2,750 feet above Mean Sea Level. Vegetation on most of the site is ponderosa pine forest. This vegetation community is characterized by a tall tree canopy dominated primarily by ponderosa pine. Other tree species present in the overstory include incense cedar (*Calocedrus decurrens*) and California black oak (*Quercus kelloggii*). The understory of this plant community is sparsely vegetated with blue wild rye (*Elymus glaucus*), pink honeysuckle (*Lonicera hispidula*), Himalayan blackberry (*Rubus armeniacus*), and Scotch broom (*Cytisus scoparius*). Openings in the tree canopy are dominated by white leaf manzanita (*Arctostaphylos viscida*), and buck brush (*Ceanothus cuneatus*), and blue wild rye.

Disturbed portions of the site include a narrow portion of the Project site that extends to the west through a landscaped portion of the adjacent shopping center, and a disturbed area in the southwest portion of the site. These areas appear frequently disturbed by vehicles and/or pedestrians. The disturbed areas are dominated by hedge parsley (*Torilis arvensis*).

One ephemeral drainage, of 0.038 acre in area, occurs in the southeastern portion of the Project site. Ephemeral drainages are linear features that exhibit a bed and bank and an ordinary high-water mark. These features typically convey runoff for short periods of time during and immediately following rain events and are not influenced by groundwater sources at any time during the year. This feature is a steep, narrow, deeply incised channel that enters the property via a culvert under Old Tunnel Road. It is primarily unvegetated due to scour. Portions are sparsely vegetated with Himalayan blackberry and umbrella sedge (*Cyprus eragrostis*).

True's manzanita (<i>Arctostaphylos mewukka</i> ssp. <i>truei</i>)	Chaparral or lower montane coniferous forest, sometimes on roadsides (1,394'–4,560').	Potential-suitable habitat present onsite.
Brandegee's clarkia (<i>Clarkia biloba</i> ssp. <i>brandegeae</i>)	Chaparral, cismontane woodlands, and lower montane coniferous forest often along roadcuts (246'–3,002').	Potential-suitable habitat present onsite.
Streambank spring beauty (<i>Claytonia parviflora</i> ssp. <i>grandiflora</i>)	Occurs in rocky cismontane woodland (820'–3,937').	Low potential-marginal habitat present onsite.
California lady's-slipper (<i>Cypripedium californicum</i>)	Usually within serpentinite seeps and streambanks of bogs and ferns, and lower montane coniferous forest (98'–9,022').	Low potential-marginal habitat present onsite.
Northern Sierra daisy (<i>Erigeron petrophilus</i> var. <i>sierrensis</i>)	In sometimes serpentinite cismontane woodland, lower montane coniferous forest, and upper montane coniferous forest (984'–6,801').	Low potential-marginal habitat present onsite.
Butte County fritillary (<i>Fritillaria eastwoodiae</i>)	Chaparral, cismontane woodland, and openings in lower montane coniferous forest and occasionally is found on serpentinite soils (164'–4,921').	Potential-suitable habitat present onsite.
Finger rush (<i>Juncus digitatus</i>)	Openings within cismontane woodland and lower montane coniferous forest, as well as xeric vernal pools (2,165'–2,592').	Potential- suitable habitat present onsite.
Dubious Pea (<i>Lathyrus sulphureus</i> var. <i>argillaceus</i>)	Cismontane woodland, lower montane coniferous forest and upper montane coniferous forest. (492'–3,051').	Potential-suitable habitat present onsite.
Humboldt Lily (<i>Lilium humboldtii</i> ssp. <i>humboldtii</i>)	Occurs in openings within chaparral, cismontane woodland, and lower montane coniferous forest (295'–4,199').	Potential-suitable habitat present onsite.
Elongate copper moss (<i>Mielichhoferia elongata</i>)	Metamorphic rock, usually acidic, usually vernal mesic, often roadsides, sometimes carbonate within broad-leafed upland forest, chaparral, cismontane coniferous forest, meadows and seeps, and subalpine coniferous forest. (0'–6,430').	Low potential-marginal habitat present onsite.
Cedar Crest popcornflower (<i>Plagiobothrys glyptocarpus</i> var. <i>modestus</i>)	Cismontane woodland and mesic valley and foothill grasslands (108'–2,945).	Potential-suitable habitat present onsite.
Sierra blue grass (<i>Poa sierrae</i>)	Lower montane coniferous forest openings (1,198'–4,921').	Potential-suitable habitat present onsite.
Brownish beaked-rush (<i>Rhynchospora capitellata</i>)	Mesic areas in lower montane coniferous forest, upper montane coniferous forests, meadows, seeps, marshes, and swamps (148'–6,562').	Low potential-marginal habitat present onsite.
Long-fruit jewelflower (<i>Streptanthus longisiliquus</i>)	Openings in cismontane woodland and lower montane coniferous forest (2,346'–4,921').	Potential-suitable habitat present onsite.
Blainville's (Coast) horned lizard (<i>Phrynosoma blainvillii</i> formerly <i>Phrynosoma coronatum frontale</i>)	Formerly a wide-spread horned lizard found in a wide variety of habitats, often in lower elevation areas with sandy washes and scattered low bushes. Also occurs in Sierra Nevada foothills. Needs open areas for basking, but with bushes and shaded areas for cover. A dietary specialist on native ants.	Low potential to occur.
Cooper's hawk (<i>Accipiter cooperii</i>)	Nests in trees in riparian woodlands in deciduous, mixed and evergreen forests, as well as urban landscapes	Potential to occur.
Fisher- West Coast Distinct Population Segment (<i>Pekania pennanti</i>)	Northern coniferous and mixed forests of Canada and northern United States.	Low potential to occur.

the breeding season or until the young have successfully fledged. Buffer zones are 100 feet for migratory bird nests and 250 feet for raptor nests. If active nests are found in areas of work, a qualified biologist shall monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. If establishing the typical buffer zone is impractical, the qualified biologist may reduce the buffer depending on the species and daily monitoring is required to ensure that the nest is not disturbed and no forced fledging occurs. Daily monitoring shall occur until the qualified biologist determines that the nest is no longer occupied.

Timing: Prior to tree removal

Reporting: Approval of the grading and improvement permits

Responsible Agency: Nevada County Planning Department

Mitigation Measure 4B: Authorization to fill wetlands and other Waters of the U.S. under the Section 404 of the federal CWA (Section 404 Permit) must be obtained from USACE prior to discharging any dredged or fill materials into any Waters of the U.S. Mitigation measures will be developed as part of the Section 404 Permit to ensure no-net-loss of wetland function and values. To facilitate such authorization, an application for a Section 404 Permit for the Project will be prepared and submitted to USACE and will include direct, avoided, and preserved acreages to Waters of the U.S. Mitigation for impacts to Waters of the U.S. typically consists of a minimum of a 1:1 ratio for direct impacts; however final mitigation requirements will be developed in consultation with USACE.

Timing: Prior to issuance of the grading and improvement permits

Reporting: Approval of the grading and improvement permits

Responsible Agency: Nevada County Planning Department, U.S. Army Corps of Engineers

Mitigation Measure 4C: A Water Quality Certification or waiver pursuant to Section 401 of the CWA must be obtained from the RWQCB for Section 404 permit actions. Pursuant to the Porter-Cologne Water Quality Act, a permit authorization from the RWQCB is required prior to the discharge of material in an area that could affect Waters of the State. Mitigation requirements for discharge to Waters of the State within the Project site will be developed in consultation with the RWQCB.

Timing: Prior to issuance of the grading and improvement permits

Reporting: Approval of the grading and improvement permits

Responsible Agency: Nevada County Planning Department, Regional Water Quality Control Board

Mitigation Measure 4D: A Streambed Alteration Agreement (SAA) pursuant to Section 1602 of the California Fish and Game Code must be obtained for any activity that will impact the bed, bank, or channel of any river, stream, or lake. Mitigation measures will be developed during consultation with CDFW as part of the SAA permit process to ensure protections for affected fish and wildlife resources.

Timing: Prior to issuance of the grading and improvement permits

Reporting: Approval of the grading and improvement permits

Responsible Agency: Nevada County Planning Department, California Department of Fish and Wildlife