



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

February 10, 2015

Tyler Barrington
Nevada County
950 Maidu Avenue, Suite 170
Nevada City, CA 95959



Subject: Forest Springs Mobilehome Park Community Phase IV Expansion
SCH#: 2014092032

Dear Tyler Barrington:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 6, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2014092032
Project Title Forest Springs Mobilehome Park Community Phase IV Expansion
Lead Agency Nevada County

Type MND Mitigated Negative Declaration
Description Proposed General Plan and Zoning Map Amendment for a 21.62-acre portion of a 116-acre property from Residential Agriculture to Urban Medium Density. Management Plan for anticipated impacts to oak groves and a use permit to create 62 age restricted mobile home units as Phase IV to the existing 310-unit Forest Springs Mobile Home Community. Project includes the down-zoning of a nearby site to lessen the impact of the increase in density in this region of Nevada County.

Lead Agency Contact

Name Tyler Barrington
Agency Nevada County
Phone 530 470 2723 **Fax**
email
Address 950 Maidu Avenue, Suite 170
City Nevada City **State** CA **Zip** 95959

Project Location

County Nevada
City Grass Valley
Region
Lat / Long 39° 15.22' N / 121° 6.54' W
Cross Streets SR 49 / La Barr Meadows Road
Parcel No. 23-260-23 & 23-300-64
Township 15N **Range** 8E **Section** 15 **Base** MDB&M

Proximity to:

Highways SR 49
Airports No
Railways No
Waterways Rattlesnake & Wolf Creeks
Schools No
Land Use Site A: Residential Agricultural 1.5 acre minimum/Residential Site B: Residential Medium Density/Urban Medium Density

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Septic System; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Aesthetic/Visual

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 2; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; California Highway Patrol; Caltrans, District 3 N; Air Resources Board; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission

Date Received 01/08/2015 **Start of Review** 01/08/2015 **End of Review** 02/06/2015

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Memorandum

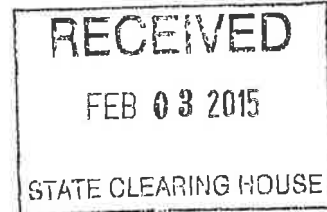
To: Keith Larkin, Chief
Northern Region
Department of Forestry and Fire Protection

Date: January 13, 2015
R13

Attention: Environmental Coordinator
Nevada-Yuba-Placer Unit

Telephone: (916) 653-4995

From: Department of Forestry and Fire Protection
Chris Browder, Deputy Chief
Environmental Protection



Subject: Environmental Document Review

Project Name: Revised Initial Study-Forest Springs Mobile Home Park Community
Phase IV Expansion
SCH #: 2014092032
Document Type: Mitigated Negative Declaration

Potential Area(s) of Concern: Fire Protection?; Timberland Conversion?
Other: Oak Woodland
MANDATED DUE DATE: 2/6/2015

The above referenced environmental document was submitted to State Headquarters, Environmental Protection for review under the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA). The proposed project, located within your Unit/Program Area, may have an impact upon the Department's fire protection and/or natural resource protection and management responsibilities or require the Department's permits or approval. Your determination of the appropriate level of CAL FIRE involvement with this project is needed. Please review the attached document and address your comments, if any, **to the lead agency** prior to the due date. Your input at this time can be of great value in shaping the project. If your Unit's Environmental Coordinator is not available, please pass on to another staff member in order to meet the mandated deadline.

Please submit comments directly to the lead agency before the mandated due date with copy to the State Clearinghouse (P.O. Box 3044, Sacramento, CA 95812-3044).

No Comment - explain briefly on the lines below.

The proposed project area is not TPZ but the land is Timberland. Therefore, a THP & conversion permit is required.

Name and Title of Reviewer: *Jack R Harvey, Forester I, NEU*
Phone: *(530) 277-1174* Email: *jack.r.harvey@fire.ca.gov*

Note: Please complete this form and return it, with a copy of any comments, for CAL FIRE's records to: Ken Nehoda or Chris Browder, Deputy Chief, Environmental Protection, P.O. Box 944246, Sacramento CA 94244-2460.

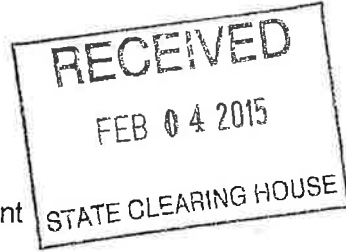


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Central Valley Regional Water Quality Control Board

2 February 2015



Tyler Barrington
Nevada County Planning Department
950 Maidu Avenue, Suite 170
Nevada City, CA 95959

CERTIFIED MAIL
7014 2120 0001 3978 4719

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, REVISED INITIAL STUDY – FOREST SPRINGS MOBILEHOME PARK COMMUNITY PHASE IV EXPANSION PROJECT, SCH# 2014092032, NEVADA COUNTY

Pursuant to the State Clearinghouse's 8 January 2015 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Revised Initial Study – Forest Springs Mobilehome Park Community Phase IV Expansion Project, located in Nevada County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board’s website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring

costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have questions regarding these comments, please contact me at (916) 464-4684 or tcleak@waterboards.ca.gov.



Trevor Cleak
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

RECEIVED

JAN 14 2015

Nevada County Community
Development Agency



January 9, 2015

Kimberly Hunter, Senior Planner
Senior Planner
Nevada County Planning Department
950 Maidu Avenue, Suite 170
Nevada City, CA 95959

SUBJECT: Forest Springs, LLC

The Nevada Joint Union High School District is currently impacted. It can demonstrate the relationship between new, residential, commercial and industrial growth and the need for the construction and/or reconstruction of school facilities within the District. The District currently exceeds its facility capacity of 2,513 students and will continue to exceed capacity through the next five years.

As commercial and industrial properties develop, new jobs are created. Many of the people hired into these jobs move into the community, thereby increasing the need for residential development and adding to the impacts on the local schools. Because the maximum fee that can be levied against residential development may be insufficient to meet the identified needs, a separate fee may be levied against commercial/industrial developments if supported by the evidence. The maximum statutory commercial/industrial developer fee is \$0.56 per square foot. Commercial fee rates will be used for senior citizen housing complexes with 35 units or more. This would include habitable space as well as commercial space.

Education Code Section 17621 (e)(1)(B) authorizes school district to establish commercial/industrial fees based upon the January 1990 edition of the "San Diego Traffic Generators," a report of the San Diego Association of Governments.

Recommended mitigation measures: payment of school mitigation fees pursuant to Government Code Section 53080 or any fees required by state law or District policy.

It is understood that the statement in the notice of preparation under proposed project reference to mitigation fees refer to city mitigation fees and NOT school mitigation fees.

I hope these statistics help you in completing your final EIR. If you need any further information, please do not hesitate to call.

Sincerely,

Karen L. Suenram
Assistant Superintendent Business & Facilities

Table 1:
Construction Costs

Grade Level 9-12	Construction Costs \$38,715
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Source: California Department of Education, Jack Schreder & Associates, Inc.

Modernization Cost

The cost to modernize facilities is 41.1 percent of new construction costs. The percentage is based on the comparison of the State per pupil modernization grant (including 3% for Americans with Disabilities and Fire, Life Safety improvements) and the State per pupil new construction grant. For example, the State provides \$9,455 per K-6 pupil to construct new facilities and \$3,600 to modernize facilities, which is 38.1 percent ($\$3,600 / \$9,455$) of the new construction grant amount. In addition, the State provides a minimum of three percent for ADA/FLS improvements which are required by the Department of State Architect's (DSA) office. Based on the per pupil grant amounts and the ADA/FLS costs, the estimated cost to modernize facilities is 41.1 percent of the cost to construct facilities. The School Facility Program per pupil grant amounts are included in Appendix B.

The construction cost per 9-12 pupil is \$38,715 and is outlined in Table 1 and included in Appendix A. Therefore, the per pupil cost to modernize facilities per 9-12 pupil is \$15,912 ($\$38,715 \times .411$).

20 Year Modernization Need

The District's estimated modernization need generated by students generated from new residential development is \$27,193,608. The calculation is included in Table 2.

Table 2:
20 Year Modernization Need

Proposed Development	8,543
Student Yield	<u>x .2</u>
Students Generated	1,709
Per Pupil Modernization Cost	\$15,912
Students Generated	<u>x 1,709</u>
Modernization Need	\$27,193,608

Source: Nevada Joint Union High School District, Office of Public School Construction, and Jack Schreder & Associates, Inc.

Residential Development and Fee Projections

To show a reasonable relationship exists between the construction of new housing units and the need for modernized school facilities, it will be shown that residential construction will create a school facility cost impact on the Nevada Joint Union High School District by students generated from new development.

According to the City of Nevada, City of Grass Valley and the Nevada County Planning Departments, it is estimated that 8,543 units may be constructed over the next 20 years. The average square footage of the residential units is estimated at 2,200 square feet. An estimated 8,543 housing units, totaling 18,794,600 square feet (8,543 x 2,200) may be constructed in the District over the next 20 years. The amount of residential fees to be collected can be estimated based on the housing unit projections.

Based on the District's modernization need of \$27,193,608 generated by students from residential construction and the total projected residential square footage of 18,794,600, residential construction will create a facilities cost of \$1.45 per square foot. The calculation is included in Table 3. However, the statutory Level I fee for residential construction is \$3.36 per square foot and the District has fee sharing agreements with its feeder districts. The high school district collects from 43% of the



MIWOK United Auburn Indian Community
 MAIDU of the Auburn Rancheria

Gene Whitehouse
 Chairman

John L. Williams
 Vice Chairman

Danny Rey
 Secretary

Brenda Adams
 Treasurer

Calvin Moman
 Council Member

RECEIVED

December 22, 2014

JAN 20 2015

Kimberly Hunter
 Nevada County Planning Department
 950 Maidu Ave, Suite 170
 Nevada City, CA 95959

Nevada County Community
 Development Agency

Subject: Proposed Mitigated Negative Declaration, Notice of Availability for Public Review;
 Site A and Site B; GP13-004, Z13-006; U13-008; MGT14-003 and EIS13-017

Dear Kimberly Hunter,

Thank you for providing additional information regarding the above referenced project. The United Auburn Indian Community (UAIC) of the Auburn Rancheria is comprised of Miwok and Southern Maidu (Nisenan) people whose tribal lands are within Placer County and whose service area includes El Dorado, Nevada, Placer, Sacramento, Sutter, and Yuba counties. The UAIC is concerned about development within its aboriginal territory that has potential to impact the lifeways, cultural sites, and landscapes that may be of sacred or ceremonial significance. We appreciate the opportunity to comment on this and other projects in your jurisdiction.

We are currently reviewing the information provided by your agency in order to ascertain whether the project could affect cultural resources that may be of importance to the UAIC. Please continue to send us copies of the proposed project's environmental documents so that we have the opportunity to comment on potential impacts and proposed mitigation measures related to cultural resources. The information gathered will provide us with a better understanding of the project and the cultural resources on site and is invaluable for consultation purposes. Finally, please contact us if you find any Native American cultural resources in, or around, your project area.

Thank you again for taking these matters into consideration, and for involving the UAIC in the planning process. We look forward to reviewing the additional documents requested. Please contact Marcos Guerrero, Cultural Resources Manager, at (530) 883-2364 or email at mguerrero@auburnrancheria.com if you have any questions.

Sincerely,

Gene Whitehouse,
 Chairman

CC: Marcos Guerrero, CRM