

Proposed **Mitigated Negative Declaration**

In accordance with the California Environmental Quality Act, the City of Grass Valley has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment. On the basis of that study, the City finds that the proposed project will not have a significant adverse effect on the environment and will not require the preparation of an Environmental Impact Report. Therefore, this Negative Declaration has been prepared.

LEAD AGENCY:

City of Grass Valley
125 East Main Street
Grass Valley, CA. 95945

Contact: Daniel D. Chance
Associate Planner
(530) 274-4333

PROJECT APPLICANT:

SMBG 4, LLC.
C/o Kirk Olson
PO Box 968
Rocklin CA. 95677
Phone (916) 496-2297

Contact: Charles Ozanich, PE
Phone: (530) 271-2122

PROJECT LOCATION: The project is located at 465, 475, 485, 495 & 505 Bennett Street, City of Grass Valley in Nevada County. This location corresponds to Assessor Parcel's 09-261-11, 12, 13, 14, 22, 23, 24 56; 09-250-11 & 09-560-03.

PROJECT DESCRIPTION: The project, Tentative Map (06PLN-10) and Planned Unit Development (06PLN-11) applications for "Ironhorse II" a subdivision of 5.4 acres into 62 residential lots and construction of 62 detached single-family residential units.

REVIEW PERIOD: May 22, 2006 to June 22, 2006

CITY OF GRASS VALLEY
ENVIRONMENTAL CHECKLIST FORM

1. **06PLN-10 & 06PLN-11**

2. **Lead Agency name and address:** City of Grass Valley, Community Development Department
125 East Main Street
Grass Valley, CA 95945

3. **Date of Initial Study Preparation:** May 17, 2006

4. **Representative:** Charles Ozanich, PE
CAO Engineering
10484 Partridge Road
Grass Valley, CA. 95945
(530) 271-2122

Applicant: SMBG 4, LLC.
C/o Kirk Olson
PO Box 968
Rocklin CA. 95677

Phone (916) 496-2297

5. **Description of project:** The applicant is proposing “Ironhorse II” a subdivision of 5.4 acres into 62 residential lots. The project also consists of constructing 62 detached single-family residential units ranging from 953 to 1,293 square feet in size. The proposal includes twelve (12), one-story and fifty (50), two-story units. All of the residential units are proposed to be for sale. The 5.4 acres currently consists of five separate parcels, to be developed as one comprehensive project.

The required parking for the project is 124 parking spaces. Each residential unit would have a one car garage and one uncovered parking space on the driveway, bringing the total parking to 124. In addition, 5 guest parking spaces are provided with the project.

The project would provide connectivity to the original Ironhorse Development located to the west of the proposed site, as was conditioned with that project. The primary access to the project site would be from Bennett Street. The access roadway through the site is planned to connect Bennett Street with Railroad Avenue. The roadway from Railroad Avenue is a conceptual plan that was prepared in association with the “Fun Hill Warehouse” Development Review Application. The proposed roadway extends through several properties, as well as a portion of unincorporated Nevada County. To date, only that portion of the roadway providing access to the warehouse building has been constructed. The applicant is requesting input from the City on the proposed access to the site.

The design of the proposed residential units consist of lap siding and board batt siding for the body, and composition shingles for the roof. The buildings along Bennett Street have been designed to reflect a front yard appearance along Bennett Street, consistent with the historic development along Bennett Street.

The plans identify approximately 81 trees located on the property. The 81 trees consists of the following; 38-Pondorosa pine, 15-California Black oak, 7-London Plane, 9-Incense Cedar, 4-Apple, 3-Cherry, and 1-Tree of

Heaven. The plans require approximately 71-trees to be removed. The project includes a small park/open space within the project, which includes one of the larger Black oak trees on the property. An engineered rock wall is proposed along the southern property line along East Bennett Road.

- 6. Surrounding land uses and setting:** The 5.4 acre site is located northerly of Bennett Street in the eastern portion of Grass Valley. The majority of the sites are currently vacant, with one single family residence on one of the lots. The property is covered with non-native grasses and Himalaya blackberries with non-native fruit, pine, cedar, oak trees scattered throughout the property. The highpoint of the site is in the northern portion of the properties and slopes southerly towards Bennett Street. The lot slopes moderately downward south towards Bennett Street. Slope gradients are approximately ten to fifteen percent across the site. Elevations range from 2,590 feet above mean sea level (MSL) on the southern property boundary, to approximately 2,640 MSL at the northern property boundary. The drainage of a majority of the site flows to the south east to towards East Main Street.

The General Plan identifies the land use of the site as UHD, Urban High Density Commercial. The property is currently zoned "R-3, 3110" Multiple Family District. The project as proposed is consistent with the City of Grass Valley general plan Land Use Designation and the Zoning Ordinance.

Access to the site is from an existing roadway from Bennett Street. The project site is located in the City limits of Grass Valley. Surrounding uses consist of a cemetery to the northwest, residential uses to the west and south and vacant residential areas to the north and east.

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7. Other public agencies whose approval is required:

- (1) **City Encroachment Permit - Grass Valley Engineering Department (274-4350)**
- (2) **Sewage Disposal - Grass Valley Engineering Department (274-4350)**
- (3) **Water Connection – Nevada Irrigation District (273-6185)**
- (4) **Building Permit - Grass Valley Building Department (274-4340)**
- (5) **Grading Permit - Grass Valley Engineering Department (274-4350)**

REFERENCES: The following references used in preparing this report has not has been attached to this report. The reference material listed below is available for review upon request of the Grass Valley Community Development Department, 125 East Main Street, Grass Valley, CA 95945 (530) 274-4330.

- o City of Grass Valley 2020 General Plan
- o City of Grass Valley 2020 General Plan EIR
- o Project Plans (reduced plans attached)
- o Archaeological Inventory Survey, Prepared by Hand Meals, Archaeological and Historical Consultant February 2, 2006
- o Preliminary Geotechnical Engineering Report for "Homes at Ironhorse," Holdrege and Kull, Consulting Engineers/Geologists, prepared March 2, 2006.
- o Traffic Impact Analysis for "Ironhorse Homes," Roundabouts and Traffic Engineering, prepared February 13, 2006.
- o Arborist Report for "Ironhorse Townhouses," Abacus, prepared January 6, 2006

ATTACHMENTS:

- * Vicinity/Location Map
- * Plan Package of Project

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

- | | | | | | |
|--------------------------|------------------------|--------------------------|------------------------------------|--------------------------|---------------------------|
| <input type="checkbox"/> | Land Use and Planning | <input type="checkbox"/> | Transportation/Circulation | <input type="checkbox"/> | Public Services |
| <input type="checkbox"/> | Population and Housing | <input type="checkbox"/> | Biological Resources | <input type="checkbox"/> | Utilities/Service Systems |
| <input type="checkbox"/> | Geological Problems | <input type="checkbox"/> | Energy/Mineral Resources | <input type="checkbox"/> | Aesthetics |
| x | Water | x | Hazards | <input type="checkbox"/> | Cultural Resources |
| x | Air Quality | <input type="checkbox"/> | Noise | <input type="checkbox"/> | Recreation |
| | | <input type="checkbox"/> | Mandatory Findings of Significance | | |

DETERMINATION: 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.
- X 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 the mitigation measures described on the attached sheet have been added to the project. A 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 significant effect (s) 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 the attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORTS 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, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Signature _____ Date _____

Printed Name _____ For Planning Division

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is generally provided for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as operational impacts.
- 3) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If

there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

- 4) “Negative Declaration: Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Significant level (mitigation measures from Section XVII, “Earlier Analyses”, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVII at the end of the checklist.

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
I. LAND USE AND PLANNING. <i>Would the proposal:</i>				
a) Conflict with general plan designation or zoning?				X
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?				X
c) Be incompatible with existing land use in the vicinity?				X
d) Affect agricultural resources or operation (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)				X
e) Disrupt or divide the physical arrangement of an established community?				X

I. LAND USE AND PLANNING RESPONSES:

Impact Discussions: The project consists of 62 detached single family residential units on 5.4 acres. The total number of lots on the property would be 62 residential lots and 2 park/open space lots. The General Plan land use designation for the property is UHD, Urban High Density Commercial. The property is currently zoned “R-3, 3110” Multiple Family District. The 5.4 acre parcel would allow the maximum density of 75 units. The project as proposed, with 62 residential units, would be consistent with the General Plan and Zoning Ordinance. The project is consistent with the City of Grass Valley Community Design Guidelines. The project would provide connectivity to the previously approved Ironhorse development consisting of 15 townhomes. Review of the proposed project determined no significant increase in provided services or an impact on existing infrastructure.

No significant impact on land use is anticipated with this project. No mitigation measures would be required for the land use section.

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II. POPULATION AND HOUSING. <i>Would the proposal:</i>				
a) Cumulatively exceed official regional or local population projections?				X
b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?				X
c) Displace existing housing, especially affordable housing?				X

II. POPULATION AND HOUSING RESPONSES:

Impact Discussions: The project proposes the development of 62 detached single family residences. The size of the residential units would range from 953 to 1,293 square feet. The size of those residential units would provide work force housing in the City. The development would provide housing for between 100 to 200 people, depending on the occupancy characteristics of the project. The goal of the Grass Valley Housing Element is to, “meet the City’s low and moderate housing needs.” This project would be consistent with that goal. The project would be required to provide 20% (12 units) of the 62 units to be set- aside for low and moderate income, consistent with the City’s Affordability policy. No significant impact on housing and population is anticipated with this project. No mitigation measures would be required for the population and housing section.

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III. GEOLOGIC PROBLEMS. <i>Would the proposal result in or expose people to potential impacts involving:</i>				
a) Fault rupture?			X	
b) Seismic ground shaking?			X	
c) Seismic ground failure, including liquefaction?				X
d) Seiche, tsunami, or volcanic hazard?				X
e) Landslides or mudslides?				X
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?			X	
g) Subsidence of land?				X
h) Expansive soils?				X
i) Unique geologic or physical features?				X

III. GEOLOGIC PROBLEMS RESPONSES:

Environmental Setting: The Nevada County Soil Survey identifies the soil on the property as “Hoda Sandy Loam.” The erosion hazard with this site is moderate to high depending on slope, permeability is moderate and run-off is medium. The project site is located in an area underlain by Mesozoic-aged diabase and ultramafic rock associated with the Lake Combie Complex. There are no identified active fault lines on the property. The City of Grass Valley is located in the low intensity zone for earthquake severity.

A Geotechnical Engineering Report was prepared by Holdrege & Kull on March of 2006. The report concluded that the site is suitable for the proposed improvements, with the recommendations and design criteria in the report and incorporated into the project plans. The development of the site would require adequate geotechnical recommendations as part of the building and grading permits to insure the development would not result in exposing people or property to geologic hazards such as ground failure, or similar hazards. The geotechnical report is required to ensure adequate engineering is incorporated into construction and a geologist be on site during grading and excavation.

The current grade slopes down to Bennett Street. The average gradient of the site is 5 to 15%. Although a majority of the development would be consistent with the existing topography, the project will require grading of 13,700 cubic yards of cut and fill, with the import of 500 cubic yards of fill.

Impacts: The project as proposed may have short-term and long-term geologic impacts. The short-term impacts would include erosion associated with grading and development of the project. Adequate measures should be incorporated into the grading plan to minimize this short-term risk. The long term impacts would include potential impacts to the structures from settling due to inappropriate compaction or soils. Implementation of the recommendations in the geotechnical report addresses these issues to a less than significant impact.

The City Engineer shall condition the project requiring the developer to post a cash bond with the City for erosion and temporary drainage and/or sedimentation control of the project site as determined appropriate by the City Engineer. The conditions shall include detailed grading, permanent erosion control and landscaping plans to be submitted for review and approval by the Engineering Department, prior to commencing site grading, and all erosion control measures shall be implemented in accordance with the approved plans. The conditions shall include specific recommendations for erosion control associated with grading and construction of this project between the months of October and April.

The City Engineer shall condition the project to have a detailed engineering plan be prepared for the site to accommodate project development. Those geotechnical measures shall be incorporated into project grading and construction. The detailed engineering plan shall be incorporated into project grading and construction, which would provide further detailed review by the geotechnical engineer, consistent with the geotechnical report.

With the inclusion of the City’s standard conditions for grading and erosion control the project would not have a significant impact.

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
IV. WATER. <i>Would the proposal result in:</i>				
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?			X	

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b) Exposure of people or property to water related hazards such as flooding?				X
c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?			X	
d) Changes in the amount of surface water in any water body?			X	
e) Changes in currents, or the course or direction of water movements?			X	
f) Changes in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?				X
g) Altered direction or rate of flow of groundwater?			X	
h) Impacts to groundwater quality?			X	
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?				X

IV. WATER RESPONSES:

Impact Discussions: The FIRM map produced by the Federal Emergency Management Agency did not identify the project site as being located in the 100-year floodplain. The development of the project, with the roadways, residential units and other improvements create a significant amount of impervious surfaces which equates to a large percentage of the project site. With the additional impervious surfaces, the project may result in increased concentrated storm water runoff. The project would include new stormwater drainage improvements as part of the project. The project includes a stormwater detention basin in the southern portion of the property. The size of the stormwater on-site detention facilities shall be designed so as to maintain pre-development stormwater runoff. A NPDES Permit will be required for the erosion control issues.

Impact: The project would include directing on-site runoff into south fork Wolf Creek and into the Wolf Creek watershed. The runoff from the site may contain grease, oil and other petroleum by-product, as well as other sediments that may have the potential of impacting the Wolf Creek watershed. The project would require the adequate grease separation and sediment collection of the run off prior to flowing into the watershed. The City would require grease, oil and other petroleum by-product separators be installed at the drainage inlets to prevent the pollutants from entering the stormwater detention area.

The City Engineer shall condition the project requiring a detailed engineered drainage plan to be submitted for the review and approval by the City Engineer. The drainage plan shall be designed so that off-site concentrated storm water flows will be equal to or less than pre-development conditions for a model storm event as determined by the City Engineer. Drainage improvements shall be constructed in accordance with the approved engineered drainage plan. The site drainage system shall incorporate sand/oil separators, or other approved methods to prevent site contaminants impacting the Wolf Creek watershed.

The City Engineer shall condition the project requiring a detailed engineered drainage plan that incorporates “Best Management Practices” to address short-term impacts of on-site sediments, including silt, sand and mud flowing into the Wolf Creek drainage during construction. This plan shall provide approved methods to keep sediment disturbed during

construction, and approved by the City Engineer.

With the inclusion of the City’s standard conditions for drainage and incorporation of “Best Management Practices” the project would not have a significant impact.

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V. AIR QUALITY. <i>Would the proposal:</i>				
a) Violate any air quality standard or contribute to an existing or projected air quality violation?				X
b) Expose sensitive receptors to pollutants?			X	
c) Alter air movement, moisture, or temperature, or cause any change in climate?				X
d) Create objectionable odors?				X

V. AIR QUALITY

Environmental Setting: The 5.4 acre site is located on the north side of Bennett Street. The site currently consists of four vacant lots and one lot with a detached single family residence. Development of the site requires grading, however the current topography would require the movement of a significant amount of materials associated with the site grading.

Impact Discussions: The overall air quality in Nevada County is good but two known air quality problems exist, the Ozone and Suspended Particulate Matter (PM-10). Nevada County is considered to be “non-attainment” for both pollutants. PM-10 in Grass Valley meets federal ambient ozone standards but exceeds more stringent State standards in the winter, primarily due to smoke created from wood stoves and fireplaces. Violations in the summer months have been noted during forest fires or periods of open burning. The PM-10 is usually associated with dust generated during construction. The project will require excavation work to accommodate the building pads and roadways. Dust generated by grading and construction activities could have a potential to create short-term air quality impacts. The use and operation of the business will not generate pollutants, odors or impact air movement in the immediate area. Even though this is a relocation and expansion of an existing business, the project is expected to generate additional vehicular traffic which will increase local vehicle emissions. The project is located within the Northern Sierra Air Quality Management District (NSAQMD). The NSAQMD has adopted standard regulations and mitigation measures for projects that exceed certain air quality threshold levels to address and mitigate both long and short-term emissions. The NSAQMD will require an analysis to determine what tier the project falls within. Those tiers are divided into three areas. Depending on which of the tiers the project falls within, the NSAQMD will apply that level of mitigation.

As noted in Section III, ultramafic or serpentine rock, and naturally-occurring asbestos is expected to be encountered during site grading. Section IX, includes the standard mitigation measure that requires an Asbestos Dust Mitigation Plan. This plan will need to be submitted to the NSAQMD and approved by the District before grading and construction operations commence.

The development of the property could have the potential of significantly impacting air quality during construction, and be mitigated with the following requirements to further reduce air quality impacts:

- 1. **Mitigation Measure:** Prior to issuance of a grading permit, a Dust Mitigation Plan shall be submitted for review and

approval by the Northern Sierra Air Quality Management District and City Engineer. Dust mitigation measures shall be implemented in accordance with the approved Dust Mitigation Plan. The dust mitigation plan shall include the following:

- The applicant shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manner during all phases of project development and construction.
- All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Watering should occur at least twice daily, with complete site coverage.
- All land clearing, grading, earth moving, or excavation activities on the project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.
- All inactive portions of the development site shall be covered, seeded, or watered until a suitable cover is established. Alternatively, the applicant shall be responsible for applying City approved non-toxic soil stabilizers (according to manufactures specifications) to all inactive construction areas (previously graded areas which remain inactive for 96 hours) in accordance with the local grading ordinance.
- All areas with vehicle traffic shall be watered or have dust palliative applied as necessary for regular stabilization of dust emissions.
- All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance.
- Paved streets adjacent to the project shall be swept or washed at the end of each day, or as required to remove excessive accumulations of silt and/or mud which may have resulted from activities at the project site.

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VI. TRANSPORTATION/CIRCULATION. <i>Would the proposal create:</i>				
a) Increase vehicle trips or traffic congestion?		X		
b) hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?			X	
c) Inadequate emergency access or access to nearby uses?				X
d) Insufficient parking capacity onsite or offsite?			X	
e) Hazards or barriers for pedestrians or bicyclists?				X
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
g) Rail, waterborne or air traffic impacts?				X

VI. TRANSPORTATION/CIRCULATION RESPONSES:

Impact Discussions: The project consists of subdividing a 5.4 acre parcel and developing 62 detached single family residential units located northerly of Bennett Street. The primary egress and ingress to the site would be from Bennett Street, however the project would be providing the southern portion of a roadway that will eventually connect to Railroad Avenue to the north. A traffic impact analysis was prepared on February 13, 2006, by Roundabouts & Traffic Engineering that determined the project is expected to generate 593 daily trips and 63 PM peak hour trips. PM peak hours are

represents the time between 4:00 PM and 6:00 PM.

The traffic analysis reviewed distribution of the vehicles for daily trips, AM peak hour and PM peak hour and determined the project would not have a significant impact on the PM peak hour vehicle trips at any of the identified critical intersection. The distribution of the vehicles as identified in the Traffic Impact analysis and follow-up conversations with the transportation engineer determined the project would only generate 6 PM peak hour trips to the East Main /Idaho Maryland/Hwy 20/49 intersection and is consistent with the City’s Traffic Threshold Policy. The number of 63 PM peak hour trips would not have a significant impact on those critical intersections, as defined in the City of Grass Valley Policy, “Traffic Impact Study Methodology and Evaluation Criteria for Critical Intersections.”

New sidewalks, streetlights, and street improvements would be installed along the project frontage along Bennett Street, consistent with the improvement standards of the City of Grass Valley, to provide pedestrian safety. Additional driveways and parking areas are proposed for the project. The traffic study recommended the project provide adequate sight distance for access to Bennett Street from the site; widen Bennett Street along the frontage; remove foliage and vegetation along the frontage.

The project would be required to pay the City and Regional traffic impact fees that fund necessary intersection improvements, those fees would be based on the 63 PM peak hour trips. With the collection of the local and regional fees, conditioned roadway improvements along East Main Street along the frontage of the property, and the mitigation measures listed below, the project would not have a significant impact on the transportation and circulation in the area and region.

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VII. BIOLOGICAL RESOURCES. <i>Would the proposal result in impacts to:</i>				
a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?			X	
b) Locally designated species (e.g., heritage trees)?				X
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?			X	
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?				X
e) Wildlife dispersal or migration corridors?				X

VII. BIOLOGICAL RESOURCES RESPONSES:

Impact Discussions: The project is located on 7.2 acres. The site is currently vacant. The majority of the project site consists of previously disturbed soils. The site surface consists of non-native weeds and grasses over a majority of the site, with some tree cover (consisting of pine, cedar, oak and fruit trees) through-out the property. The development of the project would require the removal of approximately 70-trees (86 percent), while preserving 11-trees (14 percent). The

proposed landscaping for the project includes planting 103-trees. No wetlands or riparian habitats have been identified on the property.

Existing Setting

Special status plant and animal species are known to occur within the Grass Valley area and could occur onsite, although no specific occurrences have been documented. Based on a 6-quadrangle query of the California Department of Fish and Game Natural Diversity Database, the special status species with potential to occur onsite include:

**Table 1
Potential for Occurrence of Special Status Plant and
Animal Species in the Litton Business Park Area**

Common Name	Scientific Name	Status*	Habitat Description	Likelihood of Occurrence
Plants				
Stebbins' morning glory	<i>Calystegia stebbinsii</i>	FE/CE/ List 1B	Chaparral, cismontane woodland, red clay soils. Endemic to Pine Hill formation in El Dorado and Nevada Counties	Unknown. Occurrence of Pine Hill formation onsite is unknown.
Brandegee's clarkia	<i>Clarkia biloba brandegeae</i>	FSC/List 1B	Foothill woodland, yellow pine forest, chaparral and cismontane woodland. Often found in roadcuts.	Unlikely. Marginal habitat onsite.
Pine Hill flannelbush	<i>Fremontodendron decumbens</i>	FE/CR/ List 1B	Chaparral, cismontane woodland, on rocky ridges, gabbro or serpentine soils. Endemic to gabbroic chaparral community in El Dorado and Nevada Counties	Unknown. Occurrence of gabbroic chaparral community onsite is unknown.
Butte County fritillary	<i>Fritillaria eastwoodiae</i>	FSC/List 3	Chaparral; cismontane woodland; lower montane coniferous forest (openings); [sometime serpentinite].	Unlikely. Marginal habitat onsite.
Red-anthered rush	<i>Juncus marginatus marginatus</i>	List 2	Marshes and swamps	None. No habitat is available onsite.
Cantelow's Lewisia	<i>Lewisia cantelovii</i>	FSC/List 1B	Broadleafed upland forest, lower	None. No habitat is available onsite.
Bog club-moss	<i>Lycopodiella inundata</i>	List 2	Bogs and fens, lower montane coniferous forest, marshes and swamps.	None. No habitat is available onsite.
Elongate copper-moss	<i>Mielichhoferia elongata</i>	List 2	Cismontane woodland.	Unlikely. Marginal habitat onsite.
Follett's monardella	<i>Monardella follettii</i>	FSC/List 1B	Lower montane coniferous forest, open rocky serpentine slopes.	Unkown. Marginal montane coniferous forest and serpentine slope onsite.

Common Name	Scientific Name	Status*	Habitat Description	Likelihood of Occurrence
Scadden Flat checkerbloom	<i>Sidalcea stipularis</i>	FSC/CE/ List 1B	Marshes and swamps, wet montane marshes fed by springs.	None. No habitat is available onsite.
Reptiles				
Northwestern pond turtle	<i>Clemmys marmorata marmorata</i>	FSC/CSC	Inhabits ponds, marshes, rivers, streams, and irrigation ditches with aquatic vegetation. Needs suitable basking sites and upland habitat for egg laying.	Does not occur on the site due to lack of any appropriate habitat.
California horned lizard	<i>Phrynosoma coronatum frontate</i>	FSC/CSC	Found in a variety of habitats, but most common in sandy washes with scattered shrubs. Requires open areas for sunning, shrubs for cover, and sandy soil for hiding. Feeds on ants and other insects.	Does not occur on the site due to lack of any appropriate habitat.

*The abbreviations for the “Status” column are defined as:

Federal	State	California Native Plant Society
FE = Federal Endangered	CE = California Endangered	List 1A = Extinct
FT = Federal Threatened	CT = California Threatened	List 1B = Rare, threatened, or endangered in CA or elsewhere
FC = Federal Candidate	CR = California Rare	List 2 = Rare, threatened, or endangered in CA, more common elsewhere
FSC = Federal Species of Concern	CC = California Candidate	List 3 = More information is needed; a review list
FSLC = Federal Species of Local Concern	CSC = California Species of Special Concern	List 4 = Limited distribution; a watch list
	CFP = California Fully Protected	

Proposed Project

The implementation of the proposed project would require disturbance to the project site, including vegetation clearing, grading, paving, and trenching associated with site preparation, roadway construction, and building construction. Grading and construction is proposed to occur on a majority of the (5.4 acre) project site.

Potential Impacts

The proposed development will impact natural vegetation and wildlife habitats. The project will require the removal of nineteen pine trees and nine non-native maple trees. Special status species with potential to occur at the site include those identified in Table 3 as unlikely to occur or for whom occurrence status is unknown. This comprises the following plant species: Stebbins’ morning glory, Brandegee’s clarkia, Pine Hill flannelbush, Butte County fritillary, Elongate copper-moss, and Follett’s monardella. It is possible though unlikely that the project site supports special status species that could be impacted by the proposed project. The site has been significantly disturbed over time reducing the potential for special status plant species on-site. Previous biological surveys associated with development of other projects within the immediate area, has determined no special status species potentially occurring at the site. There is a potential for raptors creating nests in the trees on the property. Mitigation Measure 6 requires that surveys be conducted for these nesting raptors prior to issuance of a grading permit. Should any raptors be found to exist on any of the two

lots, additional mitigation measures would be developed prior to issuance of any grading permits, which includes no construction during the nesting season. The grading and development of the site associated with the project should ensure the protection of the forested area along the southern portion of the property. The mitigation measure below provides the necessary protection of those remaining trees in the area.

The developer would be conditioned to adhere to the City’s Tree Preservation Ordinance which requires protection measure to be noted on the project site plans on all final grading and construction plans, and follow those protection measures during the construction activities for this project. The conditions would require all trees to be saved be enclosed by a construction barrier placed around the dripline zone of the tree. The construction barrier shall consist of four-foot tall mesh safety fencing in a bright color. The fencing shall be tied to six-foot tall metal poles spaced a maximum of twenty feet apart. Each pole shall be placed with two feet below the surface of the ground. With the inclusion of the City’s standard conditions for tree protection the project would not have a significant impact associated with the tree removal for the project.

The City of Grass Valley General Plan recognizes the importance of preserving significant natural resources, including flora and fauna. The proposed project is anticipated to result in the degradation of wildlife habitat and the removal of more than two acres of vegetation. These impacts are considered significant, but would be lessened with the implementation of mitigation measures identified below. Additionally, implementation of the City of Grass Valley’s standard conditions of approval will help mitigate impacts to biological resources at the project site.

2. Mitigation Measure: Surveys shall be conducted by a qualified biologist for any nesting raptors and special status species within the proposed development area. All surveys shall be completed prior to issuance of a grading permit. Should any special status species or nesting raptors be found onsite, the project applicant shall work with the California Department of Fish and Game and/or the U.S. Fish and Wildlife Service to establish appropriate mitigation measures to avoid or lessen any impacts to special status species. If necessary, the project applicant and the California Department of Fish and Game and/or the U.S. Fish and Wildlife Service shall establish a mitigation program, which shall be submitted to the City of Grass Valley Planning Division for approval prior to issuance of a grading permit for the project site. If any nesting raptors are found onsite, the mitigation program shall include preservation of active nest trees.

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
VIII. ENERGY AND MINERAL RESOURCES. <i>Would the proposal:</i>				
a) Conflict with adopted energy conservation plans?				X
b) Use nonrenewable resources in a wasteful and inefficient manner?				X
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?				X

VIII. ENERGY AND MINERAL RESOURCES RESPONSES:

Impact Discussions: The project is expected to result in the use of timber, metal, petroleum products and other natural resources for the proposed site improvements. No significant impact on Energy/Resource use is anticipated. No mitigation measures would be required for the energy and mineral resource section.

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
IX. HAZARDS. <i>Would the proposal involve:</i>				
a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation)?				X
b) Possible interference with an emergency response plan or emergency evacuation plan?				X
c) The creation of any health hazard or potential health hazard?			X	
d) Exposure of people to existing sources of potential health hazards?			X	
e) Increased fire hazard in areas with flammable brush, grass, or trees?				X

IX. HAZARDS:

Impact Discussions: The development of the commercial structure on the site is not expected to result in a risk of accidental explosion or release of hazardous substances as long as proper construction methods are used. Construction methods will be monitored by the Building Department during construction.

The project site has the potential of having naturally occurring serpentine, ultramafic rock or naturally occurring asbestos. An Asbestos Dust Mitigation Plan would need to be submitted to the Northern Sierra Air Quality Management District (NSAQMD) and approved by the District before grading and construction operations commence. If serpentine, ultramafic rock or naturally occurring asbestos are identified on the property, implementation of the Asbestos Dust Mitigation Plan would reduce the potential risk to human health to an acceptable level.

With the implementation of the mitigation measure, if necessary, the project would not have a significant impact associated with health hazards.

3. Mitigation Measure: Prior to issuance of any grading permits, the project developer shall prepare an Asbestos Dust Mitigation Plan pursuant to CCR Title 17 Section 93105. The Asbestos Dust Mitigation Plan must be submitted and approved by the Northern Sierra Air Quality Management District (NSAQMD) prior to any surface disturbance, including vegetation clearing. The Asbestos Dust Mitigation Plan shall include the provisions of the Construction Emission, Asbestos Dust, Fugitive Dust, and Erosion Control Plan. The Asbestos Dust Mitigation Plan shall also include any additional measures required by the State of California or the Northern Sierra Air Quality Management District. The Asbestos Dust Mitigation Plan shall be approved by the Northern Sierra Air Quality Management District prior to issuance of any grading permits.

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
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ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
X. NOISE. <i>Would the proposal result in:</i>				
a) Increases in existing noise levels?				X
b) Exposure of people to severe noise levels?				X

X. NOISE:

Impact Discussions: Noise impacts are expected during project construction. Impacts should be mitigated to an acceptable level by observing and complying with the City’s noise and construction ordinance. These impacts may affect the neighborhood in the short term.

The project proposes 62 residential units that could have the potential of noise impacts associated with additional on and off-site vehicle circulation. The General Plan defines the project as being located outside of the 60 decibels traffic noise contours. The project location under the 60 decibels (dB) threshold is considered acceptable. The project as proposed would be consistent with the noise element of the General Plan. The project as proposed would not have a significant noise impact on the immediate area. In addition, vehicle noise in the immediate area would not have a significant impact on the residences.

No significant impact on noise is anticipated with this project. No mitigation measures would be required for the noise section.

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
XI. PUBLIC SERVICES. <i>Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:</i>				
a) Fire protection?				X
b) Police protection?				X
c) Schools?				X
d) Maintenance of public facilities, including roads?				X
e) Other government services?				X

XI. PUBLIC SERVICES RESPONSES:

Impact Discussions: The project is located within the City of Grass Valley, and would be served by the City of Grass Valley fire and police protection. With proper fire prevention measure the project is not expected to significantly impact Fire Department services. Payment of new development fees will address the project’s impact on City Fire and Police

Department Services.

No significant impact on public services is anticipated with this project. No mitigation measures would be required for the public services section.

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
XII. UTILITIES AND SERVICE SYSTEMS. <i>Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:</i>				
a) Power or natural gas?				X
b) Communications systems?				X
c) Local or regional water treatment or distribution facilities?				X
d) Sewer or septic tanks?				X
e) Storm water drainage?				X
f) Solid waste disposal?				X
g) Local or regional water supplies				X

XII. UTILITIES AND SERVICE RESPONSES:

Impact Discussions: The project as proposed would require underground utilities and existing overhead lines would be underground.

The project site is located within the NID (Nevada Irrigation District) service area and is entitled to water. The project would not significantly reduce the supply of water in the City of Grass Valley and Nevada County area.

The project would be connected through the City’s sewer system. The City has approved development projects involving potential increased demands on the City’s waste water treatment plant, recognizing the potential limits on sewer availability. The residential development associated with this project would be 62 EDU’s (Equivalent Dwelling Units) is expected to generate a small demand on sewer service. Sufficient sewer treatment capacity will be required before the project is allowed to be constructed and/or connected to the City’s sewer system. A recent expansion of the sewer plant capacity from 1.72 to 2.78 MGD (million gallons per day), provides adequate sewer capacity for the proposed project. However, specific approval to connect to the sewer system must be obtained from the City at the time of building permit issuance. A sewer study analyzing downstream sewer pipe capacities will be required.

A drainage study analyzing downstream storm drain capacities will be required.

No significant impact on utilities is anticipated with this project. No mitigation measures would be required for the utility services section.

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
XIII. AESTHETICS. <i>Would the proposal:</i>				
a) Affect a scenic vista or scenic highway?				X
b) Have a demonstrable negative aesthetic effect ?				X
c) Create light or glare?				X

XIII. AESTHETICS:

Environmental Setting: The project site is vacant and dominated by non-native grasses, with trees scattered along the northwestern portion of the property. The project slopes southerly to East Main Street, in the eastern portion of Grass Valley. The proposed project will be visible from Bennett Street. The site will not have a significant visual impact on a public viewshed. The project would be conditioned to provide a final landscape plan for the project, which would provide landscape screening of the residential units along Bennett Street, and providing a streetscape consistent with the historic development in the area. from those, identified public views.

Impact Discussion: The proposed project consists of the development of 62 detached single family dwellings. The “craftsman” design of the residential units with exterior building materials of lap siding and board batt siding for the body, and composition shingles for the roof is consistent with the look and materials used throughout Grass Valley. The look of the building design treatments are reminiscent of historic Grass Valley. The trees at this location, as well as other shrubs, on the proposed landscape plan will provide a significant buffer and visual screen to most of the site once the plants begin to mature. The landscape plan identifies additional trees located through-out the property, providing additional screening.

The project as proposed would be consistent with the Grass Valley Community Design Guidelines and the Community Design Element of the General Plan. With implementation of the of the City’s standard conditions for landscaping and street lighting, the project would not have a significant impact associated with aesthetics. No mitigation measures would be required for the aesthetics section.

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
XIV. CULTURAL RESOURCES. <i>Would the proposal:</i>				
a) Disturb paleontological resources?				X
b) Disturb archaeological resources?				X
c) Have the potential to cause a physical change which would affect unique ethnic cultural values?				X
d) Restrict existing religious or sacred uses within the potential impact area?				X

XIV. CULTURAL RESOURCES RESPONSES:

Impact Discussions: An Archaeological Inventory Survey was prepared by Hank Meals of Archaeological & Historical Consultant on February 2, 2006. The survey did not find evidence of any prehistoric activity or occupation on the site nor any evidence of historic resources on the site. The site is currently vacant but shows signs of having been significantly disturbed. The General Plan identifies the cultural sensitivity of the property as low to moderate. Past development/grading has disturbed the property reducing the potential for cultural resources on the property. The CEQA guidelines does require, as part of the objectives, criteria and procedures required by section 21082 of Public Resources Code, a lead agency should make provisions if historical or unique archaeological resources accidentally discovered during construction. A condition of approval would be added to address if cultural resources are identified on the property consistent with the cultural and historic element of the General Plan.

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
XV. RECREATION. Would the proposal:				
a) Increase the demand for neighborhood or regional parks or other recreational facilities?				X
b) Affect existing recreational opportunities?				X

XV. RECREATION RESPONSES:

Impact Discussions:

No significant impact on recreation is anticipated with this project. With 62 additional residential units, the project would increase the demand of recreational opportunities in the City of Grass Valley, however the demand would not be significant. The development would be conditioned to pay recreation fees reflecting the project. No mitigation measures would be required for the recreation section.

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
XVI. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X

ENVIRONMENTAL IMPACTS:	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?				X
c) Does the project have impacts that are individually limited, but cumulatively considerable? (Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)				X
d) Does the project have environmental effects which will cause substantial adverse effects on human beings either directly or indirectly?				X

XVI. MANDATORY FINDINGS OF SIGNIFICANCE.

Impact Discussions: As stated in the sections above in the Transportation Section, the project would generate an additional trips which adds to the long-term cumulative impact on traffic, along with future development in the area, in the City of Grass Valley and the regional area. To mitigate this impact the project shall be subject to payment of the City and Regional traffic impact fees. Those fees would be used to provide improvements to identified critical intersections. With those fees, the project would have a less than significant cumulative impact on the City of Grass Valley and the regional area. As described in the above analysis, this project will result in less than significant impacts.