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## **4.0 ERRATA**

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This section includes minor edits to the Draft EIR. These modifications resulted in response to comments received during the Draft EIR public review period.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, nor do they alter the conclusions of the environmental analysis. Changes are provided in revision marks (underline for new text and ~~strikeout~~ for deleted text) and are organized by section of the Draft EIR.

## **4.1 CHANGES AND EDITS TO THE DRAFT EIR**

### **1.0 INTRODUCTION**

No changes were made to this section.

### **2.0 PROJECT DESCRIPTION**

The second to last paragraph on page 2.0-11 has been amended as follows:

The project would require a General Plan Amendment to change the site's land use designation from PD-EST, described above, to Planned Development-Continuing Care Retirement Community (PD-CCRC). Since the CCRC designation is not established in Nevada County, the Nevada County General Plan is proposed to be amended in order to establish a CCRC land use designation and to amend policies to allow CCRCs as an allowable use. The proposed project would also require a rezone of the site from RA-3-PD (Residential Agricultural, 3-acre, Planned Development) to PD-CCRC (Planned Development, Continuing Care Retirement Community). Similarly, as CCRC zoning has not been established in Nevada County, the project proposes to establish a CCRC definition and associated development standards. These proposed changes would allow for the development of a continuing care retirement community on the project site while allowing for flexibility in site design, including the clustering of uses to minimize adverse effects to the natural resources on the site. These changes would implement Program HD-8.1.6 of the Housing Element (2009–2014), which states, "The County shall amend the zoning regulation to create a definition of development standard to allow Continuing Care Residential Communities or Life Care Residential Facilities in the PD and SDA designation where it can be determined that the PD/SDA has access to adequate infrastructure (public water and sewer) and adequate ingress and egress."

The text on page 2.0-64 has been amended as follows:

From the high point near the intersection of Rodeo Flat and Timber Ridge, the line would then gravity flow down Timber Ridge Drive Road and eventually terminate at an existing manhole located on Riata Way near the Lake of the Pines Sewer Treatment Facility.

### **3.0 INTRODUCTION TO THE ENVIRONMENTAL ANALYSIS AND ASSUMPTIONS USED**

No changes were made to this section.

#### **3.1 AESTHETICS**

No changes were made to this section.

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### 3.2 AGRICULTURE AND FOREST RESOURCES

No changes were made to this section.

### 3.3 AIR QUALITY

No changes were made to this section.

### 3.4 BIOLOGICAL RESOURCES

Text on page 3.4-7 has been revised as follows:

#### Montane Hardwood

~~Montane hardwood is typically composed of a pronounced hardwood tree layer, with an infrequent and poorly developed shrub stratum, and a sparse herbaceous layer (McDonald 1988). Snags and downed woody material generally are sparse throughout the montane hardwood habitat. For the project site, these areas are dominated by California black oak mixed with ponderosa pine and support a whiteleaf manzanita and/or ceanothus in the understory. Canyon live oak (*Quercus chrysolepis*) is scattered in the overstory among ponderosa pine, Coulter pine (*Pinus coulteri*), and white fir (*Abies concolor*). Knobcone pine (*Pinus attenuata*), gray pine, and Oregon white oak (*Quercus garryana*) are abundant at lower elevations. Understory vegetation is mostly scattered woody shrubs (i.e., manzanita (*Arctostaphylos* spp.)), birchleaf mountain mahogany (*Cercocarpus montanus* var. *glaber*), poison oak, and a few forbs (McDonald 1988). Wildlife species found in montane hardwood-conifer also occur in montane hardwood.~~

#### Foothill Hardwood

There are several types of oak woodland that occur on the project site. The largest expanse of oak woodland is dominated by blue oaks (*Quercus douglasii*). The blue oak woodland has relatively little shrubby understory. The herb stratum supports mostly nonnative species. Small patches of pure or primary interior live oaks (*Q. chrysolepis*) occur within or adjoining blue oak woodland. In the eastern part of the project site, oak woodland comprises a mixture of canyon live oaks and interior live oaks occurring on the extensive steep southwest-facing slopes between the Magnolia Ditch and the Bear River. Due to relatively dense canopy and steep dry southwest-facing slopes, there is relatively little understory in this area, but gaps in the tree canopy support poison oak, deer brush, grasses, and a variety of forbs (Juncosa 2009).

Text on page 3.4-17 has been revised as follows:

The term "oak woodland" refers to an oak stand with greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover (Oak Woodland Conservation Act, FGC Section 1361). ~~Foothill Montane~~ hardwood and montane hardwood-conifer have at least 10 percent canopy cover of oak trees. Valley foothill riparian may also have a 10 percent canopy cover of valley oaks although this habitat is already considered a sensitive community by the CDFG. ~~Oak woodland is a CDFG-designated sensitive natural community that occurs within the project site.~~ Oak woodland is rapidly disappearing in California and, as defined in CEQA, further elimination would result in significant adverse impacts.

The following paragraph has been added on page 3.4-17, following the second paragraph:

The Resources Agency and the Wildlife Conservation Board acknowledge the importance of oak woodlands in California through their oversight of the Oak Woodlands Conservation Act. As stated in the Oak Woodlands Conservation Act of 2001 (State of California Resources Agency and California Wildlife Conservation Board Program Application and Guidelines 2011), "In response to the continuing loss of oak woodlands, Chapter 588, Statutes of 2001, enacted the Oak Woodlands Conservation Act. The Act specifically recognizes the importance of oak woodlands and how oak trees enhance the natural and scenic beauty of this State. Further, the Act acknowledges the important role oak woodlands play in the economic, social, environmental and ecological matters of this State."

The following revisions have been made to Table 3.4-3 on page 3.4-34:

**TABLE 3.4-3  
PERMANENT IMPACTS TO VEGETATIVE COMMUNITIES**

<b>Vegetative Community</b>	<b>Conversion to Agriculture (acres)</b>	<b>Direct Impact (acres)</b>
<u>Foothill</u> Montane Hardwood	–	34.1
Montane Hardwood - Conifer	–	0.6
Annual Grassland*	4.0*	8.6
Seasonal Wetland	0.1	0.2
Urban/Ruderal	<0.1	5.5
Canal	–	0.5
<b>Total</b>	<b>4.1</b>	<b>47.9</b>

*Note: The annual grassland habitat that will be converted to row crops and an orchard is currently used as pasture for cattle. Although urban/ruderal habitat is listed as an impact, it does not provide suitable habitat for listed wildlife species.*

Mitigation measure MM 3.4.2a on page 3.4-36 has been revised as follows:

**MM 3.4.2a** A habitat assessment for California red-legged frog shall be conducted ~~by a USFWS approved biologist according to~~ consistent with the Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog (USFWS 2005). If suitable habitat is found on the project site, then field surveys should be undertaken consistent with the aforementioned guidance. If California red-legged frog is found, consultation with the USFWS and additional mitigation measures will be required. If California red-legged frogs are present on the project site, an on-site biological monitor shall be present on the project site to ensure that special-status species are not harmed during construction activities. In the event that a special-status frog is found during project construction, construction activities shall stop until the frog is moved by a qualified biologist outside of the construction zone.

Revisions to mitigation measure 3.4.2b on page 3.4-36 have been made, as follows:

**MM 3.4.2b** If California red-legged frogs are identified during the aforementioned survey (MM 3.4.2a), the project applicant will implement mitigation that would result in no net loss of aquatic ~~and upland~~ California red-legged frog habitat. Restored and preserved habitat will be protected in perpetuity through

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~~dedication of the conservation easement.~~ The specific determination of the appropriate measures will be determined through consultation with USFWS but will include one of the following: create habitat suitable for California red-legged frog, purchase mitigation credits at a USFWS-approved conservation bank, or pay an in-lieu fee into a USFWS mitigation plan.

The third requirement of mitigation measure MM 3.4.2c on page 3.4-37 is revised as follows:

- ~~3.~~ A ~~USFWS-approved~~ qualified biologist will permanently remove any individuals of exotic species, such as bullfrogs, crayfish, and centrarchid fishes, from the project area to the maximum extent possible, as feasible, if they are encountered. The ~~USFWS-approved~~ biologist will be responsible for ensuring his or her activities are in compliance with the California Fish and Game Code.

Item 4 of mitigation measure MM 3.4.2c (page 3.4-37) is redundant and has been removed from the text.

- ~~4.~~ ~~To ensure that diseases are not conveyed between work sites by the USFWS approved biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force to prevent the spread of disease and parasites will be followed at all times (DAPTF 1991).~~
- ~~54.~~ During project activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work area.
- ~~65.~~ The number of access routes, size of staging areas, and total area of the activity will be limited to the minimum necessary to achieve the project goal. Environmentally sensitive areas will be established to confine access routes and construction areas to the minimum area necessary to complete construction and minimize the impact to California red-legged frog habitat; this goal includes locating access routes and construction areas outside of wetlands and riparian areas to the maximum extent practicable.
- ~~76.~~ All refueling, maintenance, and staging of equipment and vehicles will occur at least ~~60~~ 100 feet from riparian habitat or water bodies and not in a location from where a spill would drain directly toward aquatic habitat. The monitor will ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the project applicant will ensure that the contractor's stormwater pollution prevention plan (SWPPP) includes provisions for prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.

Mitigation measure MM 3.4.3a on page 3.4-40 has been amended as follows:

- MM 3.4.3a** A preconstruction survey for western pond turtle shall be conducted at least one week prior to the onset of construction activities adjacent to suitable habitat. The survey area shall encompass a 325-foot radius of the area to be affected. If juvenile or adult turtles are found within the survey area, the individuals should be moved to a predetermined location with suitable habitat. If a turtle nest is found within the survey area, construction activities should not take place within 100 feet of the nest until the turtles have hatched

~~or the eggs have been moved to an appropriate location. Additional mitigation measures, such as nest relocation. Furthermore, one-way and barrier fencing shall be constructed within 325 feet of suitable aquatic habitat to prevent turtles from moving into the construction area to nest, hibernate, or aestivate while allowing turtles already in the construction area to move back to water, will be employed after coordination with the CDFG.~~

The following revision has been made on page 3.4-40 to the first sentence of mitigation measure MM 3.4.3b:

**MM 3.4.3b** If vegetation removal or ground surface disturbance (any form of grading) is to occur between March 1 and August 31, the project applicant shall retain a qualified biologist to conduct a focused survey for active bird nests within 14 days prior to the disturbance of the construction area and periodic field surveys during construction to ensure nests have not been established during construction activities.

Page 3.4-49, the following text changes are made to mitigation measure MM 3.4.7:

**MM 3.4.7** 100-foot setback of wetland and riparian habitat from construction shall be established. For all project elements that must unavoidably be constructed within 100 feet of riparian or wetland areas, the project shall implement water quality and wildlife habitat mitigation measures provided on pages 7 through 9 of the Rincon del Rio Habitat Management Plan. ~~For all project elements that must unavoidably be constructed within 100 feet of riparian or wetland areas, the project shall implement water quality and wildlife habitat mitigation measures provided on pages 7 through 9 of the Rincon del Rio Habitat Management Plan.~~

### 3.5 CLIMATE CHANGE AND GREENHOUSE GASES

Pages 3.5-13 through 3.5-14, Section 3.5, Climate Change and Greenhouse Gases, has been revised as follows:

#### METHODOLOGY

GHG emissions-related impacts were assessed in accordance with methodologies recommended by the BAAQMD and in comparison to the recommended BAAQMD significance thresholds.

GHG emissions associated with the proposed project were estimated for the GHGs that the California Air Resources Board finds are generated from indirect sources like the proposed project, including carbon dioxide (CO<sub>2</sub>), nitrous oxide (N<sub>2</sub>O), and methane (CH<sub>4</sub>). Calculations of GHG emissions typically focus on CO<sub>2</sub> because it is the most commonly produced GHG in terms of number of sources and volume generated, and because it is among the easiest GHGs to measure. This analysis assesses N<sub>2</sub>O and CH<sub>4</sub> emissions for other primary source categories of emissions (e.g., motor vehicles and energy use associated with long-term operation of the project). It is important to note that while other GHGs, such as hydrofluorocarbons (HFCs), have a higher global warming potential than CO<sub>2</sub>, emissions from land use developments like the proposed project are negligible under typical operations.

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URBEMIS 2007 was utilized to estimate the proposed project's CO<sub>2</sub> emissions from construction. URBEMIS is software that uses the URBEMIS land use emissions inventory model to estimate greenhouse gas and criteria pollutant emissions under particular scenarios involving construction, area, and other sources. It has been designed specifically for California, though a 49-state version is in development, and uses California-specific road and construction emissions factors. The URBEMIS 2007 model uses the California Air Resources Board's EMFAC2007 model for on-road vehicle emissions and the OFFROAD2007 model for off-road vehicle emissions. N<sub>2</sub>O and CH<sub>4</sub> emissions resulting from project construction were analyzed using the California Climate Action Registry General Reporting Protocol Version 3.1 (January 2009). The General Reporting Protocol, produced by the California Registry and developed with the recommendations and technical and policy guidance from the California Energy Commission, is a document designed to support the accurate reporting of GHG emissions in a quantifiable manner.

~~URBEMIS 2007 was used to estimate the proposed project's GHG emissions from area and mobile sources, as well as emissions resulting from the project's projected energy demand (electricity and natural gas) were analyzed using the Energy Information Administration's Residential Energy Consumption Survey (EIA 2005). GHG emissions generated from the conveyance of water and wastewater were projected with the use of ratios authored in the BAAQMD's Greenhouse Gas Model in conjunction with the California Energy Commission's Redefining Estimates for Water-Related Energy Use (CEC 2006). Finally, GHG emissions resulting from solid waste hauling and decomposition were projected with the use of ratios authored in the BAAQMD's Greenhouse Gas Model. For the purposes of this analysis, it was assumed that solid waste hauling trucks would travel 2,053 miles per year in service to the project. This number was determined by the distance between the project site and the McCourtney Road Transfer Station near Grass Valley, in addition to the distance between the McCourtney Road Transfer Station and the Ostrom Landfill in Wheatland, which would be the final destination for solid waste generated at the project site. The resultant GHG emissions of the proposed project were calculated by PMC using the California Emissions Estimator Model (CalEEMod), version 2011.1.1, computer program. CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for the use of government agencies, land use planners, and environmental professionals. This model is the most current emissions model approved for use in California by various other air districts. GHG emission reduction associated with solar and tankless hot water heaters are quantified using BAAQMD's Greenhouse Gas Model.~~

Draft EIR text on pages 3.5-17 through 3.5-22, Section 3.5, Climate Change and Greenhouse Gases, has been revised as follows:

### Operational GHG Emissions

As shown in **Table 3.5-4**, below, the long-term operations of the proposed project without mitigation would produce ~~4,694~~ 3,345 metric tons of CO<sub>2</sub>e annually, primarily from motor vehicles that travel to and from the site.

**TABLE 3.5-4  
ESTIMATED GREENHOUSE GAS EMISSIONS – PROJECT OPERATION (BUILDOUT) (METRIC TONS PER YEAR)  
WITHOUT MITIGATION**

Emission Source		Carbon Dioxide (CO <sub>2</sub> )	Methane (CH <sub>4</sub> )	Nitrous Oxide (N <sub>2</sub> O)	Hydro-fluorocarbons (HFCs)	Per-fluorocarbons (PFCs)	Sulfur Hexafluoride (SF <sub>6</sub> )	CO <sub>2</sub> e
Mobile Source <sup>1,2</sup> (vehicle)		1,658	N/A	N/A	N/A	N/A	N/A	1,658
Area Source (landscaping, hearth) <sup>3</sup>		1,526	Negl.	Negl.	Negl.	Negl.	Negl.	1,526
Stationary Source <sup>4</sup>	Electricity	705	Negl.	Negl.	Negl.	Negl.	Negl.	705
	Natural Gas	853	Negl.	Negl.	Negl.	Negl.	Negl.	853
Water and Wastewater Conveyance		69	Negl.	Negl.	Negl.	Negl.	Negl.	69
Solid Waste		492	Negl.	N/A	Negl.	Negl.	Negl.	492
<b>Total CO<sub>2</sub>e Emissions</b>		<b>5,303 CO<sub>2</sub>e Emissions</b>						

Source: URBEMIS ver. 9.2.1; BAAQMD BGM Model; EIA 2005; CEC 2006 (see **Appendix 3.5-A**)

Negl—Emissions of this GHG would be negligible from this source category.

N/A—Not available

<sup>1</sup> Emissions presented are not adjusted for future improved CAFÉ standards (Pavley I) and Low Carbon Fuel Standards.

<sup>2</sup> Source: Vehicle miles traveled from KD Anderson 2011.

<sup>3</sup> Area source emissions account for mitigation measure MM 3.3.3 in Section 3.3, Air Quality. Accounts for individual propane use.

<sup>4</sup> Stationary source emissions account for indirect emissions from energy generation facility.

Emission Source	Carbon Dioxide (CO <sub>2</sub> )	Methane (CH <sub>4</sub> )	Nitrous Oxide (N <sub>2</sub> O)	CO <sub>2</sub> e
Mobile Source <sup>1,2</sup> (vehicle)	1,828	0.08	0	1,830
Area Source (landscaping, hearth) <sup>3</sup>	718	0.02	0.05	734
Energy (electricity and natural gas) <sup>4</sup>	564	0.02	0.01	568
Water and Wastewater	50	0.69	0.02	70
Solid Waste	64	3.78	0	143
<b>Total CO<sub>2</sub>e Emissions</b>	<b>3,224</b>	<b>4.59</b>	<b>0.08</b>	<b>3,345</b>

Source: CalEEMod version 2011.1.1

<sup>1</sup> Emissions presented account for improved CAFÉ standards (Pavley) and Low Carbon Fuel Standards.

<sup>2</sup> Source: Vehicle miles traveled from KD Anderson 2011.

<sup>3</sup> Area source emissions account for mitigation measure MM 3.3.3 in Section 3.3, Air Quality. Accounts for individual propane use for 75% of dwelling units.

<sup>4</sup> Accounts for CALGreen Standards (Title 24, California Building Energy Efficiency Standards).

Changes to regulations will take effect in the near future (year 2020 and beyond) that will substantially reduce GHG emissions. For instance, implementation of AB 1493 (Pavley), described in the Regulatory Framework subsection above, will significantly reduce the amount of GHGs emitted from passenger vehicles. According to the URBEMIS model prepared for the proposed project, 87.4 percent of vehicle trips related to the project are from passenger cars,

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light duty trucks, and medium duty trucks, all of which are subject to Pavley. CARB's Post Processor tool estimates an 18 percent reduction in GHGs in these vehicle classes by 2020. As passenger vehicles represent the single largest source of GHGs associated with the proposed project, the anticipated reduction represents 263 fewer metric tons per year of GHGs attributed to the project. In terms of energy, the project will at minimum meet the California Building Energy Efficiency Standards, which went into effect January 1, 2010. These standards reduce electricity by 4.9 percent below baseline emissions and reduce natural gas by 9.4 percent below baseline emissions. In in March 2011, Senate Bill 2X established the Renewable Portfolio Standard as law (33 percent of energy supply from renewable sources by 2020). Senate Bill 2X would reduce project emissions by ~~149~~ 15 metric tons annually by 2020. ~~These~~ This regulations and others will further reduce GHGs as shown in **Table 3.5-5**.

**TABLE 3.5-5**  
**GHG REDUCTIONS FROM APPLICATION OF ~~NEW REGULATIONS~~ RENEWABLE PORTFOLIO STANDARD**

<b>California Legislation</b>	<b>CO<sub>2</sub>e Emissions Reductions (metric tons/year)</b>
AB 1493 (Pavley)	263
California Building Energy Efficiency Standards	115
Senate Bill 2X – Renewable Portfolio Standard	149
<b>Total</b>	<b>527</b>

Source: See **Appendix 3.5-A**

<b><u>Renewable Portfolio Standard Legislation</u></b>	<b>CO<sub>2</sub>e Emissions Reductions (metric tons/year)</b>
<u>Senate Bill 2X – Renewable Portfolio Standard</u>	<u>15</u>
<b>Total</b>	<b>15</b>

*NOTE : Reflects utility provider energy mix at time of Notice of Preparation.*

When the reductions from ~~applicable new regulations~~ the Renewable Portfolio Standard are accounted (a reduction of ~~527~~ 15 metric tons of CO<sub>2</sub>e per year), the amount of GHG emissions is ~~4,776~~ 3,330 metric tons per year, which would result in a CO<sub>2</sub>e per service population (residents plus employees) per year of ~~10.4~~ 7.2 metric tons of CO<sub>2</sub>e. This is over the significance threshold for operations of 4.6 metric tons of CO<sub>2</sub>e per service population per year. Therefore, the following mitigation shall be required.

### General Plan and Zoning Ordinance Text Amendments

As discussed in further detail in Section 4.0, Cumulative Impacts Summary, the proposed General Plan and Zoning Ordinance text amendments are policy actions that would not directly result in a net increase in greenhouse gas emissions that would conflict with the goals of AB 32. Although CCRCs would be permitted in either a PD (Planned Development) or SDA (Special Development Area) land use designation with approval of a zone change after implementation of the proposed project, such rezoning applications would be subject to further CEQA analysis of project-specific impacts (proposed Zoning Ordinance amendment Section L.II 2.7.11(C)(4)), including climate change impacts. It is reasonable to assume that future site-specific CEQA analysis would result in project-specific mitigation to address

climate change impacts. While future projects may result in similar impacts to those of the proposed project, it is reasonable to assume that advances in technology (solar, wind, etc.) as well as future project design features or participation in regional or national GHG mitigation could occur, resulting in less GHG impact than the proposed project. For future projects resulting from the General Plan and Zoning Ordinance text amendments, either impacts must be less than significant or a project-specific environmental impact report must be prepared with impact discussion and appropriate mitigation.

The following mitigation measures are based on the commenter's suggested measures to address GHG.

### Mitigation Measures

**MM 3.5.1b** The project applicant shall include the following energy-efficient building measures to be applied during site development for each structure.

- Meet CALGreen Building Code Tier 1 standards (Title 24, Part 11) at the time of building permit issuance.

~~CalGreen Tier 1 Standards for energy efficiency include a pre-requisite:~~

- A4.203.1 Exceed Tier 1 California Energy Code based on the 2008 energy standard requirements by ~~15~~ 40 percent with the implementation of the following measures:

~~Implement elective measures (of which the project applicant can choose which four to implement):~~

- A4.205.1 Radiant Barrier\*
- A4.205.2 Exterior Shading on South & West Windows
- A4.206.1 Blower Door Testing
- ~~A4.207.1 Innovative Radiant, Hydronic, or Ground Source Heating & Cooling System~~
- A4.207.2 HVAC Commissioning
- ~~A4.207.4 Furnace AFUE .90 or higher~~
- ~~A4.207.5 Electric Heat Pump HSPF 8.0 or higher\*~~
- A4.207.6 Cooling Equipment SEER higher than 13.0 and EER 11.5 or higher
- A4.207.7 Interior and/or Insulated Ductwork
- A4.207.8 Duct Leakage Testing Shows <6% Leakage\*
- A4.207.9 Whole House Fan
- A4.207.10 Energy STAR Ceiling Fans

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- ~~A4.208.1 Gas Water Heater EF higher than .6~~
- A4.208.2 Gas Water Heater EF higher than .8
- ~~A4.208.3 Minimize Hot Water Wait Time~~
- A4.209.1 Hard-wired Lighting Fixtures at least 90% Energy STAR
- A4.210.1 All Applicable Appliances Energy STAR
- ~~A4.211.1 Solar PV System meeting CEC NSHP program~~
- A4.211.2 Solar Water Heating System with Solar Fraction > 0.5.
- ~~A4.211.3 Roof Space for Future Solar Installation – 300 sq. ft. min.~~
- ~~A4.211.4 Conduit for Future Solar Installation – 1" min.~~
- Room-Specific Air Conditioning
- Interior and/or Insulated Ductwork
- Installation of Programmable Thermostat Timers
- Installation of solar hot water heaters and tankless hot water heaters for each dwelling unit

Additionally, requiring the project applicant to meet and exceed Tier 1 Standards for all categories will result in the following pre-requisites needing to be met:

- A4.106.4 – Not less than 20% of the total parking, walking, or patio surfaces shall be permeable (excluding primary driveway, walkway and porch areas).
- A4.106.5 – Roofing materials shall have a minimum 3-year aged solar reflectance and thermal emittance or a minimum Reflectance Index (SRI) equal to or greater than the values specified in Tables A4.106.5(1) and A4.106.5(2). Steep slope >64, low slope >10 or 16 (depending on climate zone)
- A4.303.1 – Kitchen faucet has a maximum flow rate of 1.5 gpm.
- A4.303.4 – When landscaping is provided by the builder, a water efficient landscape irrigation system shall be installed that reduces potable water use.
- Tier 1: Reduce the use of potable water to a quantity that does not exceed 65% of evapotranspiration (ETo) times landscape area.
- 4.408.1 – Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition debris, or meet a local

construction and demolition waste management ordinance, whichever is more stringent. (Excavated soil and land-clearing debris excluded.)

- A4.403.2 – As allowed by the enforcing agency, reduce cement used in foundation mix design. Products commonly used to replace cement in concrete mix designs include, but are not limited to fly ash, slag, silica fume, rice hull ash. Tier 1: Not less than a 20% reduction in cement use.
- A4.405.3 – Use materials, equivalent in performance to virgin materials, with post-consumer or pre-consumer recycled content value (RCV) for a percent of the total materials cost. (RCV equals percent postconsumer + 1/2 percent pre-consumer times material cost.) Tier 1: minimum 10%.
- A4.504.2 – Tier 1: At least 80% of resilient flooring installed shall comply with the criteria listed above.
- A4.504.3 – Tier 1: Install thermal insulation in compliance with the VOC emissions limits defined in Collaborative for High Performance Schools (CHPS) Low-emitting Materials List.

*Timing/Implementation:* Prior to the issuance of building permits

*Enforcement/Monitoring:* Nevada County Community Development Agency

**MM 3.5.1c** The project applicant shall include a solar photovoltaic system that can generate at least 1 kW hour of energy per dwelling unit.

*Timing/Implementation:* Prior to the issuance of building permits

*Enforcement/Monitoring:* Nevada County Community Development Agency

**MM 3.5.1d** The landscape of the proposed project shall be maintained without the use of gas-powered landscaping equipment (i.e., lawn mowers, leaf blowers, chainsaws, and hedge trimmers).

*Timing/Implementation:* Included as a requirement of the Use Permit

*Enforcement/Monitoring:* Nevada County Community Development Agency

**MM 3.5.1e** The project applicant shall include the following water conservation measures to be applied site development for each structure.

- Indoor water conservation measures shall be incorporated, such as use of low-flow toilets, showers and faucets.
- Low-water use landscaping (i.e., drought-tolerant plants and drip irrigation) shall be installed. At least 75 percent of all landscaping plants shall be drought-tolerant as determined by a licensed landscape architect or contractor.

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Timing/Implementation: Included as a requirement of the Use Permit

Enforcement/Monitoring: Nevada County Community Development Agency

**MM 3.5.1f** The project applicant shall provide, operate, and fund a recycling and compost drop-off site for residents.

Timing/Implementation: Included as a requirement of the Use Permit

Enforcement/Monitoring: Nevada County Community Development Agency

According to the California Air Pollution Control Officers Association's (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures (2010), the project will achieve a 0.05 percent reduction in electricity and a 0.77 percent reduction in natural gas (indirect use from power plant) for each percentage above the California Building Energy Efficiency Standard. Mitigation measure **MM 3.5.1b** would result in the further reduction of 103 metric tons of CO<sub>2</sub>e per year [ $670 \times (0.0005 \times 15) + 772 \times (0.0077 \times 15) = 103$ ]. Therefore, implementation of mitigation measures **MM 3.5.1b** through **MM 3.5.1f** would reduce annual GHG emissions to 4,673 metric tons per year (see **Table 3.5-6**). In addition, mitigation measure **MM 3.3.3** in Section 3.3, Air Quality, would further reduce emissions requiring the prohibition of wood-burning stoves or fireplaces as well as the provision of a green-waste drop-off site for residents.

**TABLE 3.5-6**  
**ESTIMATED GREENHOUSE GAS EMISSIONS – PROJECT OPERATION (BUILDOUT) (METRIC TONS PER YEAR)**  
**WITH MITIGATION AND REDUCTION MEASURES**

<u>Emission Source</u>	<u>Carbon Dioxide (CO<sub>2</sub>)</u>	<u>Methane (CH<sub>4</sub>)</u>	<u>Nitrous Oxide (N<sub>2</sub>O)</u>	<u>CO<sub>2</sub>e</u>
<u>Mobile Source (vehicle)</u>	<u>1,802</u>	<u>0.08</u>	<u>0</u>	<u>1,803</u>
<u>Area Source (landscaping, hearth)</u>	<u>617</u>	<u>0.01</u>	<u>0.01</u>	<u>621</u>
<u>Energy (electricity and natural gas)</u>	<u>204</u>	<u>0.01</u>	<u>0</u>	<u>205</u>
<u>Water and Wastewater</u>	<u>40</u>	<u>0.55</u>	<u>0.01</u>	<u>56</u>
<u>Solid Waste</u>	<u>45</u>	<u>2.64</u>	<u>0</u>	<u>101</u>
<b><u>Total Emissions</u></b>	<b><u>2,708</u></b>	<b><u>3.29</u></b>	<b><u>0.02</u></b>	<b><u>2,786</u></b>
<u>Reductions from Renewable Portfolio Standard</u>				<u>-15</u>
<u>Reductions from Solar and Tankless Hot Water Heaters Mitigation (MM 3.5.1b)<sup>2</sup></u>				<u>-80</u>
<b><u>Total CO<sub>2</sub>e Emissions</u></b>				<b><u>2,691</u></b>

Source: CalFEEMod version 2011.1.1

<sup>1</sup> Includes the provision of a minimum of two paratransit vehicles for the purposes of transporting residents within the facility to various business appointments, grocery and service needs, recreation, and special events. Comprehensive and personalized transportation services would be provided by staff at the Village Center to coordinate all resident transportation needs. Residents can arrange for carpooling, a community vehicle, a private driver, or an "errand runner" who would pick up and deliver twice daily.

<sup>2</sup> Source: BAAQMD Greenhouse Gas Model

The BAAQMD's emission threshold is 4.6 metric tons of CO<sub>2</sub>e per service population (residents plus employees) per year (BAAQMD 2011). The BAAQMD thresholds were chosen based on the substantial evidence that such thresholds represent quantitative and/or qualitative levels of GHG emissions, compliance with which means that the environmental impact of the GHG emissions will normally not be cumulatively considerable under CEQA (BAAQMD 2011). Compliance with such thresholds will be part of the solution to the cumulative GHG emissions problem. Utilization of the BAAQMD's GHG threshold was considered reasonable and appropriate by NSAQMD staff (Longmire 2011).

It should be noted that there are several project features that will assist in the reduction of GHG emissions resulting from the project that are unable to be quantified as due to their nature it would be overly speculative to do so. These project features include:

- ~~The provision of a minimum of two paratransit vehicles for the purposes of transporting residents within the facility to various business appointments, grocery and service needs, recreation, and special events. Comprehensive and personalized transportation services would be provided by staff at the Village Center to coordinate all resident transportation needs. Residents can arrange for carpooling, a community vehicle, a private driver, or an "errand runner" who would pick up and deliver twice daily.~~
- ~~The use of native and adaptive plant materials in new landscaping. The proposed planting palette would stress indigenous and drought-tolerant plant materials wherever possible. These species would minimize the use of extensive water, fertilizers, herbicides, and other intervention.~~
- ~~The use of water-efficient irrigation technologies. All irrigation systems would be designed to minimize the amount of water used for irrigation purposes. Automatic systems would include drip systems, low application rate spray heads, water sensors, and check valves to prevent low point drainage. Design of irrigation systems would preclude overspray onto paved areas.~~
- The placement of deciduous trees for passive cooling of buildings and paved areas. Deciduous canopy shade trees would be located within the landscaping for coverage of parking areas and other paved surfaces subject to the "heat island effect." Shading of parking areas would achieve 50 percent in 15 years. Deciduous trees would be positioned on south- and west-facing exposures to limit heat gain during summer months.
- ~~The proposed lighting fixtures would be approved by the IDA (International Dark-Sky Association) and would utilize low energy, compact fluorescent, or LED bulb options.~~
- The project proposes a variety of recreational amenities on the project site which would limit the need for residents to drive elsewhere. These include improved walking trails and soft surface trails throughout the project site, a group barbecue area, pondside fishing area, gazebo site, general picnic areas and social gathering areas along the Bear River, raised bed community gardens, pool and pool house, event lawn, horseshoe pits, outdoor kitchen, and courts for tennis, pickleball, volleyball, and bocce ball.
- The project proposes a mix of uses including a variety of independent and supportive living arrangements including independent living, assisted living, nursing care, physical rehabilitation, and memory impairment housing in a campus-like setting featuring

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commercial and recreational uses and transportation and a variety of other services. These other services include a café, post office, recycling center, bakery, theater, ice cream parlor, pub, pharmacy, market/deli, beauty shop, bank, and dry cleaning.

These project features would assist in the reduction of GHG emissions resulting from the project. For example, many different uses are to be located on-site, which would reduce the demand to travel elsewhere as many services would exist to accommodate future residents. ~~When off-site travel is necessary, the two paratransit vehicles available would reduce the use of single occupancy vehicles and increase carpooling.~~ As stated previously, the emissions reductions from these design features are unable to be quantified as, due to their nature, it would be overly speculative to do so. ~~For instance, while the two available paratransit vehicles would increase carpooling and thus reduce single occupancy vehicle trips and emissions, it cannot be accurately estimated how often this service will be employed by future residents of the project.~~

~~Table 3.5-6~~ **Table 3.5-7** depicts the projected GHG emissions per service population for the project under unmitigated conditions, ~~unmitigated with state regulations applied,~~ and mitigated conditions. As can be seen, mitigation measures **MM 3.5.1b** through **MM 3.5.1f** in conjunction with the Renewable Portfolio Standard state regulations would reduce emissions by ~~630~~ **654** metric tons of GHG per year. Furthermore, the project proposes several design features that would further reduce GHG emissions though are too speculative to be quantified. Thus, the emissions identified in ~~Table 3.5-6~~ **Table 3.5-7** are considered very conservative and likely overstate the extent of GHG emissions that would occur.

~~TABLE 3.5-6~~ **TABLE 3.5-7**  
PROJECT GREENHOUSE GAS EMISSIONS  
PER SERVICE POPULATION

	Emissions	Emission Reductions from Unmitigated Buildout	Jobs	Population	Service Population (SP)	MTCO <sub>2e</sub> /SP/Year
Unmitigated Project Buildout	<del>5,303</del> <u>3,345</u>	–	43	415	458	<del>11.5</del> <u>7.3</u>
Unmitigated Project Buildout with State Regulations Applied	4,776	527	43	415	458	10.4
<b>Mitigated Project Buildout</b> (with RPS Applied)	<del>4,673</del> <u>2,691</u>	<del>630</del> <u>654</u>	43	415	458	<del>10.2</del> <u>5.8</u>

Based on the population and employment figures listed in ~~Table 3.5-6~~ **Table 3.5-7** above, the projected buildout service population would be 458 under the proposed project. Dividing the GHG emissions for buildout yields a metric ton per service population ratio of ~~10.2~~ 5.8 for buildout conditions. As this exceeds the BAAQMD threshold of 4.6, the proposed project would still result in a net increase in cumulative GHG emissions. ~~The proposed project's contribution to GHGs is thus considered~~ **cumulatively considerable** and is a **significant and unavoidable** impact. Thus, the following GHG emissions offset (carbon credits) mitigation is proposed that would utilize the Climate Action Reserve (CAR) to ensure that carbon credits purchased offset 584 metric tons of CO<sub>2e</sub>, the amount of CO<sub>2e</sub> reduction needed in order to achieve the BAAQMD threshold of a metric ton per service population ratio of 4.6. CAR uses a standardized approach for the independent and rigorous verification of GHG emissions

reductions reported by project developers into its offset registry. This standardized approach defines a verification process that promotes the relevance, completeness, consistency, accuracy, transparency, and conservativeness of emissions reductions data reported in the CAR. ~~the proposed Project's contribution to cumulative GHG emissions is considered cumulatively considerable and a significant and unavoidable impact.~~

#### Mitigation Measures

**MM 3.5.1g** The project applicant shall purchase carbon credits to offset 584 metric tons of greenhouse gas emissions. Only carbon offset credits that are verified and registered with the Climate Action Reserve may be used to offset project emissions. Verification of this purchase and the associated offset shall be provided to the Nevada County Community Development Department prior to issuance of building permits.

*Timing/Implementation:* Prior to the issuance of building permits

*Enforcement/Monitoring:* Nevada County Community Development Agency

Implementation of mitigation measures **MM 3.5.1b** through **MM 3.5.1g** would ensure that project operational GHG emissions would be mitigated below the BAAQMD significance threshold and reduce this impact to **less than cumulatively considerable.**"

### 3.6 CULTURAL AND PALEONTOLOGICAL RESOURCES

No changes were made to this section.

### 3.7 GEOLOGY AND SOILS

No changes were made to this section.

### 3.8 HAZARDOUS MATERIALS/HUMAN HEALTH

No changes were made to this section.

### 3.9 HYDROLOGY AND WATER QUALITY

The source of Figure 3.9-1 has been amended on page 3.9-3.

### 3.10 LAND USE

No changes were made to this section.

### 3.11 NOISE

Text on page 3.11-20 has been revised as follows:

Construction noise associated with future development would be limited to periods of construction and would vary depending on the nature of the construction activities being performed. Noise generated during construction is typically associated with the operation of

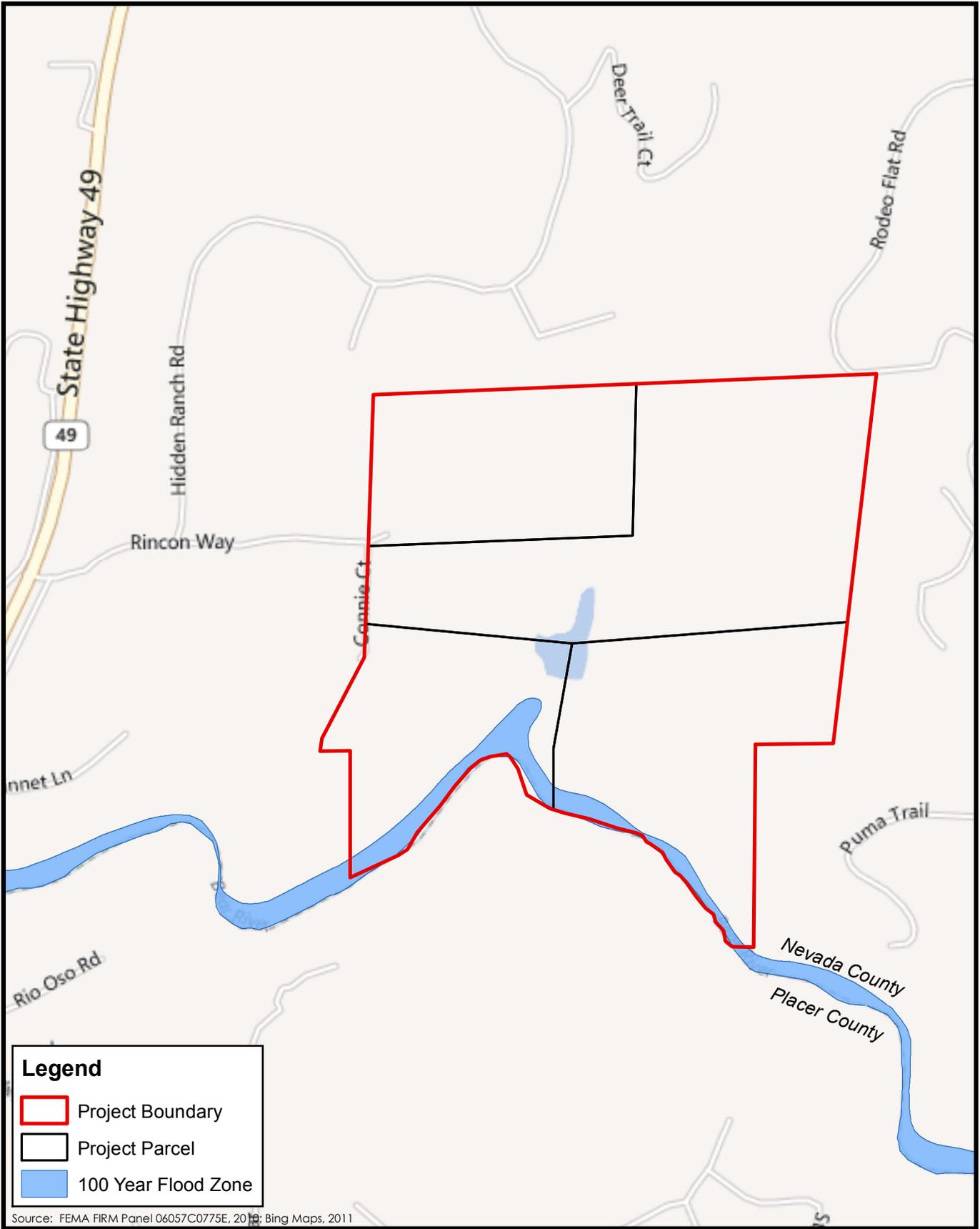
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off-road equipment, including excavation equipment, material handlers, and portable generators. Conventional earth-moving equipment is expected to be utilized. Specialized equipment methods, such as rock coring and/or use of rock-breaking tools, may be required for removal of rock in some areas. This would consist of drilling and placing expansive grout into fractures in the rock or use of a hydraulic impact hammer excavator attachment to break the rock so it can be removed with conventional equipment. If blasting is necessary for removal of rock in isolated areas, prior to bringing or using explosives on the project site, the construction contractor would be required to comply with any regulations related to the use of explosives.

### 3.12 POPULATION, HOUSING, AND EMPLOYMENT

No changes were made to this section.



**Figure 3.9-1**  
FEMA Flood Zone



### 3.13 PUBLIC SERVICES AND UTILITIES

On page 3.13-14, the following text change is made to the last paragraph:

NID receives its water supply from four main sources: the watershed, carryover storage in surface reservoirs, contract purchases, and recycled water. Watershed runoff includes all runoff produced by NID's watershed during the water year, which usually lasts through June or July. NID has ten main storage reservoirs totaling a maximum of 280,389~~0~~ acre-feet. Carryover storage is the amount of water left in these reservoirs at the end of a normal irrigation season, which generally ends in mid October ~~late September~~. Contract water purchases are available each year through the NID's 1963 agreement with Pacific Gas and Electric (PG&E). In years of at least normal precipitation, the maximum amount available is 59,361 acre-feet, and in dry years, this amount reduces to a maximum of 23,591 acre-feet. NID recycled water supplies are made up of treated water from four municipal wastewater treatment plants, blended with surface water and conveyed to NID customers.

On page 3.13-17, the following text change is made to the second paragraph under the subheading Nevada Irrigation District Urban Water Management Plan Update:

NID recently adopted its ~~As of June 2011, NID is in the process of updating the~~ 2010 Urban Water Management Plan (UWMP). The UWMP is currently under review at the California Department of Water Resources. The UWMP update will bring NID the plan into compliance with new requirements to the Urban Water Management Planning Act, including consistency with use as a document for water supply assessments and written verification of water supply. The UWMP update also includes updates to water use projections and update and evaluation of demand management measures.

On page 3.13-19, the following text change is made to the paragraph directly beneath Table 3.13.4-4:

As shown in the table above, NID has sufficient water to meet anticipated demands through 2035 in average precipitation years. In addition, a 50 percent reduction in NID's overall supply (which is more severe than a hypothetical three-year worst-case scenario) does not necessitate ~~require mandatory~~ rationing of urban customers because the urban demands are anticipated to remain a small portion of the district's overall demands. While the project proposes to change its General Plan designation and allow for greater development on the project site than what was estimated in the Nevada County General Plan, NID would still have an adequate raw water supply to meet the estimated water demands of the project. This additional water demand can easily be met by NID, which has over half of its 410,633 afy supply remaining. It should be noted that NID has established a Drought Contingency Plan, which would apply to any and all NID customers depending on the severity of conditions.

On page 3.13-22, the following text change is made to the first paragraph:

The proposed project, in combination with other proposed and approved projects in the area, would result in a cumulative demand for water supply that is consistent with the projections in the 2010 UWMP and the facilities already constructed by NID. Water supply, delivery, and fire flows must be demonstrated on a project-by-project basis. As indicated in **Table 3.13.4-3**, NID has sufficient raw water to meet anticipated demands through 2035 in average precipitation years. ~~In the event of a~~ 50 percent reduction in NID's overall supply (which is more severe than a hypothetical three-year worst-case scenario), ne does not necessitate ~~would be necessary~~ mandatory rationing of urban customers as urban demands

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are anticipated to remain a small portion of the district's overall demands. It should be noted that NID has established a Drought Contingency Plan, which would apply to any and all NID customers depending on the severity of conditions. Because there is adequate water available to serve cumulative development in the NID service area, the proposed project would have a **less than cumulatively considerable** contribution to water supply impacts.

On page 3.13-27, the following text change is made to mitigation measure MM 3.13.5.1:

**MM 3.13.5.1** Prior to final map recording ~~approval~~, the applicant shall fund the project's fair share of addition of membranes at the Lake of the Pines Wastewater Treatment Plant. NCSD-1 shall determine the exact payment to ensure adequate capacity at the plant is available.

### 3.14 TRAFFIC AND CIRCULATION

Text on page 3.14-1 has been revised as follows:

#### **Rincon Way**

Rincon Way is ~~designated as a privately owned and maintained local road in the General Plan Circulation Element.~~ Between SR 49 and the adjacent frontage road, approximately 65 feet east, Rincon Way is about 50 feet wide and accommodates left turning and right turning vehicles onto SR 49 as well as inbound vehicles from SR 49; currently, there is no lane striping to differentiate a left turn lane and a right turn lane. Between the frontage road and Hidden Ranch Road, Rincon Way is between 18 and 20 feet wide, while east of Hidden Ranch Road to the project's property entrance, the roadway narrows to about 16 feet in width.

Text on page 3.14-2 is amended as follows:

All approaches to the intersection are single lane with no stop control along the frontage road.

Revisions have been made to the discussion of Impact 3.14.1 on page 3.14-17 as follows:

The proposed project will increase traffic on Rincon Way by an estimated 969 trips per day. The current estimated volume of traffic on Rincon Way is 370 trips per day. The total traffic on Rincon Way after implementation of the project would be approximately 1,339 ADT (969 ADT + 370 ADT = 1,339 ADT). The increase in traffic of ~~599~~ 969 trips per day represents a ~~162~~ 262 percent increase over existing conditions, which is considered substantial. As noted in Section 2.0, Project Description (under Circulation and Roadway Improvements and in Figure 2.0-14), the project proposes improving Rincon Way to meet the County's Local Class II roadway standards by providing two 10-foot vehicle travel lanes within the existing 30-foot-wide public roadway and utility easement. As noted on Figure 2.0-14, minor portions of the existing roadway alignment that lie outside the existing 30-foot easement would be realigned to fall within the existing easement or additional easements would be required along the existing alignment. These improvements would ensure that the roadway could accommodate up to 2,000 ADT. However, the county's General Plan indicates that a Local Road (e.g. Rincon Way) provides access for areas with traffic volumes between 101 ADT and 2000 ADT. Therefore, implementation of the project would not exceed the capacity of Rincon Way. In addition, the project includes a Road Maintenance Agreement between the applicant and the County, which will provide a legal description of all properties that have

the right to use Rincon Way, the way that responsibility for repairs is to be shared by the parties, how the costs for repairs will be incurred by the parties, and the consequences for non-participation in the maintenance. Therefore, wWhile the change in traffic will be noticeable to the neighborhood residents, and in terms of numbers of cars per day the change from the very low existing volumes is would be considered substantial, the roadway conditions would be improved to accommodate the increased volumes, and total traffic is volume would be within the design expectations of the roadways and consistent with similarly designed roadways in the county. This impact is therefore considered **less than significant**.

#### 4.0 CUMULATIVE IMPACTS SUMMARY

Page 4.0-3, the following change is made to Impact 3.5.1:

**Impact 3.5.1** Implementation of the proposed project would result in a net increase in greenhouse gas emissions that would conflict with the goals of AB 32 or result in a significant impact on the environment. (**Cumulatively Considerable and Mitigated to Less Than Cumulatively Considerable Significant and Unavoidable**)

#### 5.0 PROJECT ALTERNATIVES

No changes were made to this section.

#### 6.0 LONG-TERM IMPLICATIONS OF THE PROJECT

Page 6.0-4, the following change is made.

#### ~~AB 32 Compliance and GHG Emissions~~

~~**Impact 3.5.1** Implementation of the proposed project would result in a net increase in greenhouse gas emissions that would conflict with the goals of AB 32 or result in a significant impact on the environment.~~

#### 7.0 REPORT PREPARERS

No changes were made to this section.

