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# **ES EXECUTIVE SUMMARY**

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This section provides an overview of the project and the environmental analysis. For additional detail regarding specific issues, please consult the appropriate section of the environmental analysis (i.e., Section 3.1 through Section 3.14).

## **ES1 PURPOSE AND SCOPE OF THE ENVIRONMENTAL IMPACT REPORT**

This Environmental Impact Report (EIR) has been prepared by the County of Nevada (County) to analyze the potential environmental effects associated with implementation of the proposed Rincon del Rio Continuing Care Retirement Community in Nevada County, California. This EIR evaluates environmental impacts within the project site and improvements needed outside of the project site, as well as multiple entitlement requests including a General Plan amendment, rezoning of the site, text amendments to the General Plan to establish a Continuing Care Retirement Community (CCRC) land use designation, and zoning text amendments to establish a CCRC definition and associated development standards.

## **ES2 PROJECT SUMMARY**

The project proposes the development of a continuing care retirement community (CCRC) featuring 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 commercial and recreational uses and transportation and a variety of other services. The community would provide housing for a maximum of 415 residents in 345 attached and detached housing units and would require a total of 43 employees. The proposed project would also include recreational elements such as walking trails with a river overlook, group barbecue and picnic areas, pondside fishing area, gazebo site, raised bed community gardens, aquatic center, event lawn, horseshoe pits, outdoor kitchen, and courts for tennis, pickleball, volleyball, and bocce ball. Proposed development associated with the project would be limited to 48 acres total, with all development except the proposed emergency access road, trails, barbecue areas, water tank, and sewer lift station to be clustered within the northwest portion of the site. Approximately 4 acres of the site would be used for agricultural uses (row crops and an orchard), with 163 acres remaining as open space.

The proposed project will require approval of a General Plan amendment, zoning amendment, tentative map, use permit, development agreement, management plan, building and grading permits, and a road standard exception. It will also require the property be annexed into County Sanitation District #1 (Lake of the Pines).

## **ES3 PROJECT ALTERNATIVES SUMMARY**

CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project, which could feasibly attain the basic objectives of the project and reduce the degree of environmental impact. Section 5.0, Project Alternatives, provides a qualitative analysis of three scenarios that include:

- **Alternative 1 – No Project Alternative**
- **Alternative 2 – Rural Estate Development**
- **Alternative 3 – Reduced and Clustered Site Development**
- **Alternative 4 – Off-Site Alternative**

The County of Nevada was identified as the lead agency for the proposed project. In accordance with Section 15082 of the CEQA Guidelines, the County prepared and distributed a Notice of Preparation (NOP) of an EIR on May 11, 2011. This notice was circulated to the public, local, state, and federal agencies, and other interested parties to solicit comments on the proposed project. The NOP is presented in **Appendix 1.0-A**.

### **ES4 AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED**

Concerns raised in response to the NOP were considered during the preparation of the EIR. A copy of each letter is provided in **Appendix 1.0-A** of this DEIR. In addition, 52 commenters provided verbal comments at the scoping meeting for the project. Major issues addressed in the project comments are summarized below. The list does not summarize all comments received on the project but is intended to represent commonly received comments.

#### TRAFFIC AND ADDITIONAL VEHICLES

- Increased traffic and safety issues on Rodeo Flat Road
- Increased traffic and safety issues on Rincon Way and Rincon/State Route 49 intersection
- Traffic on an already crowded State Route (SR) 49
- Public use of private roads
- Eventual opening of emergency access gate on Rodeo Flat Road (traffic and road wear)
- Additional noise caused by project (mostly associated with emergency vehicles and construction)
- Impacts of pollution from cars to local waterways
- Air quality and greenhouse gas (GHG) concerns due to traffic

#### ROADWAY AND FIRE HAZARDS

- Excessive road grading needed
- Adequacy of Rodeo Flat Road as an emergency access road (does not meet fire code)
- Impacts from additional vehicles on the road during emergency situations
- Fire hazards
  - Roads cannot guarantee a quick evacuation
  - Winds can increase fire hazards
  - Additional people and structures in the area may increase fire hazards

- Road safety concerns
  - Elderly drivers on SR 49
  - Pedestrians and schoolchildren using roads
  - Steep grades
  - Narrow roads
  - Poorly maintained roads
  - No left turn onto SR 49
- Safety of people due to alcohol-serving uses and narrow roads

#### PLANNING

- Too many project entitlements needed; need more details on entitlements
- Impacts to rural quality of life and rural nature of the area
- Amending the General Plan; General Plan consistency issues
- Project is not in the character of the community
- Alternative project location should be analyzed (makes more sense to be closer to amenities, safer roads, and an area with less fire hazards)
- Compare proposed project to buildout with single-family homes within existing zoning
- Too much density; how to control the population; employees of the project
- Consider clustering project
- Objection to using eminent domain on area roads (abuse of property rights)
- Construction-related impacts (traffic, noise, air quality, etc.)

#### ECONOMICS

- Preparation of an economic analysis
- Project affordability
- Project costs to taxpayers
- Decreasing property values in vicinity of the project
- Provision of local jobs
- Other development projects in the area have gone bankrupt

### UTILITIES

- Limited sewer and water availability, impacts to existing water and sewer systems
- Who is paying for sewer/water/road maintenance and expansion? Lake of the Pines community or the project?
- Expanded sewer system will smell bad and create noise (and other environmental concerns)
- Effects of utility installation on local roadways

### OTHER

- Environmental friendliness of project construction and building materials
- Positive impacts of open space provided by project
- Project provides needed provisions for senior care
- New sources of nighttime lighting, night sky/light pollution
- Impacts to and from wildlife on site (rattlesnakes, owls, mountain lions, garter snakes, etc.)
- Trails needed on project site
- Scoping meeting was overcrowded and too contentious

## ES5 SUMMARY OF ENVIRONMENTAL IMPACTS

**Table ES-1** displays a summary of project impacts and proposed mitigation measures that would avoid or minimize potential impacts. In the table, the level of significance is indicated both before and after the implementation of each mitigation measure.

For detailed discussions of all mitigation measures and policies that would provide mitigation for each type of environmental impact addressed in this Draft EIR, refer to the appropriate environmental topic section (i.e., Sections 3.1 through 3.14).

Implementation of the proposed project is anticipated to result in residential and nonresidential (retail, commercial, and other uses) development. This development, in combination with long-term, region-wide growth and development, has the potential to generate environmental impacts in a number of areas, including direct construction impacts on biological and cultural resources; indirect impacts associated with use of this built environment on areas such as transportation, air quality, and noise; and capacity impacts to utilities and public services, such as water and wastewater.

Of the potential environmental impacts discussed in the DEIR, seven are considered significant and unavoidable. CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance.

The significant and unavoidable project impacts are in the following topic areas:

- Air Quality (one cumulatively significant and unavoidable impact)
- Climate Change and Greenhouse Gases (one cumulatively significant and unavoidable impact)
- Hazardous Materials/Human Health (one cumulatively significant and unavoidable impacts)

**TABLE ES-1  
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
<i>Aesthetics</i>			
<b>Impact 3.1.1</b> The proposed project would not substantially alter scenic vistas of the surrounding natural area, including the Bear River corridor.	LS	None required.	LS
<b>Impact 3.1.2</b> Implementation of the proposed project would convert approximately 48 acres of the project site from moderately disturbed land to a mixed-use continuing care retirement community. Such a conversion would fundamentally alter the visual character of a portion of the site.	LS	None required.	LS
<b>Impact 3.1.3</b> Implementation of the proposed project would introduce some urban uses to a primarily undeveloped and rural area that currently includes few existing sources of light or glare.	LS	None required.	LS
<b>Impact 3.1.4</b> Implementation of the proposed project would contribute to the cumulative conversion of the area from moderately disturbed rural residential, open space, and grazing land to other urban uses. In addition, the proposed amendments to the County's General Plan and Zoning Ordinance would permit CCRCs in either PD or SDA land use designations with approval of a zone change.	LCC	None required.	LCC

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Impact	Level of Significance Without Mitigation	Mitigation Measure	Resulting Level of Significance
<b>Agriculture and Forest Resources</b>			
<b>Impact 3.2.1</b> Implementation of the project would not result in the conversion of Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. However, the project would result in the conversion of limited amounts of Farmland of Local Importance and Grazing Land. In addition, the project site contains and is adjacent to important farmland as defined by Nevada County.	LS	None required.	LS
<b>Impact 3.2.2</b> The project proposes to rezone the site, which will eliminate any potential conflicts with the current zoning. Furthermore, the majority of the project site would remain undeveloped and some agricultural uses are proposed as part of the project.	LS	None required.	LS
<b>Impact 3.2.3</b> Portions of the project site meet the definition of forestland.	PS	Implementation of mitigation measure <b>MM 3.4.6</b> . No other mitigation required.	LS
<b>Impact 3.2.4</b> The proposed project, including the amendments to the County's General Plan and Zoning Ordinance, would not contribute to cumulative impacts on agricultural or forestry lands.	LCC	None required.	LCC
<b>Air Quality</b>			
<b>Impact 3.3.1</b> Construction-generated emissions would exceed applicable significance thresholds and could result in a significant contribution to local and regional pollutant concentrations.	PS	<b>MM 3.3.1a</b> The project applicant shall submit to the NSAQMD for approval an Off-Road Construction Equipment Emission Reduction Plan prior to groundbreaking demonstrating that the heavy-duty (greater than 50 horsepower) off-road vehicles to be used in the construction project, including	LS

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		<p>owned, leased, and subcontractor vehicles, will achieve a project-wide fleet-average 20 percent NOx reduction and 40 percent particulate reduction compared to the most recent CARB fleet average at time of construction. Acceptable options for reducing emissions may include use of construction equipment with Tier 2 or cleaner engines exclusively, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The plan shall include a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project.</p> <p>The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. Construction contracts shall stipulate the following:</p> <ul style="list-style-type: none"> <li>• Emissions from on-site construction equipment shall comply with NSAQMD Regulation II, Rule 202, Visible Emissions.</li> <li>• The primary contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained.</li> <li>• Idling times shall be minimized either by shutting equipment off when not in</li> </ul>	

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		<p>use or reducing the maximum idling time to 5 minutes when not in use (as required by California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.</p> <ul style="list-style-type: none"> <li>• All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</li> <li>• Existing power sources (e.g., power poles) or clean fuel generators shall be utilized rather than temporary power generators where feasible.</li> </ul> <p><b>MM 3.3.1b</b> All architectural coating activities associated with construction of the proposed project shall be required to use interior and exterior coatings that contain less than 250 grams of volatile organic compounds (VOC/ROG) per liter of coating.</p> <p><b>MM 3.3.1c</b> Grid power shall be used (as opposed to diesel generators) for construction site power needs where feasible during construction.</p> <p><b>MM 3.3.1d</b> Deliveries of construction materials shall be scheduled to direct traffic flow to avoid the peak hours of 7--9:00 AM and 4--6:00 PM..</p>	

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<b>Impact 3.3.2</b> Health risks associated with intermittent exposure to construction-generated diesel-exhaust emissions would not be anticipated to exceed applicable thresholds.	LS	None required.	LS
<b>Impact 3.3.3</b> Project-generated long-term operational emissions would exceed applicable significance thresholds and could contribute to regional nonattainment conditions.	PS	<b>MM 3.3.3</b> The project applicant shall adhere to the following NSAQMD-recommended mitigation measures to reduce long-term operational emissions: <ul style="list-style-type: none"> <li>• Use of wood-burning stoves or fireplaces within interior and exterior areas of residential land uses shall be prohibited. Each residence shall be equipped with a non-wood-burning source of heat.</li> <li>• The project applicant shall provide, operate, and fund a green-waste drop-off site for residents.</li> </ul> Implement mitigation measure <b>MM 3.5.1b</b> .	LS
<b>Impact 3.3.4</b> Implementation of the proposed project would not contribute to localized concentrations of mobile-source CO that would exceed applicable standards.	LS	None required.	LS
<b>Impact 3.3.5</b> Implementation of the proposed project would not result in increased exposure of sensitive receptors to odorous emissions.	LS	None required.	LS
<b>Impact 3.3.6</b> Implementation of the proposed project would not result in increased exposure of planned residential land uses to mobile-source TACs.	LS	None required.	LS
<b>Impact 3.3.7</b> Implementation of the proposed project, in combination with existing, approved,	LCC	None required.	LCC

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proposed, and reasonably foreseeable development in the Mountain Counties Air Basin, would not contribute to localized concentrations of mobile-source CO or TACs that would exceed applicable ambient air quality standards.			
<b>Impact 3.3.8</b> Long-term operation of the proposed project, in combination with existing, approved, proposed, and reasonably foreseeable development in the Mountain Counties Air Basin, would contribute to cumulative increases in emissions of ozone-precursor pollutants (ROG and NOx) and PM10 that could contribute to future concentrations of ozone and PM10, for which the region is currently designated nonattainment.	CC	Implement mitigation measures <b>MM 3.3.1a</b> through <b>MM 3.3.1d</b> and <b>MM 3.3.3</b> .	SU
<b>Biological Resources</b>			
<b>Impact 3.4.1</b> Implementation of the proposed project could result in the substantial adverse effect, either directly or through habitat modifications, on special-status plant species.	LS	<b>MM 3.4.1</b> Prior to any vegetation removal or ground-disturbing activities: a) Focused surveys shall be conducted within and adjacent to (within 100 feet, where appropriate) the proposed impact area, which will include impacts from project construction (temporary construction zone and staging areas) or by post-construction fuel management. Surveys shall be conducted during the appropriate time of year to determine the presence of special-status plant species that have been identified as potentially occurring	LS

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		<p>on the project site. Surveys shall be conducted in accordance with the Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities (CDFG 2000). Field surveys shall be scheduled to coincide with known flowering periods (for the specific species) and/or during periods of physiological development that are necessary to identify the plant species of concern. According to the known blooming periods, surveys would need to be conducted in May or June and again in July or August (Table 3.4-3); however unusual weather may affect blooming periods so reference sites should be checked. It is important for project staff to schedule the required plant survey in time to allow for salvage and transplantation, if required, prior to initiation of project grading. Specifically, if construction is to be initiated during or prior to September in any year, the survey will need to be completed during the previous calendar year in order to satisfy the mitigation measure requirements. Project approval conditions should include language that alerts project proponents to this circumstance to avoid costly construction delays. The survey report, including a description of methods, map of area surveyed, results, and a complete list of all plant</p>	

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		<p>taxa found during the survey, shall be provided to County staff prior to initiation of any grading or equipment operation. If no occurrences of special-status species are found, no further mitigation is required.</p> <p>(See <b>Table 3.4-3</b> in Section 4.3, Biological Resources.)</p> <p>b) If any federally or state-listed, CNPS Rare Plant Rank 1 or 2 plant species are found within or adjacent to (within 100 feet) the proposed impact area during the surveys, the CDFG (in the case of state-only listed plants) and/or USFWS (in the case of federally listed plants), as applicable, shall be notified regarding the status and location of the plant and the necessary approval and/or permits obtained. These plant species shall be avoided to the extent possible. Avoidance measures shall include fencing of the population(s) before construction, exclusion of project activities from the fenced-off areas (no ingress of personnel or equipment), and construction monitoring by a qualified biologist. Avoidance areas shall be identified on project plans. If these plants cannot be avoided, the following mitigation measures shall be applied:</p> <ul style="list-style-type: none"> <li>• Before the approval of grading plans or any groundbreaking activity within the project site, the</li> </ul>	

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		<p>project applicant shall submit a mitigation plan concurrently to the CDFG (in the case of state-only listed plants) and/or USFWS (in the case of federally listed plants) for review and comment, and the applicant may consult with these entities before approval of the plan. The plan shall include mitigation measures for the population(s) to be directly affected. Possible mitigation for the population(s) that would be removed during construction of the project includes implementation of a program to transplant, salvage, cultivate, or re-establish the species at suitable sites. The mitigation ratio for directly impacted plant species shall be at a minimum ratio of 2:1. The actual level of mitigation may vary depending on the sensitivity of the species (its rarity or endangerment status), its prevalence in the area, and the current state of knowledge about overall population trends and threats to its survival. Alternatively, replacement credits may be purchased by the project applicant at an approved mitigation bank should such credits be available.</p> <ul style="list-style-type: none"> <li>• Transplantation of existing special-</li> </ul>	

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		<p>status plants could be undertaken to move the plant(s) to a suitable habitat location, either within the project site or at an off-site preserve to be protected in perpetuity. The off-site preserve shall include similar soil, climate, and associated plant species as are currently present at the project site. This location will be protected in perpetuity under a conservation easement and managed appropriately to ensure the transplantation is a success. Please note, however, that for some species transplantation may not be successful or effective method for conservation as requirements for some species are highly specialized and not clearly understood. Thus, transplantation shall only be used where success can be assured. Avoidance shall be required for special-status plant species that cannot be transplanted, salvaged or cultivated.</p> <ul style="list-style-type: none"> <li>• If on-site preservation is determined to be feasible, a conservation easement shall be placed over project open space areas to preserve the mitigation areas in perpetuity.</li> </ul>	

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<p><b>Impact 3.4.2</b> Implementation of the proposed project could result in a substantial adverse effect, either directly or through habitat modifications, on listed wildlife species.</p>	<p>PS</p>	<p><b>MM 3.4.2a</b> A habitat assessment for California red-legged frog shall be conducted by a USFWS-approved biologist according to the <i>Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog</i> (USFWS 2005). If suitable habitat is found 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 to a safe location outside of the construction zone.</p> <p><b>MM 3.4.2b</b> 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. 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</p>	<p>LS</p>

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		<p>a USFWS mitigation plan.</p> <p><b>MM 3.4.2c</b> If California red-legged frogs are identified during the aforementioned survey (MM 3.4.2a), the following avoidance and minimization measures shall be implemented to reduce potential impacts to the species:</p> <ol style="list-style-type: none"> <li>1. The permittee shall not work in waters of the U.S. during the wet season (November 1 to April 15), unless storm flow is absent and rain is not forecast for at least three days.</li> <li>2. If a work site is to be temporarily dewatered by pumping, the methods and materials used will be determined by the County in consultation with the USFWS on a site-specific basis. Upon completion of construction activities, any diversions or barriers to flow will be removed in a manner that would allow flow to resume with the least disturbance to the substrate. Alteration of the streambed will be minimized to the maximum extent possible; any imported material will be removed from the streambed upon completion of the project.</li> <li>3. A USFWS-approved biologist will permanently remove any individuals of exotic species, such as bullfrogs, crayfish, and centrarchid fishes, from the project area to the maximum extent</li> </ol>	

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		<p>possible 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.</p> <ol style="list-style-type: none"> <li>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).</li> <li>5. 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.</li> <li>6. 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</li> </ol>	

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		<p>maximum extent practicable.</p> <p>7. All refueling, maintenance, and staging of equipment and vehicles will occur at least 60 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.</p> <p><b>MM 3.4.2d</b> If California red-legged frogs are identified during the aforementioned survey (MM 3.4.2a), a worker environmental awareness program (WEAP) shall be established and implemented prior to construction. The program shall include, at a minimum, special-status species or resource identification, a description of suitable habitat for special-status species occurring on the project site, and measures to implement in the event that California red-legged frogs are found during construction.</p>	

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		<p>The program shall be presented to all members of the construction crew.</p> <p><b>MM 3.4.2e</b> Illumination installed shall be affixed with glare shields and directed away from adjoining properties and roads. An outdoor illumination plan as required by Nevada County Land Use and Development Code, Chapter II, Article 4.0, Section L-II 4.2.8, shall be submitted to the Nevada County Planning Department prior to commencement of construction operations. The plan shall be designed to use the minimum amount of lights and incandescent lamps as possible, so as not to cause lighting effects on wildlife in the surrounding area, and shall employ low-watt orange-colored lamps (“bug lights”) whenever possible.</p>	
<p><b>Impact 3.4.3</b> Implementation of the proposed project could result in a substantial adverse effect, either directly or through habitat modifications, on non-listed special-status wildlife species.</p>	<p>PS</p>	<p><b>MM 3.4.3a</b> 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. Furthermore, one-way barrier</p>	<p>LS</p>

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		<p><b>MM 3.4.3b</b></p> <p>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.</p> <p>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 nests within 14 days prior to the disturbance of the construction area. Nesting surveys for small birds are only fully effective if carried out between dawn and 11 AM, as many species become inactive during the middle of the day. If active nests are found, trees/shrubs with nesting birds shall not be disturbed until abandoned by the birds or a qualified biologist deems disturbance potential to be minimal (in consultation with the USFWS and/or CDFG, where appropriate). If applicable, tree removal and grading shall be restricted to a period following fledging of chicks, which typically occurs between late July and early August. If an active nest is located within 100 feet (250 feet for raptors) of construction activities, other restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 100 feet or 250 feet, as appropriate, around the nest as confirmed by the appropriate resource</p>	

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		agency) or alteration of the construction schedule. If construction activities or tree removal is proposed to occur during the non-breeding season (September 1 to February 28), a survey is not required, no further studies are necessary, and no mitigation is required.	
<p><b>Impact 3.4.4</b> Implementation of the proposed project would result in the loss of jurisdictional waters of the U.S., including wetlands.</p>	PS	<p><b>MM 3.4.4</b> A formal wetland delineation shall be conducted for areas that will be permanently or temporarily impacted by the proposed project. If jurisdictional waters cannot be avoided, the project applicant shall apply for a CWA Section 404 permit from the USACE and a Section 401 permit from the RWQCB. These permits shall be obtained prior to issuance of grading permits and implementation of the proposed project.</p> <p>The project applicant shall ensure that the project will result in no net loss of waters of the U.S. by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation for the impact, as determined in the CWA Section 404/401 permits.</p> <p>Compensatory mitigation may consist of (a) obtaining credits from a mitigation bank; (b) making a payment to an in-lieu fee program that will conduct wetland, stream, or other aquatic resource restoration, creation, enhancement, or preservation activities; these programs are generally administered by government agencies or nonprofit organizations that have established an</p>	LS

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		<p>agreement with the regulatory agencies to use in-lieu fee payments collected from permit applicants; and/or (c) providing compensatory mitigation through an aquatic resource restoration, establishment, enhancement, and/or preservation activity. This last type of compensatory mitigation may be provided at or adjacent the impact site (i.e., on-site mitigation) or at another location, usually within the same watershed as the permitted impact (i.e., off-site mitigation). The project proponent/permit applicant retains responsibility for the implementation and success of the mitigation project.</p> <p>Evidence of compliance with this mitigation measure shall be provided prior to construction and grading activities for the proposed project.</p>	
<p><b>Impact 3.4.5</b> Implementation of the proposed project would not interfere with the movement of native resident or migratory wildlife species.</p>	<p>LS</p>	<p>None required.</p>	<p>LS</p>
<p><b>Impact 3.4.6</b> Implementation of the proposed project would result in the removal of or damage to protected landmark oak trees and groves during construction.</p>	<p>PS</p>	<p><b>MM 3.4.6</b> Each project phase submittal shall demonstrate compliance with the Rincon del Rio Habitat Management Plan in regards to mitigation and protection of on-site oak woodland resources.</p>	<p>LS</p>
<p><b>Impact 3.4.7</b> Implementation of the proposed project may result in the disturbance, degradation, and/or removal of other sensitive biological</p>	<p>PS</p>	<p>Implement mitigation measures <b>MM 3.4.6</b>, <b>MM 3.4.2e</b>, <b>MM 3.4.4</b>, and: <b>MM 3.4.7</b> For all project elements that must</p>	<p>LS</p>

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communities. This would be considered a potentially significant impact.		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.	
<b>Impact 3.4.8</b> Implementation of the proposed project is not expected to conflict with any local policies protecting biological resources.	NI	None required.	NI
<b>Impact 3.4.9</b> Implementation of the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any adopted biological resources recovery or conservation plan of any federal or state agency.	NI	None required.	NI
<b>Impact 3.4.10</b> Implementation of the proposed project could create hazards for project site residents as a result of interactions with poisonous or dangerous wildlife on the site.	PS	<b>MM 3.4.10</b> The project applicant shall include visually prominent signage along all trails on the project site warning trail users of rattlesnake hazards. Language on the sign shall include the following or similar: "WARNING: Rattlesnakes may be found in this area. They are important members of the natural community. If you see a rattlesnake, step away from it slowly. Rattlesnakes are not aggressive and will not attack unless disturbed or cornered. Avoid placing your hands where you cannot see them and give rattlesnakes plenty of space."	LS
<b>Impact 3.4.11</b> Implementation of the proposed project in combination with other regional development could contribute to the loss of special-status plant species.	CC	Implementation of mitigation measure <b>MM 3.4.1</b> .	LCC
<b>Impact 3.4.12</b> Development of the project location, in	CC	Implementation of mitigation measures <b>MM 3.4.1</b> through	LCC

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<p>addition to anticipated cumulative development in the project vicinity, would result in disturbance to special-status wildlife species and sensitive habitats throughout the region.</p>		<p>MM 3.4.7.</p>	
<p><b>Climate Change and Greenhouse Gases</b></p>			
<p><b>Impact 3.5.1</b> 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.</p>	<p>CC</p>	<p>Implement mitigation measure <b>MM 3.3.1a</b>, <b>MM 3.3.3</b>, and:  <b>MM 3.5.1a</b> The project applicant shall be required submit a Construction Recycling Plan (CRP) with the goal of recycling at least 50 percent of construction waste or demolition materials. The CRP shall be prepared to the satisfaction of Nevada County and require the following of the project applicant:</p> <ol style="list-style-type: none"> <li>1. Prepare a monthly summary of how many tons of material overall is being diverted through the CRP throughout construction. The applicant shall report to the County, in an approved format, on the amount of materials collected, disposed, and diverted, the facilities to which those materials were taken, and the types of materials which were recycled.</li> <li>2. Reuse, recycle, or compost all construction debris to the maximum extent possible. To the fullest extent possible, all construction waste collected over the course of construction activities shall be processed to recover all reusable, recyclable, and compostable materials.</li> </ol>	<p>CC, SU</p>

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		<p>3. Set a goal of achieving a 50 percent diversion for all construction waste resulting from project construction.</p> <p><b>MM 3.5.1b</b></p> <p>The project applicant shall include the following energy-efficient building measures to be applied site development for each structure.</p> <ul style="list-style-type: none"> <li>• Meet CALGreen Building Code Tier 1 standards (Title 24, Part 11) at the time of building permit issuance.</li> </ul> <p>CalGreen Tier 1 Standards for energy efficiency include a pre-requisite:</p> <ul style="list-style-type: none"> <li>• A4.203.1 Exceed Tier 1 California Energy Code based on the 2008 energy standard requirements by 15 percent.</li> </ul> <p>Implement elective measures (of which the project applicant can choose which four to implement):</p> <ul style="list-style-type: none"> <li>• A4.205.1 Radiant Barrier*</li> <li>• A4.205.2 Exterior Shading on South &amp; West Windows</li> <li>• A4.206.1 Blower Door Testing</li> <li>• A4.207.1 Innovative Radiant, Hydronic, or Ground Source Heating &amp; Cooling System</li> </ul>	

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		<ul style="list-style-type: none"> <li>• A4.207.2 HVAC Commissioning</li> <li>• A4.207.4 Furnace AFUE .90 or higher</li> <li>• A4.207.5 Electric Heat Pump HSPF 8.0 or higher*</li> <li>• A4.207.6 Cooling Equipment SEER higher than 13.0 and EER 11.5 or higher</li> <li>• A4.207.7 Interior and/or Insulated Ductwork</li> <li>• A4.207.8 Duct Leakage Testing Shows &lt;6% Leakage*</li> <li>• A4.207.9 Whole House Fan</li> <li>• A4.207.10 Energy STAR Ceiling Fans</li> <li>• A4.208.1 Gas Water Heater EF higher than .6</li> <li>• A4.208.2 Gas Water Heater EF higher than .8</li> <li>• A4.208.3 Minimize Hot Water Wait Time</li> <li>• A4.209.1 Hard-wired Lighting Fixtures at least 90% Energy STAR</li> <li>• A4.210.1 All Applicable Appliances Energy STAR</li> <li>• A4.211.1 Solar PV System meeting CEC NSHP program</li> <li>• A4.211.2 Solar Water Heating System with Solar</li> </ul>	

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		<p>Fraction &gt; 0.5.</p> <ul style="list-style-type: none"> <li>• A4.211.3 Roof Space for Future Solar Installation - 300 sq ft. min.</li> <li>• A4.211.4 Conduit for Future Solar Installation - 1" min.</li> </ul> <p>Additionally, requiring the project applicant to meet Tier 1 Standards for all categories will result in the following pre-requisites needing to be met:</p> <ul style="list-style-type: none"> <li>• 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).</li> <li>• 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 &gt;64, low slope &gt;10 or 16 (depending on climate zone)</li> <li>• A4.303.1 – Kitchen Faucet has a Maximum flow rate of 1.5 gpm.</li> </ul>	

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		<ul style="list-style-type: none"> <li>• 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 ETo times landscape area.</li> <li>• 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).</li> <li>• 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</li> </ul>	

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		20% reduction in cement use. <ul style="list-style-type: none"> <li>• 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%.</li> <li>• A4.504.2 - Tier 1: At least 80% of resilient flooring installed shall comply with the criteria listed above.</li> <li>• 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.</li> </ul>		
<b>Cultural and Paleontological Resources</b>				
<b>Impact 3.6.1</b>	Implementation of the proposed project would not cause a substantial adverse change in the significance of a known historical resource.	NI	None required.	NI
<b>Impact 3.6.2</b>	Implementation of the proposed project	PS	<b>MM 3.6.2a</b> The project applicant shall retain a qualified	LS

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<p>could result in a substantial adverse change in the significance of an archaeological resource, as well as the potential disturbance of currently undiscovered cultural resources (i.e., prehistoric archaeological sites, historical archaeological sites, and isolated artifacts and features) and human remains.</p>		<p>archaeologist meeting the Secretary of Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to monitor all initial ground-disturbing activities in native soils or sediments, including all vegetation removal. If no cultural resources are identified during this phase of ground disturbance, and if determined between the qualified archaeologist and the lead agency, monitoring may be reduced to on-call status.</p> <p>If any prehistoric or historic artifacts or other indications of archaeological resources are found during site grading or once project construction is under way, the on-site monitor shall be empowered to temporarily halt or divert construction in the immediate vicinity of the discovery while it is evaluated for significance, and the County shall be immediately notified. Construction activities could continue in other areas. The archaeologist shall evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The County and the project applicant will consider the recommendations of the qualified archaeologist. The County, the qualified archaeologist, and the project applicant shall consult and agree upon implementation of a measure or measures that the County, the qualified archaeologist, and the project applicant deem feasible and</p>	

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		<p>appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, the qualified project archaeologist, and the lead agency as to the appropriate preservation or mitigation measures.</p> <p><b>MM 3.6.2b</b> Should cultural resources, other than human remains, be discovered during construction activities when an archaeological monitor is not present, project personnel shall halt such activities in the immediate area and notify a qualified archaeologist meeting the Secretary of Interior's Professional Qualifications Standards in prehistoric or historical archaeology immediately to evaluate the resource(s) encountered and recommend the development of mitigation measures for potentially significant resources consistent with PRC Section 21083.2(i). Construction activities could continue in other areas. The archaeologist shall evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The County and the project applicant will consider the recommendations of the qualified archaeologist. The County, the qualified archaeologist, and the project applicant shall consult and agree upon</p>	

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		<p>implementation of a measure or measures that the County, the qualified archaeologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, the qualified project archaeologist, and the lead agency, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.</p> <p>Should the discovery include Native American human remains, in addition to the required procedures of Health and Safety Code Section 7050.5, PRC Section 5097.98 and California Code of Regulations (CCR) Section 15064.5(e), all work must stop in the immediate vicinity of the find and the Nevada County Coroner must be notified. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Sections 15064.5(d) and (e) shall be followed.</p>	
<p><b>Impact 3.6.3</b> Implementation of the proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p>	<p>PS</p>	<p><b>MM 3.6.3</b> Should any paleontological resources (i.e., fossils) be uncovered during project construction activities, all work in the immediate vicinity shall be halted or diverted to other areas on the site and the County shall be immediately notified. A</p>	<p>LS</p>

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		<p>qualified paleontologist shall be retained to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. The County and the project applicant shall consider the recommendations of the qualified paleontologist. The County, the qualified paleontologist, and the project applicant shall consult and agree upon implementation of a measure or measures that the County, the qualified paleontologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, qualified paleontologist, and the County, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.</p>	
<p><b>Impact 3.6.4</b> No human remains have been identified within the project site; however, implementation of the proposed project could result in the inadvertent disturbance of currently undiscovered human remains. Any discovery of human remains would trigger state law governing the treatment of human remains.</p>	<p>LS</p>	<p>None required.</p>	<p>LS</p>

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<b>Impact 3.6.5</b> Implementation of the proposed project, along with any foreseeable development in the project vicinity, could result in cumulative impacts to cultural resources i.e., prehistoric sites, historic sites, and isolated artifacts and features).	CC	Implement mitigation measures <b>MM 3.6.2a</b> and <b>MM 3.6.2b</b> .	LCC
<b>Impact 3.6.6</b> Implementation of the proposed project, along with any foreseeable development in the project vicinity, could result in cumulative impacts to paleontological resources.	CC	Implement mitigation measure <b>MM 3.6.3</b> .	LCC
<b>Geology and Soils</b>			
<b>Impact 3.7.1</b> The potential for the project site to be exposed to hazards associated with fault rupture or strong seismic ground shaking is considered unlikely.	LS	None required.	LS
<b>Impact 3.7.2</b> The project site includes soils that may be subject to seismic-related ground failure, including liquefaction.	LS	None required.	LS
<b>Impact 3.7.3</b> The project site is located in a region designated as an area of low landslide activity.	LS	None required.	LS
<b>Impact 3.7.4</b> The project site includes soils that may be subject to expansion potential.	LS	None required.	LS
<b>Impact 3.7.5</b> Implementation of the proposed project, in combination with existing, approved, proposed, and reasonably foreseeable development in nearby areas of Nevada County, would not contribute to cumulative geologic and soils impacts.	LCC	None required.	LCC

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<b><i>Hazardous Materials/Human Health</i></b>			
<b>Impact 3.8.1</b> The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	LS	None required.	LS
<b>Impact 3.8.2</b> The proposed project would not be expected to create a significant hazard to the public or to the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	LS	None required.	LS
<b>Impact 3.8.3</b> Implementation of the proposed project would not result in significant emission of hazardous emissions or significant handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	NI	None required.	NI
<b>Impact 3.8.4</b> The proposed project site is not located on or in the vicinity of a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, the proposed project would not create a significant hazard to the public or to the environment.	NI	None required.	NI
<b>Impact 3.8.5</b> Implementation of the proposed project would not result in a safety hazard associated with people residing or working in the vicinity of a public or private airport.	NI	None required.	NI
<b>Impact 3.8.6</b> The proposed project would not impair implementation of or physically interfere	LS	None required.	LS

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with an adopted emergency response plan or evacuation plan.			
<b>Impact 3.8.7</b> Implementation of the proposed project would expose people and structures to significant hazards involving wildland fires.	PS	<b>MM 3.8.7</b> The project applicant shall prepare an emergency evacuation plan for the project site. The plan shall address methods of notifying and evacuating all residents, guests, and employees in a safe and efficient manner in the event of an emergency, including but not limited to vanpooling, transport of residents under nursing care, and identification of an emergency meeting location.	LS
<b>Impact 3.8.8</b> The proposed project, along with increased urban development in Nevada, Yuba, and Placer counties, would result in cumulative wildland fire hazard impacts.	CC	Implement mitigation measure MM 3.8.7.	CC, SU
<b>Hydrology and Water Quality</b>			
<b>Impact 3.9.1</b> Construction activities associated with the proposed project could result in erosion and water quality degradation of downstream surface water and groundwater resources. Compliance with the requirements of the SWRCB's Construction General Permit would minimize the potential for such degradation.	LS	None required.	LS
<b>Impact 3.9.2</b> Operation of the proposed project would introduce sediments and other contaminants typically associated with urban development into stormwater runoff, potentially resulting in the degradation of downstream surface water and groundwater quality. Implementation of proposed water	LS	None required.	LS

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quality treatment facilities and compliance with the post-construction standards of the SWRCB's General Construction Permit would minimize the potential for such degradation.			
<b>Impact 3.9.3</b> The proposed project would introduce impervious surfaces in the form of structures and parking lots to a previously undeveloped piece of land. This would result in an incremental reduction in recharge of the local groundwater aquifer.	LS	None required.	LS
<b>Impact 3.9.4</b> The proposed project would increase stormwater runoff and alter drainage patterns on the project site. However, the project proposes a drainage system to effectively manage drainage on the site to prevent erosion/sedimentation and localized flooding.	LS	None required.	LS
<b>Impact 3.9.5</b> No development is proposed within the portion of the site designated by FEMA as a special flood hazard area.	LS	None required.	LS
<b>Impact 3.9.6</b> The project site is located within the dam failure inundation areas for both the Rollins and Combie dams. In addition, the existing pond located on the project site is retained by an earthen dam, and two canals retained by levees traverse the site. Failure of any of these dams or levees could result in inundation of portions of the project site.	LS	None required.	LS
<b>Impact 3.9.7</b> The project site is located in an area with varied topography, including rolling hills. With an elevation gain of approximately	LS	None required.	LS

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500 feet within the project site, the potential for mudflow does exist. However, this potential is considered low.			
<b>Impact 3.9.8</b> The proposed project, in combination with existing, approved, proposed, and reasonably foreseeable development in the Bear River watershed, would alter drainage conditions, rates, volumes, and water quality, which could result in potential flooding and stormwater quality impacts within the overall watershed.	LCC	None required.	LCC
<b>Land Use</b>			
<b>Impact 3.10.1</b> The proposed project would not physically divide an established community.	NI	None required.	NI
<b>Impact 3.10.2</b> The proposed project includes a request to amend the land use designation and zone district to support the proposed development request. Without the amendments, the development would conflict with the Nevada County General Plan and Zoning Ordinance.	LS	None required.	LS
<b>Impact 3.10.3</b> The project site is not within the boundaries of or otherwise subject to any habitat conservation plans or natural community conservation plans.	NI	None required.	NI
<b>Impact 3.10.4</b> The project proposes to develop a CCRC with residential, commercial, recreational, transportation, and a variety of other service uses in an area characterized by rural residential, open space, and agricultural uses. The CCCR	LS	None required.	LS

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would be clustered on the northwestern portion of the project site adjacent to numerous existing rural residences to the north and west.			
<b>Impact 3.10.5</b> The proposed project, along with all existing, approved, proposed, and reasonably foreseeable development in southern Nevada County, would not result in any significant increased land use incompatibility.	LCC	None required.	LCC
<b>Noise</b>			
<b>Impact 3.11.1</b> Construction activities could result in a substantial temporary increase in ambient noise levels at nearby noise-sensitive land uses, which may result in increased levels of annoyance, activity interference, and sleep disruption.	PS	<b>MM 3.11.1</b> The following mitigation measures shall be implemented and specified on all construction contracts: a) Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. Construction activities shall be prohibited on Sundays and state and federal holidays. b) Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and shrouds, in accordance with manufacturers' recommendations. c) Construction equipment staging areas shall be centrally located on the project site or located at the farthest distance possible from nearby	LS

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		residential land uses. d) All motorized construction equipment and vehicles shall be turned off when not in use. e) At a prominent location legible from a public road at or near the construction area(s) a phone number and contact information shall be provided of a site supervisor or manager with authority to deal with noise complaints. The sign shall be present for the duration of construction.	
<b>Impact 3.11.2</b> Operation of the proposed project would not result in a significant increase in traffic noise levels at nearby noise-sensitive receptors.	LS	None required.	LS
<b>Impact 3.11.3</b> Operation and occupancy of the proposed project may result in non-transportation noise levels that could exceed applicable noise standards at nearby noise-sensitive land uses.	PS	<b>MM 3.11.3</b> The following mitigation measures shall be implemented and specified on all construction contracts: <u>Sewer Lift Stations</u> a) The proposed sewer lift station, and optional station if needed, shall be designed so that operation noise levels at nearby noise-sensitive receptors would not exceed applicable Nevada County noise standards (refer to <b>Table 3.11-5</b> ). Typical design measures may include, but are not limited to, selection of low-noise-generating equipment, incorporation of equipment shielding and enclosures, and use of sound-rated doors and vents.	LS

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		<p><u>On-Site Agricultural Activities</u></p> <p>b) On-site agricultural activities using noise generating equipment shall be limited to the daytime hours of 7 a.m. to 7 p.m.</p> <p><u>Auto/Tractor Repair Barns</u></p> <p>c) Use of the auto/tractor repair barns shall be subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. Noise-generating activities/equipment repair shall be conducted within the barn.</li> <li>2. All doors and windows shall be closed when noise-generating activities are conducted.</li> <li>3. Signage specifying the above conditions shall be posted at building entrances.</li> </ol> <p>d) Stationary equipment (i.e., air compressors, generators, etc.) shall be designed and installed so that operational noise levels at nearby noise-sensitive land uses would not exceed applicable Nevada County noise standards of 55 dBA <math>L_{eq}</math> during the daytime hours of 7 a.m. to 7 p.m., in accordance with Nevada County noise standards (refer to <b>Table 3.11-5</b>). Typical design measures may include, but are not limited to, the selection of low-noise-generating equipment, incorporation of equipment shielding, and locating equipment indoors and/or</p>	

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		<p>within enclosures.</p> <p>e) Main building entrances/overhead doors shall be shielded from direct line of sight of proposed on-site dwelling units located within 250 feet of the repair barns.</p> <p><u>Property Maintenance</u></p> <p>f) Landscape maintenance activities using noise-generating equipment shall be limited to the daytime hours of 7 a.m. to 7 p.m.</p> <p>g) Building equipment and material loading/unloading areas shall be designed so that operation noise levels at nearby noise-sensitive receptors would not exceed applicable Nevada County noise standards (refer to <b>Table 3.11-5</b>). Typical design measures may include, but are not limited to, selection of low-noise-generating equipment, incorporation of equipment shielding and enclosures, use of sound-rated doors and vents, and incorporation of sound barriers/building parapets to interrupt line of sight between the source and nearby receptors.</p> <p><u>Building Mechanical Equipment</u></p> <p>h) Building equipment shall be designed and installed so that operational noise levels at nearby noise-sensitive land uses would not exceed applicable</p>	

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		<p>Nevada County noise standards (refer to <b>Table 3.11-5</b>). Typical design measures may include, but are not limited to, selection of low-noise-generating equipment, incorporation of equipment shielding, and locating equipment indoors and/or within enclosures. Building parapets shall be incorporated, where necessary, to shield roof-mounted equipment from direct line of sight of nearby noise-sensitive receptors. No mitigation will be required if the project applicant provides a noise analysis of the final design demonstrating compliance with County noise standards.</p> <p><u>Recreational Uses</u></p> <ul style="list-style-type: none"> <li>i) Team use of recreational areas shall be prohibited during the more noise-sensitive nighttime hours of 10 p.m. to 7 a.m.</li> <li>j) Pickleball courts shall be located no closer than 250 feet from existing adjacent residential properties or on-site residential units, or shielding (e.g., noise curtains/blankets or barriers) shall be installed at the court perimeter sufficient to shield noise-sensitive receptors located within 250 feet of the courts. Noise curtains or barriers shall be installed/constructed to a minimum height of 6 feet above ground level with no visible air gaps between construction materials or at the base of</li> </ul>	

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		<p>the structure. No mitigation will be required if the project applicant provides a noise analysis of the final design demonstrating compliance with County noise standards.</p> <p>k) Swimming pool equipment (e.g., pumps, heaters, and blower units) shall be designed and installed so that equipment operational noise levels at nearby noise-sensitive land uses would not exceed applicable Nevada County noise standards (refer to <b>Table 3.11-5</b>). Typical design measures may include, but are not limited to, selection of low-noise-generating equipment, incorporation of equipment shielding, and locating equipment indoors and/or within enclosures.</p> <p><u>Proposed Dwelling Units</u></p> <p>l) Proposed on-site dwelling units shall be equipped with fresh air supply systems or air conditioning systems to allow windows to remain closed during inclement weather conditions so that acceptable interior noise levels can be maintained.</p> <p>m) Outdoor activity areas or residential dwellings located within 175 feet of pickleball courts and the outdoor swimming pool, 350 feet of proposed on-site agricultural farming/orchard areas, and within 250 feet of the proposed auto/tractor repair barns shall</p>	

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		<p>be shielded from direct line of sight of these noise sources, to be measured at a height of 5 feet above ground level. These distances represent the area of potential impact within which noise levels from these sources are projected to potentially exceed the County's noise standards. No mitigation will be required if the project applicant provides a noise analysis of the final design demonstrating compliance with County noise standards.</p> <p>n) On-site dwelling units located within 175 feet of pickleball courts and the outdoor swimming pool, 350 feet of proposed on-site agricultural farming/orchard areas, and within 250 feet of the proposed auto/tractor repair barns shall be provided written notification of potential exposure to nuisances noise associated with the operation of these nearby uses prior to purchase/occupancy. These distances represent the area of potential impact within which noise levels from these sources are projected to potentially exceed the County's noise standards. No mitigation will be required if the project applicant provides a noise analysis of the final design demonstrating compliance with County noise standards.</p>	

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<b>Impact 3.11.4</b> Groundborne vibration levels associated with construction activities would not be projected to exceed applicable groundborne vibration criteria at nearby land uses.	LS	None required.	LS
<b>Impact 3.11.5</b> Projected on-site noise levels at proposed on-site land uses would not exceed the County's normally acceptable noise exposure standards for land use compatibility.	LS	None required.	LS
<b>Impact 3.11.6</b> Implementation of the proposed project, including the proposed General Plan and Zoning Ordinance Text Amendments, would not result in a substantial contribution to cumulative noise levels.	LCC	None required.	LCC
<b>Population, Housing, and Employment</b>			
<b>Impact 3.12.1</b> Implementation of the proposed project would result in an increase of 239 more new residents than the 176 new residents the existing general plan General Plan designation and zoning would allow on the project site. The population increase represents 0.14 percent of the county as a whole. .	LS	None required.	LS
<b>Impact 3.12.2</b> Implementation of the proposed project would not result in the displacement of substantial numbers of housing and/or persons.	LS	None required.	LS
<b>Impact 3.12.3</b> The proposed project, along with other approved, proposed, and reasonably foreseeable development, could induce	LCC	None required.	LCC

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population and housing growth in the region.			
<b>Public Services and Utilities</b>			
<b>Impact 3.13.1.1</b> Implementation of the proposed project will not result in the need for additional or expanded fire protection facilities and will not could result in decreased fire protection service levels.	LS	None required.	LS
<b>Impact 3.13.1.2</b> The minimum fire flow requirements would be met under the proposed project.	LS	None required.	LS
<b>Impact 3.13.1.3</b> Cumulative development within the HFPD would increase demand for fire protection and emergency medical services.	LCC	None required.	LCC
<b>Impact 3.13.2.1</b> Implementation of the proposed project would not result in the need for additional or expanded police facilities and would not result in decreased police service levels.	LS	None required.	LS
<b>Impact 3.13.2.2</b> The proposed project, in addition to reasonably foreseeable development, would increase the population within Nevada County and require additional law enforcement services under cumulative conditions.	LCC	None required.	LCC
<b>Impact 3.13.3.1</b> Implementation of the proposed project could indirectly generate additional students.	LS	None required.	LS
<b>Impact 3.13.3.2</b> Implementation of the proposed project would require the payment of Level One development fees.	LCC	None required.	LCC
<b>Impact 3.13.4.1</b> There are sufficient water supplies	LS	None required.	LS

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available to serve the project from existing entitlements and resources. No new or expanded entitlements would be needed to provide adequate water supplies to the project.			
<b>Impact 3.13.4.2</b> The proposed project would result in the construction of new water conveyance facilities, the construction of which would cause significant environmental effects.	PS	<b>MM 3.13.4.2</b> Prior to approval of improvement plans for each building, the project applicant shall provide the County with an approved set of improvement plans accepted by NID, which shall include: <ul style="list-style-type: none"> <li>• Quantification of anticipated water usage by parcel.</li> <li>• A comprehensive water system design for distribution piping and connection to the existing NID distribution system.</li> <li>• Appropriate pipe sizing to accommodate minimum fire flow water pressures (as determined by CAL FIRE, NID, and the HFPD).</li> <li>• Identification of pipe sizing, pipe location, and the location of the tie-in with NID facilities.</li> <li>• Provisions for easement, rights-of-way, and in-fee land to NID for water facilities.</li> </ul>	LS
<b>Impact 3.13.4.3</b> Implementation of the proposed project, in combination with cumulative development, would increase the current demand for water supply service.	LCC	None required.	LCC
<b>Impact 3.13.5.1</b> The proposed project would generate 280 EDUs worth of wastewater. The Lake of the	PS	<b>MM 3.13.5.1</b> Prior to final map approval, the applicant shall fund the project's fair share of addition	LS

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Pines WWTP has sufficient capacity to accommodate wastewater treatment and disposal requirements for the project.		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.	
<b>Impact 3.13.5.2</b> Implementation of the proposed project would require construction of wastewater conveyance infrastructure. This infrastructure would be installed within rights-of-way on- and off-site within existing public utility easements and road prism.	LS	None required.	LS
<b>Impact 3.13.5.3</b> Implementation of the proposed project, in combination with other developments within NCSD-1's service area, would increase wastewater flows and the current demand for wastewater treatment services. Necessary infrastructure to accommodate the proposed project and future planned development could be extended and wastewater services could be provided by the wastewater treatment plant.	LCC	None required.	LCC
<b>Impact 3.13.6.1</b> The proposed project will be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.	PS	<b>MM 3.13.6.1</b> Prior to issuance of occupancy permits the applicant will complete the following mitigation measures: 1) All businesses will subscribe to waste collection and recycling services provided by the County's franchised waste collection company. 2) All businesses will participate in the recycling program offered through the County's franchised waste collection company. Businesses will recycle all items available through the company's	LS

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		<p>program, or an equivalent method, which ensures that the waste is diverted away from landfill disposal.</p> <p>3) Any green waste material generated at the project area such as lawn trimmings, shrubbery, and tree trimmings shall be diverted away from disposal through the County's franchised waste collection company's green waste collection program, or an equivalent method which ensures that the waste is diverted away from landfill disposal.</p> <p>4) Adequate space for waste and recycling containers will be constructed at the complex to ensure ease of collection by the County's franchised waste collection company. The units housing the containers shall be constructed to allow sufficient space for the quantity of containers needed to ensure that the waste and recyclables can be collected in an efficient manner. Waste Management will be consulted to ensure that sufficient space is for recycling and trash containers.</p>	
<p><b>Impact 3.13.6.2</b> Implementation of the proposed project would not be expected to result in conflicts with any federal, state, or local solid waste regulations. This impact is considered less than significant.</p>	<p>LS</p>	<p>None required</p>	<p>LS</p>
<p><b>Impact 3.13.6.3</b> Although sufficient landfill capacity exists</p>	<p>LCC</p>	<p>None required.</p>	<p>LCC</p>

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to serve the project, implementation of the proposed project, as well as other proposed and approved projects, would increase solid waste generation in Nevada County.			
<b>Impact 3.13.7.1</b> The proposed project would not require the construction of any new recreation facilities to serve it, nor would it contribute to deterioration of existing park facilities.	LS	None required.	LS
<b>Impact 3.13.7.2</b> The proposed project would not require the construction of additional park and recreation facilities, nor would it contribute to the deterioration of existing park facilities.	LCC	None required.	LCC
<b>Impact 3.13.8.1</b> Implementation of the proposed project would increase demand for electric, propane, and telephone services and require the extension of existing infrastructure.	LS	None required.	LS
<b>Impact 3.13.8.2</b> Implementation of the proposed project in addition to reasonably foreseeable developments may include the extension of existing infrastructure and require new facilities to accommodate the anticipated growth.	LCC	None required.	LCC
<b>Traffic and Circulation</b>			
<b>Impact 3.14.1</b> Development of the proposed project could cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system surrounding the project site (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio	LS	None required.	LS

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on roads, or congestion at intersections).			
<b>Impact 3.14.2</b> Following implementation of the proposed project, the SR 49/Rincon Way intersection would meet level of service standards and would not meet the peak hour signal warrant.	LS	None required.	LS
<b>Impact 3.14.3</b> As currently configured, the SR 49/Rincon Way intersection is not expected to have queuing issues.	LS	None required.	LS
<b>Impact 3.14.4</b> Implementation of the proposed project could result in increased hazards associated with sight distance along Rincon Way.	PS	<p><b>MM 3.14.4a</b> The project applicant shall be responsible for the entire cost of restriping Rincon Way at SR 49. Westbound Rincon Way shall be striped to include dedicated left and right turn lanes in order to provide positive guidance for motorists queuing along Rincon Way while waiting to enter the northbound or southbound SR 49 traffic flow.</p> <p><b>MM 3.14.4b</b> If the project will modify the Rincon Way/Connie Court intersection with the completion of the project entrance, changes in roadway segments shall be designed to meet sight distance standards identified in the Caltrans Highway Design Manual. A minimum 150-foot sight line shall be provided meeting stopping sight distance standards identified in the Caltrans Highway Design Manual.</p>	LS
<b>Impact 3.14.5</b> The proposed project would provide adequate emergency access; however emergency access via Rodeo Flat Road would not be locked.	PS	<b>MM 3.14.5</b> The project applicant shall include visually prominent signage on or beside the proposed emergency access gate separating the site and Rodeo Flat Road. The signage shall indicate that the access is intended for	LS

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		emergency vehicle access only, or other wording limiting the access roadway to emergency vehicle traffic. The gate shall be designed to close automatically via spring, gravity, or other means to ensure that it presents a “closed” visual to drivers on Rodeo Flat Road. The roadway in front of the gate shall have a Fire Marshall approved turnaround that does not involve entering the gate.	
<b>Impact 3.14.6</b> The proposed project would provide adequate parking.	LS	None required.	LS
<b>Impact 3.14.7</b> The proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).	LS	None required.	LS
<b>Impact 3.14.8</b> Implementation of the proposed project, along with other traffic generated by existing and future development in the project area, would increase traffic in the project area.	LCC	None required.	LCC
<b>Impact 3.14.9</b> The SR 49/Rincon Way intersection would not be expected to have queuing issues under future plus project conditions.	LCC	None required.	LCC

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