

## 6.0 ALTERNATIVES TO THE PROPOSED PROJECT

An EIR must compare and evaluate the environmental effects and comparative merits of the alternatives. This section describes alternatives considered but eliminated from further consideration, including the reasons for elimination, and compares the environmental impacts of several alternatives retained with those of the proposed project.

### 6.1 INTRODUCTION

Section 15126.6 of the California Environmental Quality Act (CEQA) Guidelines require that an Environmental Impact Report (EIR) describe a range of reasonable alternatives to the proposed project or to the location of the project site that could feasibly avoid or lessen any significant environmental impacts of the project while attaining most of the proposed project's basic objectives. The EIR is not required to consider every conceivable alternative to a project but is guided by a rule of reason. An EIR is not required to consider alternatives which are infeasible but should include alternatives that foster informed decision making. The State CEQA Guidelines require that the EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the project. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative must be discussed, but in less detail than the significant effects of the project as proposed (CCR Section 15126.6[d]).

The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. This section describes four Alternatives to the SOI Plan update Consensus Alternative as proposed. These alternatives include the Original LAFCo Staff Recommendation Alternative; City Recommendation Alternative, and "No Project" (coterminous Sphere Alternative. The three alternatives present a reasonable range and are discussed in more detail below.

The key provisions of CEQA Section 15126.6, which pertain to the discussion and analysis of alternatives are summarized as follows:

- The discussion of alternatives shall focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be costlier.
- The No Project Alternative shall be evaluated, along with its impacts. The no project analysis shall discuss the existing conditions at the time the notice of preparation was published, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.
- The range of alternatives required in an EIR is governed by a "rule of reason;" therefore, the EIR must evaluate only those alternatives necessary to permit a reasoned choice. The alternatives

shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project.

- For alternative locations, only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.
- An EIR need not consider an alternative whose effects cannot be reasonably ascertained and whose implementation is remote and speculative.

The lead agency is responsible for selecting this range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. This Chapter describes four Alternatives to the proposed project. These alternatives include the No Project Alternative, Existing Zoning Alternative, All Housing Alternative, and Wetland Preservation Alternative. The four alternatives are discussed in more detail below.

The purpose of the No Project Alternative is to describe, analyze, and disclose to decision-makers the comparison of the proposed project versus what would occur if the proposed project were not to occur. Pursuant to State CEQA Guideline 15126.6(e)(1), “the no project alternative is not the baseline for determining whether the proposed projects environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish the baseline (in accordance with Section 15125).” In the case of the No Project, this alternative includes the adoption of a coterminous SOI, meaning the City’s SOI would only include the existing territory within the City’s jurisdictional boundary. Therefore, this EIR does not use as a baseline the level of development allowed under the existing NCGP or the Nevada County General Plan (County General Plan) nor does it speculate as to impact of possible rezoning to higher density.

It should be noted that State CEQA Guideline 15126.6(3)(A) discusses that when the project is the revision of an existing land use plan or regulatory plan, policy or ongoing operation, the ‘no project’ alternative will be the continuation of the existing plan, policy or operation into the future. Typically, this is a situation unlike the proposed SOI Plan update, where other projects initiated under the existing plan will continue while the new plan is developed. In these instances, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.

If; however, as discussed above the proposed project (Consensus Alternative) or the Original LAFCo Staff Recommendation Alternative or City Recommendation Alternative, the SOI would revert to a coterminous sphere. Therefore, in the case of the SOI Plan update, the Coterminous Sphere also is the baseline for evaluation of impacts.

Therefore, this EIR’s use of the no project alternative as the baseline is appropriate because of the unusual aspects of the SOI Plan update and reversion to a coterminous sphere should this project other alternative not be approved. This baseline will serve to fully inform the public, stakeholder, and decision-makers, where a comparison to the current SOI would not provide a sufficient basis of analysis for comparison. This would substantially decrease the EIR’s effectiveness as an informational document. Thus, the analysis

methodology of this EIR will fully inform the public, is within the allowable discretion of the lead agency, and is the most practical way to conform to CEQA requirements.

Alternatives were developed based on: information provided by the LAFCo and the City of Nevada City (City), and input received by the City from community members during development of the 2017 Annexation Plan and Strategy. Once a group of alternatives to the project were identified and after an initial review, the alternative was either retained for further analysis or discarded. Among the factors that may be taken into account when addressing the feasibility of alternatives, as described in Section 15126.6(f)(1) of the CEQA Guidelines include environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, regulatory limitations, jurisdictional boundaries, and whether the project proponent could reasonably acquire, control, or otherwise have access to an alternative site. An EIR need not consider an alternative whose effects could not be reasonably identified, whose implementation is remote or speculative, and that would not achieve the basic project objectives. The alternatives that were selected for additional consideration were done so in accordance with the above-listed CEQA Guidelines, represent a reasonable range, are feasible, and were selected to encourage discussion in a manner to foster meaningful public participation and informed decision making.

## 6.2 ALTERNATIVES TO THE PROPOSED PROJECT

As discussed above, one of the evaluation criteria for the alternative discussion is the ability of a specific alternative to attain most of the basic project objectives. The basic project objectives as listed in Chapter 3.0, Project Description are as follows:

- Implement the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 by updating the SOI Plan of Nevada City to accommodate orderly and sustainable growth without encouraging premature conversion of agricultural or open space lands;
- Adopt a plan that delineates clearly defined areas that the City can reasonably serve with existing and planned public services;
- Establish a logical SOI boundary for Nevada City to ensure protection of environmental resources;
- Include sufficient areas to provide for development meets reasonable growth needs and ensures a sustainable jobs-housing balance;
- Be consistent with the applicable goals and policies of LAFCo, and to the extent they do not conflict, those of City of Nevada City as well.

## 6.3 PROPOSED PROJECT

The SOI Plan update consists of an update to the Nevada City SOI. The existing SOI surrounds the City in a roughly spherical shape and is shown in *Figure 3-9 Nevada City Sphere of Influence Map*. The current SOI surrounding the City boundary occupies approximately 2,702 acres (2018 Nevada County GIS data) and as discussed above, with the City occupying approximately 1,470 acres, the total area approximately 4,172 acres. The SOI Plan update would occur within the area defined by the existing SOI and does not include any lands within the existing City boundaries.

The annexation of areas by the City would allow for the extension of City services to the newly annexed areas but the SOI Plan update itself does not include any physical alterations or improvements to any area. Under the SOI Plan update, no other actions including associated infrastructure extensions and improvements, new residential, commercial, industrial or other developments are being sought. Additionally, the SOI Plan update does not include any changes to existing land uses, land use designations, or zoning. However; while the SOI Plan update would not directly result in any physical change in the environment, the annexation of these areas may indirectly facilitate development within these areas. Inclusion in the sphere is the first step towards annexation of the territory, and annexation allows access to municipal services that facilitate development within the context of the underlying General Plan land use designation. Consequently, this EIR examines at a general program level the indirect environmental impacts of the proposed project resulting from such potential development.

The portions of the SOI that are recommended for exclusion would be designated as an “Areas of Interest” in order to ensure the City is notified of development proposals and other projects that may have potential for impacting the City. The Commission’s policies define an “Area of Interest” as a geographic area beyond the sphere of influence in which land use decisions or other governmental actions of one local agency may impact directly or indirectly on another local agency. LAFCo policy stipulates that the Commission will notify “interested agencies” of known proposals within the Area of Interest, and give great weight to the comments of the “interested agency

## 6.4 COMPARISON OF PROJECT ALTERNATIVES

Per the State CEQA Guidelines §15126.6(d), additional significant effects of the alternatives are discussed in less detail than the significant effects of the preferred Consensus Alternative. For each alternative, the analysis below describes each alternative, analyzes the impacts of the alternative as compared to the Consensus Alternative, identifies significant impacts of the Consensus Alternative that would be avoided or lessened by the alternative, assesses the alternative’s ability to meet most of the Project Objectives, and evaluates the comparative merits of the alternative and the Consensus Alternative. The following sections provide a comparison of the environmental impacts associated with each of the SOI Plan updates alternatives, as well as an evaluation of each alternative to meet the project objectives.

- Original LAFCo Staff Recommendation Alternative: Consists of the original LAFCO recommended SOI boundary and includes approximately 1,650 acres.
- City Recommendation Alternative: Consists of the original City proposed SOI and would include the lands contained within the 2008 SOI; and
- No Project Alternative: This alternative includes the adoption of a coterminous SOI, meaning the City’s SOI would only include the existing territory within the City’s jurisdictional boundary.

## 6.5 ALTERNATIVE 1 - ORIGINAL LAFCO STAFF RECOMMENDATION ALTERNATIVE

The Original LAFCo Staff Recommendation Alternative was prepared by LAFCo staff as an update to the City SOI Plan and is shown on *Figure 2-2 Original LAFCo Staff Recommendation Alternative*. This alternative would retain the area within the four priority annexation areas, but they would not be “prioritized” for annexation. This alternative also would retain the six Planned Development areas (Providence Mine East, Manzanita Diggins’, Gold Flat/Gracie Road, Highway 49 planned Development Area, Hurst Ranch, and the HEW Building).

While this plan would retain the above areas, this plan includes five exclusion areas that are within from the outermost boundary of the current SOI. These areas have been proposed for exclusion from the SOI because the areas are either already developed and unlikely to require the City’s services within the timeframe of the sphere plan, or the provision of City services to the area is likely to be infeasible. The exclusion areas are described as follows:

The exclusion areas under this alternative also include the same five pockets surrounding the City as discussed in the Consensus Alternative, but overall under this Alternative the areas are larger. This would reduce the overall area of the SOI. To avoid repeating area designations, these exclusion areas are numbered 1-5 and the additional areas to be excluded are shown on *Figure 2-2: Original LAFCo Staff Recommendation Alternative*.

Exclusion Area 1 - This southeastern exclusion area would still be delineated by Banner Lava Cap Road on the south but would extend northerly to Pittsburg Road, Gold Flat Road, Pinewoods Road, and low-density residential parcels on the north. This exclusion area contains additional more land than the Area of Interest DS Canal/Pittsburg Road of the Consensus Alternative.

Exclusion Area 2- The eastern exclusion area would be expanded compared to the Consensus Alternative area within Area of Interest Red Dog Road. This Exclusion Area would extend south of Red Dog Road to Banner Mountain Trail on the south. This include a block of properties south of Banner Mountain Trail bound by Stillwater Creek Road on the west and Big Blue Road on the east. The westerly boundary of Exclusion Area 2 also would be expanded approximately 1,000 feet west to include undeveloped and rural parcels. In addition, the northerly boundary would extend to Highway 49.

Exclusion Area 3- The northern exclusion area would be similar in size to Area of Interest North Bloomfield Road but would be expanded easterly to include approximately 10 properties. The westerly boundary would become the incorporated City island property known as the Old Airport Property.

Exclusion Area 4- The northwesterly exclusion area would increase in size from the Area of Interest Airport/Cement Hill Road would be expanded easterly. The boundary would include approximately nine additional properties and be and be bound by the Old Airport Property and Cement Hill Road on the east.

Exclusion Area 5 – The westerly exclusion area would be substantially the same as *Area of Interest Eden Ranch* but would be contracted westerly. This would slightly increase the area in the SOI to include four additional properties.

## Impacts Compared to the Project Impacts

An evaluation of the potential environmental impacts of the No Project Alternative, as compared to those of the proposed project, is provided below. Under the Original LAFCo Staff Recommendation Alternative direct impacts would not occur as this alternative does not propose any construction or include any development entitlements. This is true of all resource areas listed below and the impacts discussion focusses on the indirect impacts that would occur as a result of implementation of the alternative.

### ***Aesthetics***

This alternative would reduce the area the City could annex and reduce the area into which City services would be extended and these areas would largely continue to use private sewer and private wells. This would indirectly reduce impacts to views and other sensitive visual and aesthetic resources because it would be less likely for development to extend into unserved areas. Although the priority annexation areas would be removed, these areas are largely developed and additional impacts from development would be minimal. Therefore, potential changes to the overall visual environment, scenic vistas, the existing visual character, and light and glare would be slightly reduced and under this alternative. Impacts to resources within a state scenic highway would be roughly equivalent because development in areas adjacent to these resource areas would not be anticipated to change. Therefore, impacts to aesthetics would be less under this alternative.

### ***Air Quality***

This alternative would reduce the area the City could annex and reduce the area into which City services would be extended. These areas would largely continue to use private sewer and private wells. This would reduce the development potential of these areas because it would be less likely for residential, commercial, industrial, or other uses to be developed and increase demand for city services. Although the priority annexation areas would be removed, the Priority Annexation areas are largely developed and additional air emissions from development in the areas would be minimal. Overall, this would have the effect of reducing the potential for conflicts with the applicable air quality management plan or adding to violations of air quality standards because the overall development footprint, required grading, and vehicle trips and miles traveled would be reduced. This alternative also would result in a reduction of the potential for offensive odors, or emissions in the vicinity of sensitive receptors. Therefore, the potential impacts to air quality would be less and under this alternative.

### ***Biological Resources***

This alternative would reduce the area the City could annex and reduce the area into which City services would be extended. This would reduce the development potential of these areas because it would be less likely for residential, commercial, industrial, or other uses to be developed and increase demand for city services. Although the priority annexation areas would be removed, these areas are largely developed

and additional impacts to biological resources from future development would be minimal. Overall, this would have the effect of reducing the potential for impacts on sensitive species, sensitive wildlife, or other sensitive habitats such as waters and wetlands because the overall area that would be disturbed is substantially less. Additionally, this alternative would be less likely to affect wildlife migration corridors or nesting or breeding habitat. Therefore, the potential impacts to biological resources would be less under this alternative.

### ***Cultural and Tribal Resources***

This alternative would reduce the area the City could annex and reduce the area into which City services would be extended. This would reduce the development potential of these areas because it would be less likely for residential, commercial, industrial, or uses to be developed and result in impacts to cultural and tribal resources. Although the priority annexation areas would be removed, these areas are largely developed and additional impacts to tribal and cultural resources from development would only occur on a few undeveloped rural residential parcels. The potential for impacts in this regard is could be substantial. Overall, the total acres would be the same, but the allowable development densities allowed by the County would be reduced. This is anticipated to reduce the overall areas of disturbance and thereby reduce the potential for damage or destruction of cultural and tribal resources. Therefore, the potential impacts to cultural and tribal resources would be less under this alternative.

### ***Geology and Soils***

This alternative would reduce the area the City could annex and reduce the area into which City services would be extended. This would reduce the development potential of these areas because it would be less likely for residential, commercial, industrial, or other uses to expand and increase demand for city services. In addition, the allowable development densities based on the county land use designations would be substantially reduced. Overall, this would have the effect of reducing the potential for new residents and commercial or industrial areas to be affected by or to have an effect on geotechnical risks such as liquefaction, subsidence, lateral spreading, collapse, and landslides. Therefore, the potential impacts associated with geology and soils would be less and under this alternative.

### ***Greenhouse Gas***

This alternative would reduce the area the City could annex and reduce the area into which City services would be extended. This would reduce the development potential of these areas because it would be less likely for residential, commercial, industrial, or uses with greater potential to emit GHGs to expand into unserved areas. Although the priority annexation areas would be removed, these areas are largely developed and additional impacts from GHG emissions from new development would only occur on a few undeveloped rural residential parcels and would be minimal. Overall, this alternative would have a substantial reduction in potential impacts from GHG emissions and associated violation of any plan, policy, or regulation because the allowable development would be reduced by approximately 74%. Therefore, the potential impacts to GHGs would be less and under this alternative.

### ***Hydrology and Water Quality***

This alternative would reduce the area the City could annex and reduce the area into which City services would be extended. These areas would largely continue to use private sewer and private wells. This alternative would reduce the development potential of these areas because it would be less likely for residential, commercial, industrial, or other uses to expand and increase demand for city services. Although the priority annexation areas would be removed, these areas are largely developed and additional impacts to hydrology and water quality from new development would only occur on a few undeveloped rural residential parcels and would be minimal. Overall, this would have the effect of slightly reducing the potential violations of water quality standards, and alteration of drainage patterns resulting in erosion and onsite or downstream sedimentation. Because water and sewer services would not be expanded into as many unserved areas, the potential for groundwater depletion from continued well use and water quality issues from septic systems would remain or slightly increase. Nonetheless, overall, the potential impacts to hydrology and water quality would be incrementally less and under this alternative.

### ***Land Use***

This alternative would increase the area that would be excluded from the SOI. This alternative would reduce the area the City could annex and reduce the area into which City services would be extended. This would reduce the development potential of these areas because it would be less likely for residential, commercial, industrial, or other uses that would increase demand for city services. Although the priority annexation areas would be removed, these areas are largely developed and additional impacts to land use from new development would only occur on a few undeveloped rural residential parcels and would be minimal. Because it would be less likely for development to extend into these areas it would be less likely for an existing community to be physically divided and these impacts would be reduced. Similarly, reduced development potential would result in fewer potential conflicts with a land use plan or policy document aimed at reducing environmental impacts. Overall, this would have the effect of reducing the potential for impacts with land use and planning.

### ***Public Services***

This alternative would reduce the area the City could annex and reduce the area into which City services would be extended. This would reduce the development potential of these areas because it would be less likely for residential, commercial, industrial, or other uses that would increase demand for city services. Although the priority annexation areas would be removed, these areas are largely developed and additional impacts to public services from new development would only occur on a few undeveloped rural residential parcels and would be minimal. Because fewer opportunities for annexation would be provided fewer areas would be afforded City services including fire, police, and school and demand in this regard would be reduced. While services would still be provided by the County, overall the demand for these services would be reduced. Regarding impacts to other public services and libraries, the number of potential users would be reduced especially on services provided only to city residents because new residents and businesses in county lands would not be eligible for such services. Therefore, these impacts would be reduced compared to the Consensus Alternative.

### ***Transportation***

This alternative would reduce the area the City could annex and reduce the area into which City services would be extended. This would reduce the development potential of these areas because it would be less likely for residential, commercial, industrial to be developed and require City services. Although the priority annexation areas would be removed, these areas are largely developed, contiguous with the existing City boundaries and new development would only occur on a few undeveloped rural residential parcels. Increased traffic and vehicle trips from these sites would be roughly equivalent. Because it would be less likely for development to extend into areas within the SOI due to the lack of service potential, it would be less likely for additional VMT compared to the Consensus Alternative to occur. Similarly, reduced development potential would result in fewer potential conflicts for roadway safety, vehicle conflicts, and impairment of emergency response. Overall, this would have the effect of reducing the potential for impacts associated with transportation.

### ***Utilities***

This alternative would reduce the area the City could annex and reduce the area into which City services, such as water and sewer would be extended. This would reduce the development potential of these areas because it would be less likely for residential, commercial, industrial, or other that would increase demand for City services. The priority annexation areas also would be removed from consideration for annexation, and this would decrease the potential demand on utilities, especially on water treatment at the Deer Creek Plant. Conversely, fewer properties would be served by water from the City or Nevada Irrigation District and residents would remain reliant on groundwater from wells. This would increase demand on ground water and potentially decrease ground water supplies. Nonetheless, because less area would be open to annexation, fewer areas would be afforded City utility services and impacts in this regard would be reduced. Overall, this would have the effect of eliminating some of the increased demand on utilities that would be created by adoption of the Consensus Alternative.

### ***Wildfire***

This alternative would reduce the area the City could annex and reduce the area into which City services would be extended. This would reduce the development potential of these areas because it would be less likely for residential, commercial, and industrial uses, to expand into these areas thereby increasing the number of structures susceptible to wildfire. Although the priority annexation areas would be removed, these areas are largely developed and additional impacts to wildfire from new development would only occur on a few undeveloped parcels and would be minimal. However, because the overall density would be reduced by approximately 74%, there would be substantially less developed and fewer new structures and residents that would be at risk from wildfire. Overall, this would have the effect of reducing the potential for impacts from wildfire.

## 6.6 ALTERNATIVE 2 CITY RECOMMENDATION ALTERNATIVE

The City has indicated it would prefer to retain all territory included in its current SOI (as initially adopted in 1983 and updated in 2008). The City Recommendation Alternative includes an area of approximately 1,650 acres surrounding the City and is shown in *Figure 2-3 City Recommendation Alternative*. This Alternative would maintain the SOI boundary which extends east approximately 0.75 miles from the current City boundary on the east. On the west, the SOI would extend to as much as one mile and as little as approximately 0.33 miles beyond the existing City limits. To the south, the SOI would extend southerly approximately 0.6 miles to Banner Lava Cap Road, and on the north, the SOI would extend approximately 0.5 miles and connect with the existing island of City land.

This alternative would include the six exclusion areas that are not a part of the LAFCO Staff Recommended Boundary as described above. In addition, the area within the four priority annexation areas would remain, but they would not be “prioritized” for annexation. This alternative does include the six Planned Development areas (Providence Mine East, Manzanita Diggins’, Gold Flat/Gracie Road, Highway 49 planned Development Area, Hurst Ranch, and the HEW Building).

Under the City Recommendation Alternative direct impacts would not occur as this alternative does not propose any construction or include any development entitlements. This is true of all resource areas listed below and the impacts discussion focusses on the indirect impacts that would occur as a result of implementation of the alternative.

### ***Aesthetics***

This alternative would increase the area that would be included within the SOI. This alternative would increase the area the City could annex and increase the area into which City services could be extended. This would indirectly increase potential impacts to views and other sensitive visual and aesthetic resources because it would be more likely for development to extend into unserved areas. While the priority annexation areas would be removed, these areas could still be annexed, and impacts would be similar to the Consensus Alternative. Therefore, potential changes to the overall visual environment, scenic vistas, the existing visual character, and light and glare would be greater and under this alternative. Impacts to resources within a state scenic highway would be slightly greater because development potential in areas adjacent to these resource areas would be increased. Therefore, impacts to aesthetics would be incrementally greater than under City Recommendation Alternative.

### ***Air Quality***

This alternative would increase the area that would be included within the SOI. This alternative would increase the area the City could annex and increase the area into which City services could be extended. This would indirectly increase potential impacts to air quality because it would be more likely for development to extend into unserved areas resulting in air emissions and additional vehicle trips. While the priority annexation areas would be removed, these areas could still be annexed, and impacts would

be similar to the Consensus Alternative. Therefore, although not substantial, potential changes to the overall impacts for potential conflicts with air quality management plans, air emissions, generation of odors, and emissions adjacent to sensitive receptor would be slightly greater under the City Recommendation Alternative.

### ***Biological Resources***

This alternative would increase the area that would be included to the SOI. This alternative would increase the area the City could annex and increase the area into which City services could be extended. This would indirectly increase the development potential of these areas because it would be more likely for residential, commercial, industrial, or other uses to expand and increase impacts on biological resources. While the priority annexation areas would be removed, services could still be extended, and impacts would be similar compared to the Consensus Alternative. Overall, this would have the effect of slightly increasing the potential for impacts on sensitive species, sensitive wildlife, or other sensitive habitats such as waters and wetlands. Additionally, this alternative would be more likely to affect wildlife migration corridors or nesting or breeding habitat. Therefore, the potential impacts to biological resources would be incrementally greater under this alternative.

### ***Cultural and Tribal Resources***

This alternative would increase the area that would be included to the SOI. This alternative would increase the area the City could annex and increase the area into which City services could be extended. This would indirectly increase the development potential of these areas because it would be more likely for residential, commercial, industrial, or other uses to increase demand for city services. While the priority annexation areas would be removed, services could still be extended, and impacts would be similar compared to the Consensus Alternative. Overall, this would have the effect of slightly increasing the potential for impacts on cultural, historic, and tribal cultural resources.

### ***Geology and Soils***

This alternative would increase the area that would be included to the SOI and increase the area into which City services could be extended. This would indirectly increase the development potential of these areas because it would be more likely for residential, commercial, industrial, or other uses to increase demand for City services. Overall, this would have the effect of increasing the potential for new residents and commercial or industrial areas to be affected by or to have an effect on geotechnical risks such as liquefaction, subsidence, lateral spreading, collapse, and landslides. Therefore, the potential impacts associated with geology and soils would be greater under this alternative.

### ***Greenhouse Gas***

This alternative would decrease the area that would be excluded from the SOI. This alternative would increase the area the City could annex and increase the area into which City services could be extended. This would indirectly increase the development potential of these areas because it would be more likely for residential, commercial, industrial, or other uses to expand into County land. This has the potential increase emissions of GHGs from expansion into areas where services are extended. While the priority

annexation areas would be removed, services could still be extended and impacts from GHG emissions would be similar. Overall, this would have the effect of slightly increasing the potential for impacts with GHG emissions and associated violation of any plan, policy, or regulation. Therefore, the potential impacts to GHGs would be incrementally greater and under this alternative.

### ***Hydrology and Water Quality***

This alternative would increase the area that would be included to the SOI. This alternative would increase the area the City could annex and increase the area into which City services could be extended. This would indirectly increase the development potential of these areas because it would be more likely for residential, commercial, industrial, or other uses to expand into County land. This has the potential to increase impacts on hydrology and water quality. While the priority annexation areas would be removed, services could still be extended, and impacts would be similar compared to the Consensus Alternative. Overall, this would have the effect of slightly increasing the potential for impacts on water quality, erosion, and changes to the drainage pattern of development sites. This alternative; however, could result in reduced dependence on groundwater if water services are extended to areas that would otherwise use water wells. Overall, the potential impacts to hydrology and water quality would be incrementally greater under this alternative.

### ***Land Use***

This alternative would increase the area that would be included to the SOI. This alternative would increase the area the City could annex and increase the area into which City services could be extended. This would indirectly increase the development potential of these areas because it would be more likely for residential, commercial, industrial, or other uses to expand into County land. This has the potential to increase impacts on land, division of established communities, and creation of City islands within County land. While the priority annexation areas would be removed, services could still be extended, and impacts would be similar compared to the Consensus Alternative. Overall, this would have the effect of increasing the potential for impacts associated with land use if development does not occur in a contiguous pattern.

### ***Public Services***

This alternative would increase the area that would be included to the SOI. This alternative would increase the area the City could annex and increase the area into which City services could be extended. This would indirectly increase the development potential of these areas because it would be more likely for residential, commercial, industrial, or other uses to expand into County land. This has the potential to increase demand for City services and increase the potential for new or expanded facilities. While the priority annexation areas would be removed, services could still be extended, and impacts would be similar compared to the Consensus Alternative. Overall, this would have the effect of increasing the potential for impacts associated with public services.

### ***Transportation and Traffic***

This alternative would increase the area that would be included to the SOI. This alternative would increase the area the City could annex and increase the area into which City services could be extended. This would

indirectly increase the development potential of these areas because it would be more likely for residential, commercial, industrial, or other uses to expand into County land. This has the potential to increase traffic-generating development, and development not contiguous with the existing City boundaries resulting in increased VMT. While the priority annexation areas would be removed, services could still be extended, and impacts would be similar compared to the Consensus Alternative. Overall, this would have the effect of increasing the potential for impacts associated with transportation and traffic

### **Utilities**

This alternative would increase the area that would be included to the SOI. This alternative would increase the area the City could annex and increase the area into which City services could be extended. This would indirectly increase the development potential of these areas because it would be more likely for residential, commercial, industrial, or other uses to expand into County land. This has the potential to increase demand for City water and sewer services as the potential for expanded facilities is increased. Under this alternative it is anticipated that wastewater would be treated at the Deer Creek facility. This would increase demand on wastewater treatment and reduce the remaining capacity. On the contrary, this alternative would like result in extension of water services and reduce the reliance on ground water thereby reducing potential impacts in this regard. While the priority annexation areas would be removed, services could still be extended, and impacts would be similar compared to the Consensus Alternative. Overall, the City Recommendation Alternative would have roughly equivalent impacts as the Consensus Alternative.

### **Wildfire**

This alternative would increase the area that would be included to the SOI. This alternative would increase the area the City could annex and increase the area into which City services could be extended. This would indirectly increase the development potential of these areas because it would be more likely for residential, commercial, industrial, or other uses to expand into County land. As additional development is extended into the urban wildland interface, more habitable structures and more areas would be susceptible to damage and destruction from wildfire. While the priority annexation areas would be removed, services could still be extended, and impacts would be similar compared to the Consensus Alternative. Overall, this would have the effect of increasing the potential for impacts associated with wildfire.

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## **6.7 ALTERNATIVE 3 COTERMINUS SPHERE – NO PROJECT ALTERNATIVE**

The Coterminous Sphere - No Project Alternative includes adoption of a coterminous SOI. Under this alternative, the City's SOI includes only the territory within the City's jurisdictional boundary, as depicted in *Figure 2-4 Coterminous Sphere – No Project Alternative*. Under this alternative, neither the four priority annexation areas, nor the six planned development areas would be eligible for annexation. In essence, all areas outside the existing City boundary would be excluded from potential annexations. CEQA requires that environmental analysis use as its baseline for analysis the existing physical conditions on the ground,

rather than what is proposed in existing planning documents. This alternative assumes no additional expansion of the City and would not extend City services to any unincorporated County land. Under the Coterminous Sphere Alternative direct impacts would not occur as this alternative does not propose any construction or include any development entitlements. This is true of all resource areas listed below and the impacts discussion focusses on the indirect impacts that would occur as a result of implementation of the alternative.

### ***Aesthetics***

This alternative would adopt a sphere that encompasses the same area as the existing City boundary. This alternative would eliminate the area from which the City could annex additional territory and City services would not be extended. This alternative would not result in any indirect impacts to views and other sensitive visual and aesthetic resources because there would be no potential for annexation and no potential for the expansion of city services to unserved areas outside the City boundaries. Therefore, potential changes to the overall visual environment, scenic vistas, the existing visual character, and light and glare would be eliminated under this alternative.

### ***Air Quality***

This alternative would adopt a sphere that encompasses the same area as the existing City boundary. This alternative would eliminate the area from which the City could annex additional territory and City services would not be extended. This alternative would not result in any indirect impacts to air quality because there would be no potential for annexation and no potential for the expansion of city services to unserved areas outside the City boundaries. Therefore, potential impacts associated with air emissions and conflicts with the applicable air quality management plans would be eliminated under this alternative.

### ***Biological Resources***

This alternative would adopt a sphere that encompasses the same area as the existing City boundary. This alternative would eliminate the area from which the City could annex additional territory and City services would not be extended. This alternative would not result in any indirect impacts to biological resources because there would be no potential for annexation and no potential for the expansion of city services to unserved areas outside the City boundaries. Therefore, impacts in this regard would be eliminated under this alternative.

### ***Cultural and Tribal Resources***

This alternative would adopt a sphere that encompasses the same area as the existing City boundary. This alternative would eliminate the area from which the City could annex additional territory and City services would not be extended. This alternative would not result in any indirect impacts to cultural resources because there would be no potential for annexation and no potential for the expansion of city services to unserved areas outside the City boundaries. Therefore, impacts in this regard would be eliminated under this alternative.

***Geology and Soils***

This alternative removes all the area the City could annex, and City services would not be extended to any areas they do not currently serve. This would eliminate the development potential within these areas because residential, commercial, industrial, or other uses to expand and increase demand for city services. This alternative would not result in any indirect impacts because there would be no potential for annexation and no potential for the expansion of city services to unserved areas outside the City boundaries. Therefore, potential impacts from in this regard would be eliminated under this alternative.

***Greenhouse Gas***

This alternative would adopt a sphere that encompasses the same area as the existing City boundary. This alternative would eliminate the area from which the City could annex additional territory and City services would not be extended. This alternative would not result in any indirect impacts because there would be no potential for annexation and no potential for the expansion of city services to unserved areas outside the City boundaries. Therefore, potential impacts from in this regard would be eliminated under this alternative.

***Hydrology and Water Quality***

This alternative would adopt a sphere that encompasses the same area as the existing City boundary. This alternative would eliminate the area from which the City could annex additional territory and City services would not be extended. This alternative would not result in any indirect impacts to hydrology and water quality because there would be no potential for annexation and no potential for the expansion of city services to unserved areas outside the City boundaries. Therefore, potential impacts in this regard would be eliminated under this alternative.

***Land Use***

This alternative would adopt a sphere that encompasses the same area as the existing City boundary. This alternative would eliminate the area from which the City could annex additional territory and City services would not be extended. This alternative would not result in any indirect impacts to land use because there would be no potential for annexation and no potential for the expansion of city services to unserved areas outside the City boundaries. Therefore, potential impacts in this regard would be eliminated under this alternative.

***Public Services***

This alternative would adopt a sphere that encompasses the same area as the existing City boundary. This alternative would eliminate the area from which the City could annex additional territory and City services would not be extended. This alternative would not result in any indirect impacts to public services because there would be no potential for annexation and no potential for the expansion of city services to unserved areas outside the City boundaries. Therefore, potential impacts in this regard would be eliminated under this alternative.

### ***Transportation***

This alternative would adopt a sphere that encompasses the same area as the existing City boundary. This alternative would eliminate the area from which the City could annex additional territory and City services would not be extended. This alternative would not result in any indirect impacts to transportation because there would be no potential for annexation and no potential for the expansion of city services to unserved areas outside the City boundaries. Therefore, potential impacts in this regard would be eliminated under this alternative.

### ***Utilities***

This alternative would adopt a sphere that encompasses the same area as the existing City boundary. This alternative would eliminate the area from which the City could annex additional territory and City services would not be extended. This alternative would not result in any indirect impacts to utilities because there would be no potential for annexation and no potential for the expansion of city services to unserved areas outside the City boundaries. Therefore, potential impacts in this regard would be eliminated under this alternative.

### ***Wildfire***

This alternative would adopt a sphere that encompasses the same area as the existing City boundary. This alternative would eliminate the area from which the City could annex additional territory and City services would not be extended. This alternative would not result in any indirect impacts associated with wildfires because there would be no potential for annexation and no potential for the expansion of city services to unserved areas outside the City boundaries. Therefore, potential impacts in this regard would be eliminated under this alternative.

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## **6.8 ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. Section 15126.6 (e)(2) of the State CEQA Guidelines requires that an environmentally superior alternative be designated and states that if the environmentally superior alternative is the No Project alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Based on the summary of information presented in Table 6-1: Comparison of Project Alternatives Environmental Impacts with the Consensus Alternative, the environmentally superior alternative is Alternative 3 Coterminous Sphere – No Project Alternative. This alternative would reduce the overall development footprint and would have fewer impacts than the other alternatives because the six potential development areas and four priority annexations areas would remain within the SOI. Because Alternative 3 would reduce the potential for impacts because the SOI would be reduced this alternative has fewer environmental impacts than the proposed project or any of the other alternatives. Table 6-2: Probable Annexation Area Density Comparison, provides the number of units that may be developed if the six probable development areas are built under each alternative.

Section 15126.6(e)(2) of the State CEQA Guidelines states that if the “No Project” alternative is found to be environmentally superior, “the EIR shall also identify an environmentally superior alternative among the other alternatives. Aside from the No Project Alternative, Alternative 1: Original LAFCo Staff Recommendation Alternative would have the least environmental impacts because it would reduce the area into which services could be extended and resulting in the potential for more future development. This alternative would reduce all identified impacts; including aesthetics, air quality, biological resources, cultural resources, greenhouse gas emissions, hydrology and water quality, public services, transportation, utilities, and wildfire.

The context of an environmentally superior alternative is based on the consideration of several factors including the reduction of environmental impacts to a less than significant level, the project objectives, and an alternative’s ability to fulfill the objectives with minimal impacts to the existing site and surrounding environment. According to Table 6-1, the No Project alternative would be the environmentally superior alternative because it would eliminate all of the potentially significant impacts of the proposed project. However, while the No Project alternative is the environmentally superior alternative, it does not meet any of the basic objectives of the proposed project.

After the No Project alternative, the environmentally superior alternative to the proposed project is the one that would result in the fewest or least significant environmental impacts. Based on the evaluation undertaken, Alternative 1: Original LAFCo Staff Recommendation Alternative is the environmentally superior alternative. This also is an environmentally superior project alternative because it has less intense development and has a reduced development footprint compared to the proposed project.

**Table 6-1: Comparison of Project Alternatives Environmental Impacts with the Proposed Project**

EIR Chapter	Alternatives			
	Proposed Project - Level of Impact After Mitigation	ALTERNATIVE 1 - ORIGINAL LAFCo STAFF RECOMMENDATION ALTERNATIVE	ALTERNATIVE 2 CITY RECOMMENDATION ALTERNATIVE	ALTERNATIVE 3 COTERMINUS SPHERE – NO PROJECT ALTERNATIVE
4.1 – Aesthetics	Less Than Significant	-	+	-
4.2 – Air Quality	Less Than Significant	-	+	-
4.3 – Biological Resources	Less Than Significant	-	+	-
4.4 – Cultural Resources and Tribal Cultural Resources	Less Than Significant	-	+	-
4.5 – Geology and Soils	Less Than Significant	+	+	-
4.6 – Greenhouse Gas Emissions	Less Than Significant	-	+	-
4.7 – Hydrology and Water Quality	Less Than Significant	-	+	-
4.8 – Land Use	Less Than Significant	-	+	-
4.9 – Transportation and Circulation	Less Than Significant	-	+	-
4.10 – Utilities	Less Than Significant	-	=	-
4.11 – Wildfire	Significant and Unavoidable	=	=	-

**Table 6-1: Comparison of Project Alternatives Environmental Impacts with the Proposed Project**

EIR Chapter	Alternatives			
	Proposed Project - Level of Impact After Mitigation	ALTERNATIVE 1 - ORIGINAL LAFCo STAFF RECOMMENDATION ALTERNATIVE	ALTERNATIVE 2 CITY RECOMMENDATION ALTERNATIVE	ALTERNATIVE 3 COTERMINUS SPHERE – NO PROJECT ALTERNATIVE
Attainment of Project Objectives	Meets all of the Project Objectives	Meets some of the Project Objectives	Meets some of the Project Objectives	Meets one of the Project Objectives
Notes: A minus (-) sign means the Project Alternative has reduced impacts than the proposed project. A plus (+) sign means the Project Alternative has increased impacts than the proposed project. An equal sign (=) means the Project Alternative has similar impacts than the proposed project.				

## 6.9 CONCLUSION

### Avoid or Substantially Lessen Project Impacts

The Original LAFCo Staff Recommendation Alternative would reduce impacts related to Aesthetics, Air Quality, Biological Resources, Cultural and Tribal Resources, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use, Transportation and Circulation, and Utilities. Impacts largely would be reduced because this alternative would eliminate much of the area into which the City could expand thereby reducing the potential for expansion of services and increasing development intensity in currently undeveloped or low-density areas. As documented throughout Chapter 4.1 through Chapter 4.9 of this Draft EIR, all impacts of the proposed project would be less than significant or less than significant after mitigation.

### Attainment of Project Objectives

The Original LAFCo Staff Recommendation Alternative fails to meet the following stated objectives for the proposed project as described in Chapter 6.1:

- Implement the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 by updating the SOI Plan of Nevada City to accommodate orderly and sustainable growth without encouraging premature conversion of agricultural or open space lands;
- Include sufficient areas to provide for development that meets reasonable growth needs and ensures a sustainable jobs-housing balance;
- Be consistent with the applicable goals and policies of LAFCo, and to the extent they do not conflict, those of the City of Nevada as well.

### Comparative Merits

Under the Original LAFCo Staff Recommendation Alternative, the direct impacts of the SOI Plan Update would be the similar to the Consensus Alternative. Neither project proposed any new land uses or would entitle any development. Indirectly, under the Original LAFCo Staff Recommendation Alternative, impacts would be slightly reduced compared to the Consensus Alternative. This would result because there would be less areas into which City services would be extended and this would reduce the areas into which development would be induced. Accordingly, impacts to resources such as Aesthetics, Air Quality,

Biological Resources, Cultural and Tribal Resources, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use, Transportation and Circulation, and Utilities would be incrementally reduced. Although, impacts would be reduced, this alternative would limit the ability of the City to use its discretion related to expansion and could reduce the areas into which clustered development could logically progress. Under the Consensus Alternative, the City would have a larger area in close proximity to existing City boundaries and this would provide the City additional options related to the logical extension of services and continued development. Therefore, the Consensus Alternative strikes a balance between the Original LAFCo Staff Recommendation Alternative and the City Recommendation Alternative.

Table 6-2 – Probable Annexation Area Density Comparison

Development Areas	Consensus Alternative	Alternative-1 Original LAFCO Staff Recommendation Alternative			Alternative 2 City Recommendation Alternative			Alternative 3 Coterminous Sphere – No Project Alternative**	
	Maximum Density	Change in Annexation Area? *	County Zoning	Maximum Units	Change in Annexation Area? *	County Zoning	Maximum Units	County Zoning	Maximum Unit
<i>Providence Mine East</i>	126	No-Change from Consensus Alt.	N/A	126 units. -	No-Change from Consensus Alt.	N/A	126 units	RA-3	8
								RA – 1.5 PD	70
<i>Hurst Ranch</i>	89	No-Change from Consensus Alt.	N/A	89 units	No-Change from Consensus Alt.	N/A	89 units	Estate	30
<i>HEW Building</i>	60	No-Change from Consensus Alt.	N/A	60 units	No-Change from Consensus Alt.	N/A	60 units	PUB	N/A
<i>Manzanita Diggins</i>	319	No-Change from Consensus Alt.	N/A	319 units	No-Change from Consensus Alt.	N/A	319 units	OS	N/A
								RA 1.5	26
<i>Highway 49 Planned Development Area</i>	27	No-Change from Consensus Alt.	N/A	27 units	No-Change from Consensus Alt.	N/A	27 units	RA-3	9
<i>Gracie/Gold Flat</i>	181	No-Change from Consensus Alt.	N/A	181 units	No-Change from Consensus Alt.	N/A	181 units	RA-5	23
								IND	N/A
<b>Maximum Units:</b>	<b>622</b>			<b>622</b>			<b>622</b>		<b>166</b>
* The boundary of the Original LAFCO Staff Recommendation and the City Recommendation Alternative include the potential Development Areas.									
**Unit Densities are based on Nevada County General Plan densities (RA densities allow for 1.5 or 3 acre minimum parcel size) (Estate allows for minimum 3 acre parcel size).									