

**NEVADA COUNTY, CALIFORNIA  
INITIAL STUDY**

**To:**

Building Department  
Public Works – Kevin Nelson, Pat Perkins  
Environmental Health  
CEO – Alison Lehman  
Commissioner Greeno  
Supervisor Hardy Bullock, District V  
Principal Planner, Tyler Barrington  
COB – Jeff Thorsby  
Truckee Fire Protection District  
Caltrans Highways  
Fire Protection Planner  
Lahontan Water Quality Control Board  
Pacific Gas & Electric  
Liberty Utilities  
Washoe Tribe

Nevada City Rancheria Nisenan Tribe  
T’si Akim Maidu  
United Auburn Indian Community  
Shingle Springs Band of Miwok Indians  
Donner Summit Association  
Donner Summit Historical Society  
Sierra Watch  
South Yuba River Citizen League  
California Native Plant Society – Redbud  
Laborers Pacific Southwest  
Bear Yuba Land Trust  
General Plan Defense Fund  
Mountain Area Preservation Fund  
Donner Summit Public Utility District  
Military Training Route Operator – David Bell

**Date:** July 5, 2022

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**File Number(s):** PLN22-0092, AAP22-0002, EIS22-0007, VAR22-0003

**Assessor Parcel Number:** 047-450-004

**Applicant/Owner:** Bill Clark  
Auburn Ski Club, Inc  
P.O. Box 729  
Soda Springs, CA 95728

**Zoning District:** Forest-40 (FR), Recreation (REC)

**General Plan Designation:** FOR-40, REC

**Project Location:** 19749 Boreal Ridge Road, Soda Springs, CA 95728. The project site is located near the western edge of the Boreal parking lot near the Auburn Ski Club Nordic Center in unincorporated Eastern Nevada County, off of Interstate 80.





**Relationship to Other Projects:** U89-039 approved a three-kilometer trail expansion to the existing seven kilometers of trails that had been used since the 1970s. The project is proposing the addition of 40 light poles along the lower 2-kilometer loop.

This analysis does not intend to “reopen” the environmental review of the approved Mitigation Negative Declaration for the Use Permits (U89-39). The aforementioned documents can be viewed at the Nevada County Planning Department Office located at 950 Maidu Avenue, Suite 170, Nevada City, California 95959. This environmental assessment is intended to be a tiered document pursuant to the California Environmental Quality Act Guidelines Section 2109(b) and shall use both new information and existing information provided with the existing permits. As previously mentioned, the project includes a Variance to Zoning Regulations. Pursuant to Section 15305(a) of the CEQA Guidelines, a Variance is typically categorically exempt from environmental review

**Tribal Consultation:** Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

California Native American Tribes with ancestral land within the project area were routed the project during distribution. The California Native American Tribes will be sent a Notice of Availability for Public Review and Notice of Intent to Adopt a Mitigated Negative Declaration for this project, which will allow the California Native American Tribes the opportunity to comment on the analysis of environmental impacts. Mitigation has been included in Sections 5 and 18 of this initial study to address a plan for further consultation, if needed.

**SUMMARY OF IMPACTS and PROPOSED MITIGATION MEASURES**

**Environmental Factors Potentially Affected:**

All of the following environmental factors have been considered. Those environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Less Than Significant with Mitigation" as indicated by the checklist on the following pages.

—	1. Aesthetics	—	2. Agriculture / Forestry Resources	✓	3. Air Quality
✓	4. Biological Resources	✓	5. Cultural Resources	—	6. Energy
✓	7. Geology / Soils	—	8. Greenhouse Gas Emissions	—	9. Hazards / Hazardous Materials
✓	10. Hydrology / Water Quality	—	11. Land Use / Planning	—	12. Mineral Resources
✓	13. Noise	—	14. Population / Housing	—	15. Public Services
—	16. Recreation	—	17. Transportation	✓	18. Tribal Cultural Resources

✓	19. Utilities / Service Systems	—	20. Wildfire	✓	21. Mandatory Findings of Significance
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**Summary of Impacts and Recommended Mitigation Measures:**

3. **AIR QUALITY:** To offset potentially adverse air quality impacts associated with the project activities, the following mitigation measures shall be required:

**Mitigation Measure 3A: Implement dust control measures.** Prior to the approval of any Grading or Building Permits, to reduce short-term construction impacts, all future development permits shall comply with the following standards to the satisfaction of the Northern Sierra Air Quality Management District, which shall be noted on all grading and improvement plans and shall be included in project bidding documents:

1. The applicant shall implement all dust control measures in a timely manner during all phases of project development and construction.
2. All material excavated, stockpiled or graded shall be sufficiently watered, treated or converted to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air quality standard. Watering should occur at least twice daily, with complete site coverage.
3. All areas (including unpaved roads) with vehicle traffic shall be watered or have dust palliative applied as necessary for regular stabilization of dust emissions.
4. All land clearing, grading, earth moving, or excavation activities on a project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.
5. All on-site vehicle traffic shall be limited to a speed of 15 mph on unpaved roads.
6. All inactive disturbed portions of the development site shall be covered, seeded or watered until a suitable cover is established. Alternatively, the applicant shall be responsible for applying non-toxic soil stabilizers to all inactive construction areas.
7. All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance.

**Timing:** Prior to issuance of Grading Permits, Building Permits or Improvement Plans

**Reporting:** Approval of the grading permit and improvement plans

**Responsible Agency:** Northern Sierra Air Quality Management District

**Mitigation Measure 3B: Minimize Construction Equipment Idling.** In order to reduce emissions from construction equipment, the applicant shall include the following standard note on all Grading Plans, Site Plans or Improvement Plans: “During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel-powered equipment. Signs shall be posted in the designated queuing areas of the construction site to remind off-road equipment operators that idling is limited to a maximum of 5 minutes. Idling of construction-related equipment and construction related vehicles is not recommended within 1,000 feet of any sensitive receptor.”

**Timing:** *Prior to issuance of Grading Permits, Building Permits or Improvement Plans*

**Reporting:** *Planning Department approval of Grading Permits or Building Permits / Complaint driven*

**Responsible Agencies:** *Planning and Building Department, Code Compliance Division*

**Mitigation Measure 3C: Use Alternative Methods to Open Burning for Vegetation Disposal.**

Open burning of site-cleared vegetation is prohibited. Among suitable alternatives are chipping, grinding, hauling to an approved disposal site, cutting for firewood, and conversion to biomass fuel.

**Timing:** *Prior to issuance of Grading Permits, Building Permits or Improvement Plans and during construction*

**Reporting:** *Approval of the grading permit and improvement plans*

**Responsible Agency:** *Northern Sierra Air Quality Management District*

**Mitigation Measure 3D: Comply with the Asbestos Airborne Toxic Control Measure (ACTM) for construction.**

If serpentine, ultramafic rock, or naturally occurring asbestos is discovered during construction or grading, the Northern Sierra Air Quality Management District shall be notified no later than the following business day and specific requirements contained in Section 93105 of Title 17 of the California Code of Regulations shall be strictly complied with. This measure shall be included as a note on all grading and improvement plans.

**Timing:** *Prior to issuance of the grading permits and improvement plans and during grading activity*

**Reporting:** *Approval of the grading permit and improvement plans*

**Responsible Agency:** *Northern Sierra Air Quality Management District*

4. **BIOLOGICAL RESOURCES:** To reduce potential construction impacts to biological resources, the following mitigation is required to be outlined on project construction plans for implementation during project construction:

**Mitigation Measure 4A: Avoid impacts to nesting raptors and migratory birds.** To avoid or minimize potential impacts to nesting birds (including special status species), all project construction activities such as site grubbing, excavation, grading, and the operation heavy equipment occur between September 1 and January 31, outside of the nesting season to the extent feasible. If construction occurs between February 1 and August 31, a pre-qualified biologist shall conduct pre-construction surveys for nesting raptors and migratory birds pursuant to California Department of Fish and Wildlife requirements and according to the Migratory Bird Treaty Act. These surveys should be accomplished within **7 days** prior to commencement of grading activities. In any nesting birds (including special status species) are detected during the pre-construction survey or during construction, work in that area shall be suspended and consultation with County Planning Department staff will immediately commence and CDFW and/or USFWS will be consulted to determine the course of action. If a legally-protected species' nest is located in a tree for removal, the removal shall be deferred until after August 31 or until the adults and young are no longer dependent on the nest, as determined by a qualified biologist.

If any active nests are located onsite, an appropriate no disturbance buffer zone shall be established around the nests, as determined by the qualified biologist. The biologist shall mark the buffer zone with construction tape or pin flags and maintain the buffer zone until the end of the breeding season or until the young have successfully fledged. Buffer zones are 100 feet for migratory bird nests and 250 feet for raptor nests. If active nests are found in areas of work, a qualified biologist shall

monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. If establishing the typical buffer zone is impractical, the qualified biologist may reduce the buffer depending on the species and daily monitoring is required to ensure that the nest is not disturbed, and no forced fledging occurs. Daily monitoring shall occur until the qualified biologist determines that the nest is no longer occupied.

*Timing: Prior to issuance of the grading and improvement permits*

*Reporting: Approval of the grading and improvement permits*

*Responsible Agency: Nevada County Planning Department*

5. **CULTURAL RESOURCES:** To offset potentially adverse cultural or historical resources impacts associated with the construction activities, the following mitigation measure shall be required and shall be included as notes on all grading and construction plans:

**Mitigation Measure 5A: Halt Work and Contact the Appropriate Agencies if Human Remains, Cultural Resources or Paleontological Resources are Discovered during Project Construction.** All grading and construction plans shall include the note outlining the requirements provided below to ensure that any cultural resources discovered during project construction are properly managed. These requirements including the following:

All equipment operators and employees involved in any form of ground disturbance shall be trained to recognize potential archeological resources and be advised of the remote possibility of encountering subsurface cultural resources during these activities. If such resources are encountered or suspected, work within 100-feet shall be halted immediately and the Nevada County Planning Department shall be contacted. A qualified cultural resources specialist shall be retained by the developer and consulted to access any discoveries and develop appropriate management recommendations for resource treatment.

If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner be contacted. Should the discovery include Native American human remains, in addition to the required procedures of Health and Safety Code Section 7050.5, Public Resources Code 5097.98 and California Code of Regulations Section 15064.5(e), all work must stop in the within 100-feet 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 California Environmental Quality Act Sections 15064.5(d) and (e) shall be followed.

If Native American resources are involved, Native American Organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment. Native American Representatives from traditionally and culturally affiliated Native American Tribes shall be retained by the developer and consulted to access any discoveries and develop appropriate management recommendations for resource treatment. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The United Auburn Indian Community of the Auburn Rancheria (UAIC) does not consider curation of tribal cultural resources to be appropriate or respectful and requests that materials not be permanently curated, unless at their request. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. These recommendations shall be documented in the project record. Any recommendations made by traditionally and culturally affiliated Native American Tribes that are not implemented shall require submittal of a justification statement to the

Planning Department for inclusion in the project record. If adverse impacts to tribal cultural resources, unique archaeology or other cultural resources occurs, the developer shall consult with UAIC and other traditionally and culturally affiliated Native American Tribes regarding mitigation contained in applicable Public Resources Codes and CEQA Guidelines.

**Timing:** *Prior to Issuance of Building Permit or Grading Permit and throughout construction*

**Reporting:** *Planning Department Approval of Grading and Construction Permits*

**Responsible Agency:** *Planning Department*

7. **Geology/Soils:** To offset potentially adverse geological impacts associated with the construction activities, the following mitigation measure shall be required:

See Mitigation Measure 5D

8. **Greenhouse Gas Emissions:** To offset potentially adverse greenhouse gas emissions associated with the construction activities, the following mitigation measure shall be required:

Mitigation: See Mitigation Measure 3B

10. **HYDROLOGY / WATER QUALITY:** To mitigate potential water quality and hydrology impacts, the following mitigation measures shall be implemented:

**Mitigation Measure 10A: Pollution Control.** The following note shall be added to all future site plans:

“No equipment or vehicle maintenance or refueling shall occur with any drainages. The contractor shall immediately contain and clean up any petroleum or other chemical spill with absorbent materials such as sawdust or kitty litter. For other hazardous materials, follow the cleanup instructions on the label.”

**Timing:** *Prior to Issuance of Grading Permits and approval of Improvement Plans/During Construction*

**Reporting:** *Nevada County Planning*

**Responsible Agency:** *Nevada County Planning*

**Mitigation Measure 10B: Erosion Control.** The following notes shall be added to all future site plans:

1. The contractor shall exercise every reasonable precaution to protect snow melt drainages at the project site from pollution with sediments, fuels, oils, bitumen, calcium chloride, and other harmful materials. Construction byproducts and pollutants such as oil, cement, and wash water shall be prevented from discharging into the drainages and shall instead be collected and removed from the site.
2. At no time shall heavy equipment operate in flowing water.
3. Silt fencing (or filter fabric) shall be used to catch any short-term erosion or sedimentation that may impact drainages. Silt-fencing should be installed well above the drainages and extend beyond the construction zone if necessary. The use of standard straw is prohibited to avoid introduction of noxious weeds, such as star thistle.

**Timing:** *Prior to Issuance of Grading Permits and approval of Improvement Plans/During Construction*

**Reporting:** *Nevada County Planning*

**Responsible Agency:** *Nevada County Planning*

13. **NOISE**: To reduce potentially significant impacts associated with construction noise, the following mitigation measure shall be noted on improvement plans:

**Mitigation Measure 13A: Limit construction activities to reduce noise impacts.** Hours of operation for construction activities shall be limited to the hours of 7 a.m. to 7 p.m. Monday through Sunday. These limited hours of operation shall be noted on grading and building plans, which shall be reviewed and approved by the Planning Department prior to permit issuance.

**Timing:** *Prior to issuance of grading or improvement permits and during construction*

**Reporting:** *Agency approval of permits and by complaint*

**Responsible Agency:** *Planning Department and Code Compliance*

18. **TRIBAL CULTURAL RESOURCES**: To offset potentially adverse cultural or historical resource impacts associated with the construction activities, the following mitigation measures shall be required and shall be included as notes on the supplemental data sheets that record concurrently with the parcel map:

**Mitigation Measure 18A: Unanticipated Tribal Cultural Resources.** If any suspected Tribal Cultural Resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs under CEQA and UAIC protocols, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by UAIC or by the California Native American Tribe that is traditionally and culturally affiliated with the project area.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB52, have been satisfied.

**Timing:** *Prior to Issuance of grading/improvement/building permits and throughout construction*

**Reporting:** *Planning Department Approval of Grading and Construction Permits*

**Responsible Agency:** *Planning Department*

**Mitigation:** See Mitigation Measure 5A.

19. **UTILITIES/SERVICE SYSTEMS:** To offset potentially adverse impacts related to construction waste, the following mitigation measure is recommended:

**Mitigation Measure 19A: Appropriately dispose of toxic waste:** Industrial toxic waste (petroleum and other chemical products) is not accepted at the Eastern Regional Landfill and if encountered, shall be properly disposed of in compliance with existing regulations and facilities. This mitigation measure shall be included as a note on all improvement plans, which shall be reviewed and approved by the Planning Department prior to permit issuance.

**Timing:** *Prior to issuance of grading or improvement permits and during construction*

**Reporting:** *Agency approval of permits or plans*

**Responsible Agency:** *Nevada County Planning Department*

**Mitigation Monitoring Matrix:**

<b>MEASURE #</b>	<b>MONITORING AUTHORITY</b>	<b>IMPLEMENTATION TIMING</b>
3A	Northern Sierra Air Quality Management District	Prior to issuance of improvement permits and during construction
3B	Planning Department Code Compliance	Prior to issuance of improvement permits and during construction
3C	Northern Sierra Air Quality Management District	Prior to issuance of improvement permits and during construction
3D	Northern Sierra Air Quality Management District	Prior to issuance of improvement permits and during construction
4A	Planning Department	Prior to issuance of grading or improvements permits and during construction
5A	Planning Department	Prior to issuance of improvement permits and during construction
10A	Planning Department	Prior to issuance of improvement permits and during construction
10B	Planning Department	Prior to issuance of improvement permits and during construction
13A	Planning Department and Code Compliance	Prior to issuance of grading or improvement permits and during construction
18A	Planning and Building Department	Prior to issuance of grading or improvement permits and during construction
19A	Planning Department	Prior to issuance of grading or improvement permits and during construction

## INITIAL STUDY AND CHECKLIST

### Introduction

This checklist is to be completed for all projects that are not exempt from environmental review under the California Environmental Quality Act (CEQA). The information, analysis and conclusions contained in the checklist are the basis for deciding whether an Environmental Impact Report (EIR) or Negative Declaration is to be prepared. If an EIR is determined to be necessary based on the conclusions of the Initial Study, the checklist is used to focus the EIR on the effects determined to be potentially significant. This Initial Study uses the following terms to describe the level of significance of adverse impacts. These terms are defined as follows.

- **No Impact:** An impact that would result in no adverse changes to the environment.
- **Less than Significant Impact:** An impact that is potentially adverse but does not exceed the thresholds of significance as identified in the impact discussions. Less than significant impacts do not require mitigation.
- **Less than Significant with Mitigation:** An environmental effect that may cause a substantial adverse change in the environment without mitigation, but which is reduced to a level that is less than significant with mitigation identified in the Initial Study.
- **Potentially Significant Impact:** An environmental effect that may cause a substantial adverse change in the environment; either additional information is needed regarding the extent of the impact to make the significance determination, or the impact would or could cause a substantial adverse change in the environment. A finding of a potentially significant impact would result in the determination to prepare an EIR.

### 1. AESTHETICS

#### Existing Setting:

The project area is within the Parcel owned by the Auburn Ski Club. The parcel is already developed with a variety of uses including six chair lifts, a lodge, the Woodward Tahoe building, an equipment shop, and a large asphalt parking lot. There are also multiple telecommunication towers on the parcel. This project is specifically related to the Auburn Ski Club (ASC) Training Center facility at the western edge of the property. The Boreal Mountain Ski Resort and the ASC training facility exist on the same parcel but are spatially separated and function as independent facilities from the perspective of the typical user. The ASC facilities are behind trees and the structures and are not easily visible from the highway or from the parking lot of Boreal. The ASC Training Center portion of the parcel includes a maintenance shop and the ASC Training Center Lodge. There is an existing 10-kilometer network of cross county trails that were converted from logging roads and expanded under Use Permit U89-39. Bunny Slope Road, a dirt road, runs from the Boreal parking lot parallel to Highway 80. This road is a utility easement for water, sewer, and underground electrical service. Construction of the water and sewer has left some areas heavily scared because of the rocky terrain. Much of this road is used for the cross-country trails.

Except as provide in Public Resources Code Section 21099, would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Have a substantial adverse effect on a scenic vista?			✓		A, L
b. Substantially damage scenic resources, including but not limited to trees, rock			✓		A, L, 28

Except as provide in Public Resources Code Section 21099, would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
outcroppings, and historic buildings within a state scenic highway?					
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			✓		A
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			✓		A, 18, 32

**Impact Discussion:**

A-D. The 40 light poles will be added along an existing cross-county skiing trail system that meanders through mid-montane forest. Some of the light poles will have two lights installed, resulting in a total of 48 lights distributed between the 40 poles. The closest trails with proposed lighting are approximately 150 feet south of Interstate 80 and behind screening provided by a natural pine vegetative barrier. The light poles will be painted dark grey, directed away from the interstate, and will either be partially shielded and directional or downcast and fully shielded. A photometric study provided by the applicant has determined that light will not trespass off of the subject parcel. Therefore, the light poles will be effectively unnoticeable to motorists traveling along Interstate 80. The average speed of drivers on Interstate 80 would make closer observation of the parcel difficult and the prominent Boreal facilities draw the eye more than the cross-country trail system which is tucked away. The parcels surrounding the trail system are undeveloped and do not contain any neighbors that would be able to see the proposed lighting. The site is not a designated scenic vista; however, it is approximately 0.8 miles from a section of the Pacific Crest National Scenic Trail. The poles will be approximately 40 feet high and will be difficult to spot for hikers on the Pacific Crest Trail. The project would not involve the removal of trees or the modification of scenic rock outcroppings. The light poles will be placed on trails that have already been graded. The removal of rock outcroppings will be avoided for ease of installation, but some rocks may be used to mount the light poles to. The cross-county trail system does not have any historic buildings. The lighting is required to comply with Section 4.2.8 of the Land Use and Development Code which states that lighting shall be turned off between 11 p.m. and sunrise and be installed with methods to turn off lighting as needed such dimmers, time controls, or separate circuits. The proposed operation of the night skiing is from dusk to 8:00 PM, so the lights will likely be turned off at a time earlier than required by the Nevada County Land Use and Development Code. Since this site does not provide significant visual resources and because this project has been designed to blend into the existing environment, this project would have a *less than significant impact* to these aesthetic resources in this region of Nevada County.

Mitigation: **None required.**

**2. AGRICULTURAL/FORESTRY RESOURCES**

**Existing Setting:** The project site is located outside the area mapped by the California Department of Conservation Important Farmlands Maps (2016), due to the project being located near Donner Summit of Sierra Nevada Mountain Range. The project site does not contain any land within a Williamson Act contract, nor is the parcel within a Timberland Production Zone.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Department of Conservation’s Division of Land Resource Protection, to non-agricultural use?				✓	A, L, 7
b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?				✓	A, 18
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)), timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				✓	A, L, 18
d. Result in the loss of forest land or conversion of forest land to non-forest use?				✓	L, 18
e. Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				✓	A, L, 7

**Impact Discussion:**

2a-e: The site is designated as “Area not Mapped” by the Farmland Mapping and Monitoring Program and would thus will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The proposed project would not involve other changes in the existing environment which could result in conversion of Farmland to a non-agricultural use. The use area of the project site is within the Forest Zoning District and the proposed additions to the cross-country trail system are consistent with this zoning. The project site is not subject to a Williamson Act contract, and it is not located within a Timberland Production Zone and will not result in the rezoning of forest land. Thus, as outlined above the proposed project is anticipated to have **no impact** on agricultural resources

Mitigation: **None required.**

### 3. AIR QUALITY

#### **Existing Setting:**

Nevada County is located in the Mountain Counties Air Basin (MCAB). The MCAB includes the central and northern Sierra Nevada Mountain range with elevations ranging from several hundred feet in the foothills to over 6,000 feet above mean sea level along the Sierra Crest. The MCAB generally experiences warm, dry summers and wet winters. Ambient air quality in the air basin is generally determined by climatological conditions, the topography of the air basin, and the type and amount of pollutants emitted. The project site is on the eastern side of the Sierra Nevada Mountain Range and is located within the higher elevations of the Air Basin. During the winter months, temperatures can go below freezing and large quantities of snow can accumulate at the project site. In the summer months, temperatures in the project vicinity are generally mild with daytime peaks between 70 and 80 degrees Fahrenheit. Precipitation rates in the region average about 30 inches annually. The prevailing winds in this area of Nevada County are generally westerly; however, inversions are common in this area during periods of calm winds and clear skies in the fall and winter. The Northern Sierra Air Quality Management District has responsibility for controlling air pollution emissions including "criteria air pollutants" and "toxic air pollutants" from direct sources (such as factories) and indirect sources (such as land-use projects) to improve air quality within Nevada County. To do so, the District adopts rules, regulations, policies, and programs to manage the air pollutant emissions from various sources, and also must enforce certain statewide and federal rules, regulations and laws. The Federal Clean Air Act of 1971 established national ambient air quality standards (NAAQS). These standards are divided into primary and secondary standards. Primary standards are designed to protect public health and secondary standards are designed to protect plants, forests, crops, and materials. Because of the health-based criteria identified in setting the NAAQS, the air pollutants are termed "criteria" pollutants. California has adopted its own ambient air quality standards (CAAQS). Criteria air pollutants include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, lead, and particulate matter. CAAQS include the NAAQS pollutants, in addition to visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride. A nonattainment area is an area where a criteria air pollutant's concentration is above either the federal and/or state ambient air quality standards. Depending on the level of severity, a classification will be designated to a nonattainment area. Failure of a state to reach attainment of the NAAQS by the target date can trigger penalties, including withholding of federal highway funds. Table 1 shows the current attainment/nonattainment status for the federal and state air quality standards in Nevada County.

Nevada County has two federally recognized air monitoring sites: The Litton Building in Grass Valley (fine particulate matter, also called PM<sub>2.5</sub>, and ozone) and the fire station in downtown Truckee (PM<sub>2.5</sub> only). For eight-hour average ozone concentrations, Nevada County is serious nonattainment for both the 2008 and 2015 state and federal ozone standards of 75 and 70 parts per billion, respectively (Table 1). Unlike other pollutants, ozone is not typically released directly into the atmosphere from any sources. Ozone is created by the interaction of Nitrogen Oxides and Reactive Organic Gases (also known as Volatile Organic Compounds) in the presence of sunlight, especially when the temperature is high. The major sources of Nitrogen Oxides and Reactive Organic Gases, known as ozone precursors, are combustion sources such as factories, automobiles and evaporation of solvents and fuels. Ozone is mainly a summertime problem, with the highest concentrations generally observed in July and August, when the days are longest, especially in the late afternoon and evening hours. Ozone is considered by the California Air Resources Board to be overwhelmingly transported to Nevada County from the Sacramento Metropolitan area and, to a lesser extent, the San Francisco Bay Area. This recognition of overwhelming transport relieves Nevada County of

CAAQS-related requirements, including the development of a CAAQS attainment plan with a "no-net-increase" permitting program or an "all feasible measures" demonstration. For particulate matter, ambient air quality standards have been established for both PM 10 and PM2.5. California has standards for average PM 10 concentrations over 24-hour periods and over the course of an entire year, which are 50 and 20 µg/m<sup>3</sup>, respectively. (The notation "µg/m<sup>3</sup>" means micrograms of pollutant per cubic meter of ambient air.) For PM2.5, California only has a standard for average PM2.5 concentrations over a year, set at 12 µg/m<sup>3</sup>, with no 24-hour-average standard. Nevada County is in compliance with all of the federal particulate matter standards, but like most California counties it is out of compliance with the state PM10 standards. Particulate-matter is identified by the maximum particle size in microns as either PM2.5 or PM 10. PM2.5, is mostly smoke and aerosol particles resulting from woodstoves and fireplaces, vehicle engines, wildfires, and open burning. PM-10 is a mixture of dust, combustion particles (smoke) and aerosols from sources such as surface disturbances, road sand, vehicle tires, and leaf blowers.

Table 1: Attainment Status by Northern Sierra Air Quality Management District		
of State and Federal Air Quality Standards. In addition, the entire district is either Attainment or Unclassified for all State and federal NO <sub>2</sub> , SO <sub>2</sub> , Pb, H <sub>2</sub> S, visibility reducing particles, sulfates, and vinyl chloride standards.		
<u>Pollutant</u>	<u>State Designation</u>	<u>Federal Designation</u>
Ozone (O <sub>3</sub> )	Nevada County: Non-attainment (due to overwhelming transport)	<u>2008 O<sub>3</sub> Standard (75 ppb)</u> Western Nevada County: Serious Non-attainment; Eastern Nevada County: Unclassifiable.
		<u>2015 O<sub>3</sub> Standard (70 ppb)</u> Western Nevada County: Serious Non-attainment; Eastern Nevada County: Unclassifiable.
<i>PM<sub>10</sub></i>	Nevada County: Non-attainment	Unclassified
<i>PM<sub>2.5</sub></i>	Nevada County: Unclassified	<u>2012 Annual Standard (12µg/m<sup>3</sup>)</u> Nevada County: Unclassifiable/Attainment
		<u>2012 24-hour Standard (35µg/m<sup>3</sup>)</u> Unclassifiable/Attainment
<i>CO</i>	Nevada: Unclassified	Unclassifiable/Attainment

Ultramafic rock and its altered form, serpentine rock (or serpentinite), both typically contain asbestos, a cancer-causing agent. Ultramafic rock and serpentine are likely to exist in several areas of western Nevada County. The area of the project site is not mapped as an area that is likely to contain ultramafic rock, but it is adjacent to an ultramafic rock unit (California Department of Conservation, 2000). Natural occurrences of asbestos are more likely to be encountered in, and immediately adjacent to areas of ultramafic rock.

Please see Section 8 of this Initial Study for a discussion of project impacts related to Greenhouse Gas Emissions.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Conflict with or obstruct implementation of the applicable air quality plan.				✓	A,G
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?		✓			A,G
c. Expose sensitive receptors to substantial pollutant concentrations?		✓			A,G,L
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?		✓			A,G
e. Generate substantial smoke ash or dust?		✓			A,G

**Impact Discussion:**

3a: Nevada County’s General Plan, Chapter 14 Air Quality Element, contains numerous policies to protect air quality in Nevada County. With the exception of General Plan Air Quality Element Policy 14.7A, which requires compliance with Northern Sierra Air Quality Management District Rule 226, the Nevada County General Plan Air Quality Element policies are intended to apply to development that generates new residents or new employees. The addition of lights to the trail system or the extended hours of skiing will not create any new residents or employees. By assessing air pollution and emissions associated with the proposed project and recommending mitigation measures based on Thresholds of Significance established by the Northern Sierra Air Quality Management District (NSAQMD), the project as proposed would comply with Northern Sierra Air Quality Management District regulations. In addition, the project has been mitigated, as discussed below to be compliant with the NSAQMD construction guidelines in compliance with Rule 226, which is related to the control of dust emissions as required by Mitigation Measure 3A. In addition, based on the County’s review of the NSAQMD Rules and Guidelines for Assessing and Mitigation Air Quality Impacts of Land Use Projects, it appears several of the objectives of the NSAQMD regulations are achieved through the application of mitigation measures provided below and due to the size and type of the project, the minimization of heavy equipment idling times as required by Mitigation Measure 3B, the use of alternative methods to open burning for vegetation disposal, and the compliance with Asbestos Airborne Toxic Control Measures.

Therefore, given the above discussion, the project itself will not violate any established policies or standards for the protection of air quality nor would it conflict with or obstruct implementation of any quality plan, therefore there is *no impact*.

3b-e: Eastern Nevada County is in non-attainment for the Federal 8-hour ozone standard, and the entirety of Nevada County is in non-attainment for the State 1- and 8-hour ozone standards and PM10 standards. While most of the ozone in the County is transported from urban areas to the southwest, PM10 sources primarily come from within the County. PM10 violations in winter are largely due to wood smoke from the use of woodstoves and fireplaces, while summer and fall violations often occur during forest fires or periods of open burning. The proposed project would result in a temporary but incrementally small net increase in pollutants due to minor land disturbance and

construction vehicle and equipment emissions related to the installation of the 40 light poles and trenching for underground electrical.

### *Construction and Operational Impacts*

The California Emissions Estimation Model (CalEEMod) provides a means to estimate potential emissions associated with both construction and operation of land use projects. Using the parameters specific to this proposed project, the CalEEMod model identified potential increases in the pollutants of concern during various stages of the construction phase of the project (*CalEEMod Version 2016.3.2*). Construction, including site preparation and grading, was assumed to occur over a period of a 60 days to provide a conservative analysis. There is expected to be 6,886 square feet of trenching for electrical utilities and 640 square feet of site preparation for the installation of the light poles. The highest amount in any given year over the life of construction was used, with the default variables for the construction of the proposed additions.

**Table 1. Project Construction Air Quality Impacts**

<b>Pollutant</b>	<b>NSAQMD Threshold*</b>	<b>Project Impact</b>
<b>NOx</b>	24-136 lbs/day	1.13 lbs/day (0.206 tons/year)
<b>ROG</b>	24-136 lbs/day	0.11 lbs/day (0.021 tons/year)
<b>PM10</b>	79-136 lbs/day	0.136 lbs/day (0.025 tons/year)
<b>CO</b>	N/A	1.06 lbs/day (0.194 tons/year)

\*These thresholds are “Level B” in NSAQMD’s *Guidelines*. All projects require basic mitigations under Level A, which is under 24 pounds per day of any pollutant shown above.

As shown above on Table 1, no mass of pollutant emissions will exceed thresholds established by NSAQMD. Although PM10 is not anticipated to exceed the per diem threshold adopted by NSAQMD, this constituent has been identified in Nevada County as exceeding ambient air quality standards and should be mitigated to the extent possible through dust control measures such as watering and stabilizing of excavated materials, slow vehicle speeds on-site, and halting work during windy periods as required in Mitigation Measure 3A.

Short-term project construction activities have the potential of generating dust and impacting the local ambient air quality with grading and excavation, vegetation removal, and construction activities from site preparation, the installation of underground utilities, and associated light poles. If improperly managed or controlled, and depending upon the time of year and air conditions, the construction activities associated with this project may have the potential to produce off-site dust impacts. The Northern Sierra Air Quality Management District (NSAQMD) therefore recommends mitigation during the construction phase of this project including Mitigation Measure 3B requiring that diesel construction equipment not be idled for more than 5 minutes to prevent smoke and ozone precursors and a requirement for alternatives to open burning of cleared vegetation, as outlined in Mitigation Measure 3C.

### *Ultramafic Rock*

Serpentine soils and ultramafic rock are not mapped on the project site, pursuant to the Northern Sierra Air Quality Management District and the National Geologic Map Database provided by the

United States Geologic Service. However, although unlikely, there is always the potential to encounter these soil types during grading activities. According to the NSAQMD, ultramafic rock typically contains asbestos, a cancer-causing agent. Disturbance of this rock and nearby soil during project construction can result in the release of microscopic cancer-causing asbestos fibers into the air, resulting in potential health and safety hazards. Health risks related to project grading would be reduced by the incorporation of Mitigation Measure 3D, which would require compliance with the Asbestos Airborne Toxic Control Measure (ACTM) for construction.

The mitigation measures recommended above will minimize the potential adverse impacts associated with construction and operational emissions to a level that is *less than significant with mitigation*.

**Mitigation:** To offset potentially adverse air quality impacts associated with the project activities, the following mitigation measures shall be required:

**Mitigation Measure 3A: Implement dust control measures.** Prior to the approval of any Grading or Building Permits, to reduce short-term construction impacts, all future development permits shall comply with the following standards to the satisfaction of the Northern Sierra Air Quality Management District, which shall be noted on all grading and improvement plans and shall be included in project bidding documents:

1. The applicant shall implement all dust control measures in a timely manner during all phases of project development and construction.
2. All material excavated, stockpiled or graded shall be sufficiently watered, treated or converted to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Watering should occur at least twice daily, with complete site coverage.
3. All areas (including unpaved roads) with vehicle traffic shall be watered or have dust palliative applied as necessary for regular stabilization of dust emissions.
4. All land clearing, grading, earth moving, or excavation activities on a project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.
5. All on-site vehicle traffic shall be limited to a speed of 15 mph on unpaved roads.
6. All inactive disturbed portions of the development site shall be covered, seeded or watered until a suitable cover is established. Alternatively, the applicant shall be responsible for applying non-toxic soil stabilizers to all inactive construction areas.
7. All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance.

*Timing: Prior to issuance of Grading Permits, Building Permits or Improvement Plans*

*Reporting: Approval of the grading permit and improvement plans*

*Responsible Agency: Northern Sierra Air Quality Management District*

**Mitigation Measure 3B: Minimize Construction Equipment Idling.** In order to reduce emissions from construction equipment, the applicant shall include the following standard note on

all Grading Plans, Site Plans or Improvement Plans: “During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel-powered equipment. Signs shall be posted in the designated queuing areas of the construction site to remind off-road equipment operators that idling is limited to a maximum of 5 minutes. Idling of construction-related equipment and construction related vehicles is not recommended within 1,000 feet of any sensitive receptor.”

*Timing: Prior to issuance of Grading Permits, Building Permits or Improvement Plans*

*Reporting: Planning Department approval of Grading Permits or Building Permits / Complaint driven*

*Responsible Agencies: Planning and Building Department, Code Compliance Division*

**Mitigation Measure 3C: Use Alternative Methods to Open Burning for Vegetation Disposal.**

Open burning of site-cleared vegetation is prohibited. Among suitable alternatives are chipping, grinding, hauling to an approved disposal site, cutting for firewood, and conversion to biomass fuel.

*Timing: Prior to issuance of Grading Permits, Building Permits or Improvement Plans and during construction*

*Reporting: Approval of the grading permit and improvement plans*

*Responsible Agency: Northern Sierra Air Quality Management District*

**Mitigation Measure 3D: Comply with the Asbestos Airborne Toxic Control Measure (ACTM) for construction.** If serpentine, ultramafic rock, or naturally occurring asbestos is discovered during construction or grading, the Northern Sierra Air Quality Management District shall be notified no later than the following business day and specific requirements contained in Section 93105 of Title 17 of the California Code of Regulations shall be strictly complied with. This measure shall be included as a note on all grading and improvement plans.

*Timing: Prior to issuance of the grading permits and improvement plans and during grading activity*

*Reporting: Approval of the grading permit and improvement plans*

*Responsible Agency: Northern Sierra Air Quality Management District*

#### 4. **BIOLOGICAL RESOURCES**

**Existing Setting:** The habitat of the project area consists of Pacific Northwest Subalpine Forest and Montane Conifer Forest. The United States Geological Survey identifies Upper Castle Creek on the north-eastern end of the parcel as a watercourse, but it will not be impacted by the project since it is not in the same vicinity of the project site. No other wetlands or other aquatic features were identified on the USGS map. Based on history provided by the applicant, the cross-county skiing trails are essentially modified old logging roads. The Boreal lease area of the parcel is highly developed with a ski lodge, chair lifts, an eight-unit condominium, a large parking lot, an extreme sports training facility, outdoor skate parks, an equipment maintenance shop, cellular towers, and other less prominent structures. The portion of the parcel related to the Auburn Ski Club has less intense development and includes a time keeping tower, a retaining wall for snow, an equipment repair shop, the lodge, and a parking lot. The site is developed with many culverts to control the flow of water from the melting snow and to prevent flooding. Based on a walk of the lower loop, the proposed locations of the poles are along a dirt path that is covered with only light amounts of vegetation or rocks. The land is predominately barren because the snow cover appears to have killed the underlying vegetation. There are many trees in the area which are mainly second growth lodgepole pines and red fir. Higher up in sunny areas are some Jeffery pines and a scattering of western white pine. The project applicant has verified that no trees will be removed for the installation of the light poles.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			✓		K,19, 25, 34, 35
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?			✓		A, K, L,19,22
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓		A, K, L,19,29
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		✓			A, 19
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓		A,19
f. Conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓	A,19
g. Introduce any factors (light, fencing, noise, human presence and/or domesticated animals) which could hinder the normal activities of wildlife?			✓		A,19

**Impact Discussion:**

4a-c: The U.S. Fish and Wildlife Service Information for Planning and Consultation (IPaC) identifies the potential for four endangered/threatened species including the Sierra Nevada Red Fox (*Vulpes vulpes necator*), the Sierra Nevada Yellow-legged frog (*Rana sierrae*), the Delta Smelt (*Hypomesus transpacificus*), and the monarch butterfly (*Danaus plexippus*). This project is also within the range of designated critical habitat for the Sierra Nevada Yellow-legged frog. The Delta Smelt is a small fish, endemic to California that only occurs in the San Francisco Estuary. There are no waterways identified by the United States Fish and Wildlife Service so it is not anticipated that delta smelt will be impacted. Monarch butterflies live mainly in prairies, meadows, and grasslands. Monarch butterflies only lay their eggs on milkweed plants. Based on the site visit, no milkweed plants were identified so it is unlikely that there are monarch butterflies on the parcel. Almost the entire Sierra Nevada Mountain range is identified as critical habitat for the Sierra Nevada Yellow-legged frog. The habitat of the Sierra Nevada Yellow-legged frog is high mountain lakes, ponds, and streams. Neither the United States Geological Survey or the National Wetlands Inventory identifies wetlands or watercourses within the project site. There are drainages which transport snow melt runoff from the parcel to Upper Castle Creek, but there will not be any construction within the snow melt drainages. The Sierra Nevada red fox is transient and may travel through the study area. However, due to the lack of suitable habitat and the high level of human activity surrounding the site, they

would den only in areas outside the project area. The trails already exist and this project is only for the installation of 40 light poles. Based on an inspection of the lower loop trail, the proposed locations of the light poles are dirt that is covered with only light amounts of vegetation or rocks. The land is predominately barren because the snow cover appears to have killed the underlying vegetation. The habitat is not anticipated to be substantially modified for the installation of the light poles. Therefore, the impacts on special status species, riparian habitat, and wetlands is anticipated to be *less than significant*.

- 4d. The United States Fish & Wildlife Service Information for Planning and Consultation identified the potential for migratory birds such as the Bald Eagle, Black-throated Gray Warbler, Cassin's Finch, Evening Grosbeak, Golden Eagle, and Olive-sided Flycatcher. No nests were observed during the site visit, but there is the potential for the occurrence of protected migratory birds. Therefore, a pre-construction survey will be required for the breeding season as specified in Mitigation Measure 4A. No resident deer herds, critical fawning area, or deer range was identified on the project site. Therefore, with Mitigation Measure 4A, the projects potential to interfere with wildlife corridors or nursery sites is *less than significant with mitigation*.
- 4e. The proposed addition of 40 light poles along an existing trail system is not anticipated to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Nevada County has a number of local policies and ordinances that protect sensitive resources, including deer habitat; rare, threatened, and endangered species and their habitats; timber resources; and watercourses, wetlands, and riparian areas and steep slopes. The light poles are no proposed to be constructed on steep slopes, there is no deer habitat or watercourses identified by the United States Geological Survey. There are no landmark oak trees or protected oak groves that would qualify for protection under the Nevada County Land Use and Development Code. Therefore, conflicts with local policies and ordinances are expected to be *less than significant*.
- 4f. The Auburn Ski Club property is not part of a Habitat Conservation Plan or any other adopted conservation plans; therefore, the project would have *no impacts* or conflicts with adopted conservation plans.
- 4e. The project will generate noise during construction, but this will be temporary and will only occur after a pre-construction bird survey, which will be required by Mitigation Measure 4A if construction is proposed during the breeding season. No fencing or domesticated animals will be involved with the project. Human presence will not substantially increase, but there will be human presence on the site for longer hours due to the lighting provided from the poles. The light does have the potential to mildly impact the normal activities of wildlife, but the lights are only going to be used during the skiing season and will be required as Conditions of Approval and by Section 4.2.5 of the Nevada County Land Use and Development Code to have controls to allow the lights to be turned off as needed, and to be turned off between the hours of 11 p.m. and sunrise. The proposed operation of the night skiing is from dusk to 8:00 PM, so the lights will likely be turned off at a time earlier than required by the Nevada County Land Use and Development Code, further reducing impact to wildlife. Therefore, the impact will be *less than significant*.

**Mitigation:** To reduce potential construction impacts to biological resources, the following mitigation is required to be outlined on project construction plans for implementation during project construction:

**Mitigation Measure 4A: Avoid impacts to nesting raptors and migratory birds.** To avoid of minimize potential impacts to nesting birds (including special status species), all project

construction activities such as site grubbing, excavation, grading, and the operation heavy equipment occur between September 1 and January 31, outside of the nesting season to the extent feasible. If construction occurs between February 1 and August 31, a pre-qualified biologist shall conduct pre-construction surveys for nesting raptors and migratory birds pursuant to California Department of Fish and Wildlife requirements and according to the Migratory Bird Treaty Act. These surveys should be accomplished within 7 days prior to commencement of grading activities. In any nesting birds (including special status species) are detected during the pre-construction survey or during construction, work in that area shall be suspended and consultation with County Planning Department staff will immediately commence and CDFW and/or USFWS will be consulted to determine the course of action. If a legally protected species' nest is located in a tree for removal, the removal shall be deferred until after August 31 or until the adults and young are no longer dependent on the nest, as determined by a qualified biologist.

If any active nests are located onsite, an appropriate no disturbance buffer zone shall be established around the nests, as determined by the qualified biologist. The biologist shall mark the buffer zone with construction tape or pin flags and maintain the buffer zone until the end of the breeding season or until the young have successfully fledged. Buffer zones are 100 feet for migratory bird nests and 250 feet for raptor nests. If active nests are found in areas of work, a qualified biologist shall monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. If establishing the typical buffer zone is impractical, the qualified biologist may reduce the buffer depending on the species and daily monitoring is required to ensure that the nest is not disturbed, and no forced fledging occurs. Daily monitoring shall occur until the qualified biologist determines that the nest is no longer occupied.

*Timing: Prior to issuance of the grading and improvement permits*

*Reporting: Approval of the grading and improvement permits*

*Responsible Agency: Nevada County Planning Department*

**5. CULTURAL RESOURCES**

**Existing Setting:** The site has been previously disturbed through the process of developing the existing trail system which was expanded under U89-039. The footprints of the light poles are not proposed to extend past the existing area of disturbance along the cleared and graded trails. Because there will be limited land disturbance in a highly disturbed area, an archeological survey was not required. Although the archeological study was not required, the greater Truckee area does have associated cultural resources. The project was distributed to the affected AB52 tribes including Washoe, United Auburn Indian Community, T'si Akim Maidu, Shingle Springs Band of Miwok Indians, and the Nevada City Rancheria Nisenan Tribe, but no comments or concerns were received from any of the tribes.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?		✓			33
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		✓			33
c. Disturb any human remains, including those interred outside of formal cemeteries?		✓			33

**Impact Discussion:**

5a-c: As proposed the project would include the addition of 40 light poles to the existing Auburn Ski Club Nordic cross-county skiing trails to allow night skiing from dusk to 8:00 PM, Wednesday through Sunday. No archeological studies have been previously conducted, but the additional ground disturbance for the lights and trenching is minimal. Although the project would be constructed over an area that has already been disturbed and no known pre-historic or historic resources exist on the site, there is a potential for the discovery of unknown cultural resources during land disturbance. This impact would be *less than significant with mitigation* identified in Mitigation Measure 5A below.

**Mitigation:** To offset potentially adverse cultural or historical resources impacts associated with the construction activities, the following mitigation measure shall be required and shall be included as notes on all grading and construction plans:

**Mitigation Measure 5A: Halt Work and Contact the Appropriate Agencies if Human Remains, Cultural Resources or Paleontological Resources are Discovered during Project Construction.** All grading and construction plans shall include the note outlining the requirements provided below to ensure that any cultural resources discovered during project construction are properly managed. These requirements including the following:

All equipment operators and employees involved in any form of ground disturbance shall be trained to recognize potential archeological resources and advised of the remote possibility of encountering subsurface cultural resources during these activities. If such resources are encountered or suspected, work within 100-feet shall be halted immediately and the Nevada County Planning Department shall be contacted. A qualified cultural resources specialist shall be retained by the developer and consulted to access any discoveries and develop appropriate management recommendations for resource treatment.

If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner be contacted. Should the discovery include Native American human remains, in addition to the required procedures of Health and Safety Code Section 7050.5, Public Resources Code 5097.98 and California Code of Regulations Section 15064.5(e), all work must stop in the within 100-feet 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 California Environmental Quality Act Sections 15064.5(d) and (e) shall be followed.

If Native American resources are involved, Native American Organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment. Native American Representatives from traditionally and culturally affiliated Native American Tribes shall be retained by the developer and consulted to access any discoveries and develop appropriate management recommendations for resource treatment. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The United Auburn Indian Community of the Auburn Rancheria (UAIC) does not consider curation of tribal cultural resources to be appropriate or respectful and requests that materials not be permanently curated, unless at their request. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and

reburial of cultural objects or cultural soil. These recommendations shall be documented in the project record. Any recommendations made by traditionally and culturally affiliated Native American Tribes that are not implemented shall require submittal of a justification statement to the Planning Department for inclusion in the project record. If adverse impacts to tribal cultural resources, unique archaeology or other cultural resources occurs, the developer shall consult with UAIC and other traditionally and culturally affiliated Native American Tribes regarding mitigation contained in applicable Public Resources Codes and CEQA Guidelines.

**Timing:** Prior to Issuance of Building Permit or Grading Permit and throughout construction

**Reporting:** Planning Department Approval of Grading and Construction Permits

**Responsible Agency:** Planning Department

**6. ENERGY**

**Existing Setting:** The subject parcel is developed with the existing lodge, chair lifts, equipment maintenance facilities, cellular towers, an extreme sports training center, the ASC maintenance shop, the ASC training lodge, and the existing cross-county trails. The project site is currently served by several existing underground service connections, which are provided by Pacific Gas and Electric.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during construction or operation?			✓		A
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				✓	A, D

**Impact Discussion:**

6a: The proposed light poles would be required to meet all current building standards as required by the California Building Code and the Nevada County Land Use and Development Code. Thus, long-term operational impacts related to energy resources are anticipated to be *less than significant*.

6b: The proposed project would not conflict with any state or local plans for renewable energy or energy efficiency. Building Permits would be required in order to construct the project. As part of the Building Permit review, all equipment and structures would be required to meet energy standards identified in the California Building Code. Likewise, the project would not obstruct or prevent plans for renewable energy or efficiency. Therefore, the project would have *no impact* to state or local plans for renewable energy or energy efficiency.

**Mitigation:** None Required.

**7. GEOLOGY / SOILS**

**Existing Setting:** The light poles are proposed to be built along previously graded historic cross-county skiing trails that were previously used as logging roads. According the the Natural Resource Conservation Service (NRCS) Web Soil Survey prepared by the United States Department of Agriculture (USDA), this project site is underlain by four soil types; the Meiss-Rock outcrop complex, the Meiss-Waca-Rock outcrop

complex, the Tinker-Rock outcrop, and Waca-Meiss complex. The Meiss series consists of shallow, somewhat excessively drained soils formed in material weathered from andesitic rock. The Waca series consists of moderately deep, well-drained soils formed in material weathered from andesitic tuff. Although the California Office of Planning and Research identifies the parcel as having very high landslide hazards, the parcel is not located in an Alquist Priolo Fault Zone or a Alquist Priolo Fault Trace and the Department of Conservation has not been evaluated the parcel for liquefaction or landslides.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury or death involving: i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii. Strong seismic ground shaking? iii. Seismic-related ground failure including liquefaction? iv. Landslides?			✓		A, L, 12, 31
b. Result in substantial soil erosion or the loss of topsoil?			✓		D
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✓		D, 12
d. Be located on expansive soil creating substantial direct or indirect risks to life or property?			✓		D
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?			✓		A
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓			A
g. Result in substantial grading on slopes over 30 percent?			✓		A, L, 9

**Impact Discussion:**

7a-c: Ground or fault rupture is generally defined as the displacement that occurs along the surface of a fault during an earthquake. The Alquist-Priolo Earthquake Fault Zoning Act was adopted in 1972 to prevent the construction of buildings in areas where active faults have surface expression. No specific potential hazards have been identified for the project site. According to the California Department of Conservation, the subject project site is not located in an Alquist-Priolo Earthquake Fault Zone. Based on the Fault Activity Map created by the California Department of Conservation, there are pre-Quaternary faults where there is not recognized displacement or displacement that

hasn't occurred in the last 1.6 million years. There may be some minor ground vibrations caused by the construction activities at the project site, but ground shaking is not expected to be substantial. Due to the project site and standard building permit requirements, impacts associated with unstable earth conditions are expected to be *less than significant*.

- 7d: The trail system was expanded via a Use Permit from 1989 and has been used without known seismic related incident for the past 33 years. The light poles are not designed to expand skiing into new areas and are intended to allow additional hours of skiing during winter months where there is less daylight. The footings of the light poles are small and do not require a grading permit. Complete construction plans and calculations will be required to be submitted to the Nevada County Building Department as a condition of approval. Therefore, the project will have *less than significant* impacts in regard to potential impacts to life or property.
- 7e: The proposed project does not utilize septic tanks or alternative wastewater disposal systems because the project involves only the construction of the light poles. Subsequently, the project will have *no impact* to onsite for wastewater treatment.
- 7f: There are no known paleontological resources or unique geological features in or around the project site. Being that there will be ground disturbance for grading and construction, Mitigation Measure 5A would require work to halt in the event that there is an unanticipated discovery of paleontological resources. Direct or indirect damage to paleontological resources is anticipated to be *less than significant with mitigation*.

**Mitigation:** See Mitigation Measure 5D.

## **8. GREENHOUSE GAS EMISSIONS**

**Existing Setting:** Global climate change refers to changes in average climatic conditions on the earth as a whole, including temperature, wind patterns, precipitation and storms. Global warming, a related concept, is the observed increase in the average temperature of the earth's surface and atmosphere. One identified cause of global warming is an increase of greenhouse gases (GHGs) in the atmosphere. Greenhouse gases (GHGs) are those gases that trap heat in the atmosphere. GHGs are emitted by natural and industrial processes, and the accumulation of GHGs in the atmosphere regulates the earth's temperature. Events and activities, such as the industrial revolution and the increased combustion of fossil fuels (e.g. gasoline, diesel, coal, etc.), are believed to have contributed to the increase in atmospheric levels of GHGs. GHGs that are regulated by the State and/or EPA are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF<sub>6</sub>) and nitrous oxide (NO<sub>2</sub>). Emission inventories typically focus on GHG emissions due to human activities only, and compile data to estimate emissions from industrial, commercial, transportation, domestic, forestry, and agriculture activities. CO<sub>2</sub> emissions are largely from fossil fuel combustion and electricity generation. Agriculture is a major source of both methane and NO<sub>2</sub>, with additional methane coming primarily from landfills. Most HFC emissions come from refrigerants, solvents, propellant agents, and industrial processes, and persist in the atmosphere for longer periods of time and have greater effects at lower concentrations compared to CO<sub>2</sub>. Global warming adversely impacts air quality, water supply, ecosystem balance, sea level rise (flooding), fire hazards, and causes an increase in health-related problems.

To reduce emissions of greenhouse gases, the California Legislature enacted AB 32 (Núñez and Pavley), which is referred to as the California Global Warming Solutions Act of 2006 (September 27, 2006). AB 32 provided initial direction on creating a comprehensive, multiyear program to limit California's GHG emissions at 1990 levels by 2020, and initiate the transformations required to achieve the state's long-range climate objectives. In April 2015, the California Air Resources Board issued Executive Order B-30-15 to

set an interim target goal of reducing GHG emissions to 40 percent below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80 percent below 1990 levels by 2050 as set forth in EO S-3-05. SB 32, enacted in 2016, codified the 2030 the emissions reduction goal of CARB Executive Order B-30-15.

In addition, the Governor signed Senate Bill 97 in 2007 directing the California Office of Planning and Research to develop guidelines for the analysis and mitigation of the effects of greenhouse gas emissions and mandating that GHG impacts be evaluated in CEQA documents. CEQA Guidelines Amendments for GHG Emissions were adopted by OPR on December 30, 2009. The Northern Sierra Air Quality Management District (NSAQMD) has prepared a guidance document, *Guidelines for Assessing Air Quality Impacts of Land Use Projects*, which includes mitigations for general air quality impacts that can be used to mitigate GHG emissions when necessary.

Continuing to reduce greenhouse gas emissions is critical for the protection of all areas of the state, but especially for the state’s most disadvantaged communities, as those communities are affected first, and, most frequently, by the adverse impacts of climate change, including an increased frequency of extreme weather events, such as drought, heat, and flooding.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓		A, G
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			✓		A, G, 20

**Impact Discussion:**

8a-b: Given the complex interactions between various global and regional-scale physical, chemical, atmospheric, terrestrial, and aquatic systems, it is not possible to determine to what extent this project’s CO2 emissions would alter physical conditions. In considering this project’s GHG emissions within the context of statewide and regional emissions, it is assumed that the project will not generate greenhouse gases that would result in significant environmental impacts or that would be in conflict with plans for greenhouse gas reductions. Pursuant to provisions and precedents stemming from AB32, greenhouse gas (GHG) emissions should be quantified for decision-makers and the public to consider, however the Northern Sierra Air Quality Management District has not established a threshold of significance. Therefore, the overall GHG impact is expected to remain at a level that is *less than significant*. Typically, cumulative impacts are analyzed and mitigated in the County’s General Plan and associated EIR. In this case, the General Plan for Nevada County does not address GHG emissions.

**Mitigation:** See Mitigation Measure 3B.

**9. HAZARDS/HAZARDOUS MATERIALS**

**Existing Setting:** The property is not within or adjacent to any hazardous materials sites compiled pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control, 2022). The project area is designated as a Very High Fire Hazard Area Zone by CalFire.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓	C
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓		C
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓	A, L
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?				✓	C, 25
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?			✓		L
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓		H, K
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			✓		H, K

**Impact Discussion:**

- 9a. Operation of the proposed project would not result in the routine transport, use, or disposal of hazardous materials and would thus not result in significant hazards to the public or the environment. Therefore, it is determined that there will be **no impact**.
- 9b. The lighting will be powered from grid electricity so the storage of hazardous materials such as gasoline is not required during operation. Small quantities of hazardous materials would be stored, used, and handled during construction. The hazardous materials anticipated for use are small volumes of petroleum hydrocarbons and their derivatives (e.g., gasoline, oils, lubricants, and solvents) required to operate the construction equipment. These relatively small quantities would be below reporting requirements for hazardous materials business plans and would not pose substantial public health and safety hazards through release of emissions or risk of upset. Safety risks to construction workers for the proposed project would be reduced by compliance with

Occupational Safety and Health Administration standards. Therefore, this impact is considered *less than significant*.

- 9c: The project area is not within one-quarter mile of an existing or proposed school. Therefore, there would be *no impact* related to hazardous emissions or substances near a school.
- 9d: The project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, there would be *no impact*.
- 9e: The proposed project is not located within an airport land use plan or within two miles of a public airport, however there is a Military Training Route (MTL) which has a floor of 0 feet above ground level approximately two miles southwest of the project area. The light poles would not be taller than the existing trees and would be outside of the MTL; therefore, the impact would be *a less than significant*.
- 9f: The Truckee Fire Protection District and CalFire have reviewed the project proposal and did not comment on any adverse impacts to emergency response or evacuation plans. Neither the Fire District nor CalFire provided any comments about the project due to the minor impacts. The additional users resulting from the construction of lights are very few so any evacuation would not be impaired. Since, the proposed project would not impair or physically interfere with any adopted emergency response and evacuation plan, this impact would be *less than significant*.
- 9g: The project site is within an existing network of cross county trails meandering through montane conifer forest. The area is considered to be a Very High Fire Hazard Severity Zone by CalFire. However, the lights will only be used in the winter for cross-county skiing when there is a layer of snow on the ground. The electrical lines will be buried underground to eliminate the potential for ignition from vegetation contact. Considering the use inherently occurs outside of fire season and the letters from both CalFire and the Truckee Fire Protection District that do not express concern, the proposed project would not expose people or structures to a significant risk of loss from wildland fires, and there would be a *less than significant* impact.

Mitigation: **None required.**

## 10. HYDROLOGY / WATER QUALITY

**Existing Setting:** The United States Fish and Wildlife National Wetlands Inventory Surface Waters and Wetlands Mapper does not identify any wetlands on the parcel. There were no hydrophytic vegetation or other indicators of wetlands observed during the site visit on June 1, 2022. Based on FEMA flood maps, the project is not within a floodplain but there are possible but undetermined flood hazards. The United States Geological Survey identifies Upper Castle Creek on the north-eastern end of the parcel, but it will not be impacted by the project since the proposed area of construction is approximately 500 feet from the closest section of the creek. No other wetlands or other aquatic features were identified on the USGS map. Due to large quantity of snow that accumulates in the winter, water inevitably flows down the slope when the snow begins to melt in the spring. The cross-county skiing course has multiple culverts to discharge water resulting from snowmelt to prevent flooding, but not of these drainages are defined as perennial or ephemeral streams by the United States Geological Survey.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		✓			A,D
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				✓	A,C
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would: i. result in substantial erosion or siltation on- or off-site; ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv. impeded or redirect flood flows?		✓			A,D,9,19
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				✓	L,9,13
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?		✓			A,D
f. Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓	L,9,13
g. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				✓	L,13

**Impact Discussion:**

10a,e: The operation of the project will not involve any discharge of pollutants that would degrade surface or ground water quality. However, there is potential for negative impacts to the snowmelt drainages, which eventually connect with Upper Castle Creek or aquifers. This is unlikely, but it is possible if hazardous materials such as gasoline or diesel are spilled while refueling equipment or if the equipment disturbs the soil and increases sediment in the drainages which is then carried to Upper Castle Creek causing turbidity. To ensure the snow melt drainages are not impacted, Mitigation Measure 10a and 10b are provided below to keep refueling and maintenance activities away from drainages, to keep construction equipment outside of flowing water, and to prevent turbidity by adding silt fencing above drainages if construction activities have the potential to increase sediment in drainages. With these Mitigation Measures, the project impacts are *less than significant with mitigation*.

10b: Construction or operation of lighting is not anticipated to substantially interfere with groundwater recharge because the additional impervious surface created from the construction of forty light poles will be small compared to the overall size of the predominantly undeveloped parcel. The Waca and Meiss soil series both have moderate to rapid permeability which will continue to allow ground water to percolate and recharge aquifers. Therefore, the project will have *no impact* in regard to groundwater recharge.

10c: No streams or river run through the proposed project area of the parcel. There are drainages, but these are not identified as watercourses by the United States Geological Survey or protected by the Nevada County Land Use and Development Code. Additionally, the light poles are not proposed to be placed within any drainage. The impervious surface increase of the 40 poles is so small it is inconsequential to increased surface runoff. The project has the potential to create short-term impacts associated with sediment and runoff during grading and construction if not properly treated. Any erosion would occur only during the construction phase and will be mitigated with Mitigation Measure 10B, therefore the project will be *less than significant with mitigation* related to these impacts.

10d,f,g: There is no flood hazard, designated flood zones, or tsunami or seiche zones on the project site or in proximity of the site. Therefore, there would be *no impact* associated with the release of pollutants due to inundation or placement of housing or structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

**Mitigation:** To mitigate potential water quality and hydrology impacts, the following, the following mitigation measures shall be implemented:

**Mitigation Measure 10A: Pollution Control.** The following note shall be added to all future site plans:

“No equipment or vehicle maintenance or refueling shall occur within any drainage. The contractor shall immediately contain and clean up any petroleum or other chemical spill with absorbent materials such as sawdust or kitty litter. For other hazardous materials, follow the cleanup instructions on the label.”

*Timing: Prior to Issuance of Grading Permits and approval of Improvement Plans/During Construction*

*Reporting: Nevada County Planning*

*Responsible Agency: Nevada County Planning*

**Mitigation Measure 10B: Erosion Control.** The following notes shall be added to all future site plans:

1. The contractor shall exercise every reasonable precaution to protect snow melt drainages at the project site from pollution with sediments, fuels, oils, bitumen, calcium chloride, and other harmful materials. Construction byproducts and pollutants such as oil, cement, and wash water shall be prevented from discharging into the drainages and shall instead be collected and removed from the site.
2. At no time shall heavy equipment operate in flowing water.
3. Silt fencing (or filter fabric) shall be used to catch any short-term erosion or sedimentation that may impact drainages. Silt-fencing should be installed well above the drainages and extend beyond the construction zone if necessary. The use of standard straw is prohibited to avoid introduction of noxious weeds, such as star thistle.

**Timing:** *Prior to Issuance of Grading Permits and approval of Improvement Plans/During Construction*

**Reporting:** *Nevada County Planning*

**Responsible Agency:** *Nevada County Planning*

**11. LAND USE / PLANNING**

**Existing Setting:** The project area is within the Parcel owned by the Auburn Ski Club, south of Interstate 80 near Soda Springs. The Boreal Mountain Ski Resort and the ASC training facility exist on the same parcel but are spatially separated and function as independent facilities from the perspective of the typical user. The Boreal lease area is developed with a variety of uses including six chair lifts, a lodge, the Woodward Tahoe building, an equipment shop, and a large asphalt parking lot. There are also multiple telecommunication towers on the parcel. This project is specifically related to the Auburn Ski Club (ASC) Training Center facility at the western edge of the property. The ASC facilities are behind trees and structures and are not easily visible from the highway or from the parking lot of Boreal. The ASC Training Center portion of the parcel includes a maintenance shop and the ASC Training Center Lodge. There is an existing 10-kilometer network cross county trails that were converted from logging roads and expanded under Use Permit U89-39. Bunny Slope Road, a dirt road, runs from the Boreal parking lot parallel to Highway 80. This road is a utility easement for water, sewer and underground electrical service. Construction of the water and sewer has left some areas heavily scared because of the rocky terrain. Much of this road is used for the cross-country trails.

The area of the proposed trails is zoned as Forest – 40 (FR-40), and Recreation (REC). The parcel is surrounded by other Forest zoning districts with minimum parcel sizes ranging from 40 to 160 acres. These surrounding parcels are mostly undeveloped and the only potentially sensitive land use in the vicinity is Interstate 80. Auburn Ski Club owns the adjacent parcels to the northwest and north, the United States Forest Service owns the parcel to the north and east, and Donner Summit Tramways owns the parcel to the southeast. Donner Summit Tramways is also known as Donner Ski Ranch and will not be impacted by lights on a cross-county skiing trail that are on the other side of Boreal Ridge.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Physically divide an established community?				✓	A, I
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✓		A, 18, 19

**Impact Discussion:**

11a: The proposed project is compatible with the existing land uses at the Auburn Ski Club. The land surrounding the project site is either undeveloped or developed with other snow sport related infrastructure. The proposed project includes the construction of 40 light poles along existing cross-county ski trails and would therefore not disrupt or divide the physical arrangement of an existing community. Therefore, the proposed project would have **no impact** related to division of an existing community.

11b: The project site is within unincorporated Nevada County and is thus subject to Nevada County policies and regulations. The project is not anticipated to create a significant environmental impact due to a conflict with any land use plan, policy, or regulation. The project does not violate setback requirements, allowable land uses, or noise standards established by the County Land Use and Development Code. However, due to the high levels of snow on Boreal Ridge during the winter, the light poles are proposed to be 40 feet tall to clear the base snow levels. The proposed height exceeds the limitation of 15 feet established by Section L-II 4.2.8 of the Nevada County Land Use and Development Code. Therefore, the project is being processed with a variance to the light pole height restrictions. The granting of the variance does not, under circumstances and conditions applied in this particular case, adversely affect public health and safety or the environment. The application was routed to various agencies for review and comment, including the California Department of Transportation, the Truckee Fire Protection District, the Nevada County Department of Environmental Health, and the Nevada County Fire Marshal. No comments opposing the project were received and potential conflicts with all other applicable land use plans, policies, or regulations that could result from this project are not anticipated. Therefore, it is anticipated that there will be *less than significant impacts* related to land use policy inconsistency and land use incompatibility.

**Mitigation:** None required.

**12. MINERAL RESOURCES**

**Existing Setting:** The project area is not mapped within a Mineral Resource Zone (MRZ) or area of known valuable mineral deposits and there are no known historical or active mining operations in the immediate vicinity of the project.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓	A, 1
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓	A, 1

**Impact Discussion:**

12a-b: The nearest area mapped as having mineral deposits of statewide importance (MRZ-2) is approximately 8.0 miles north-west of the project site near Fordyce Lake. Subsequently, the project site is not within an area of known mineral deposits of state importance (MRZ) nor is it in an area with historic or active mining operations. The project as proposed would be consistent with the property land use and zoning designations and will only disturb the ground for the installation of the underground electrical and the light poles, leaving any unknown underground mineral resources intact. For these reasons, this project cannot reasonably be foreseen to result in an impact to mineral resources. Therefore, there would be *no impact* with regard to mineral resources

**Mitigation:** None Required.

**13. NOISE**

**Existing Setting:** The addition of light poles is proposed on a parcel that is already developed with snow sport related uses. The surrounding areas are either undeveloped or also developed with snow sport related uses in the case of Donner Ski ranch (Donner Summit Tramways). The most prominent noise producing land use is Interstate 80 which runs along the northern property line. There is a wall of pine trees that partially functions as a noise barrier, but a substantial amount of noise is heard from the project site. The noise related to cross-county skiing overall is minimal and this project only relates to the installation of lights. The lights will be powered from grid power from PG&E, so no generators are required for electricity.

The General Plan and LUDC have established daytime noise levels for rural uses as follows: a maximum allowable noise level in the forest district is an average (Leq) of 55 decibels and a maximum (Lmax) of 75 decibels at any given time. The forest district which is proposed for this project has allowable noise levels of 55 Leq between 7 a.m. and 7 p.m. and 50 Leq between 7 p.m. and 7 10 p.m. with a maximum Lmax of 75 decibels between 7 a.m. and 7 p.m. and 65 decibels between 7 p.m. and 10 p.m.

Would the proposed project result in:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess standards established in the local General Plan or noise ordinance, or applicable standards of other agencies?		✓			A, 17, 18, 24
b. Generation of excessive ground borne vibration or ground borne noise levels?				✓	A
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓	A, L

**Impact Discussion:**

13a: Nevada County has noise standards established for various land uses that are applicable when a discretionary land use project is proposed. The lights themselves will not generate any noise. However, the lights may indirectly create noises by facilitating the use of the cross-county trail system later at night. There may be noise from participants talking or laughing, but there are no surrounding land uses that could be considered a sensitive receptor. It is anticipated that site development and construction will require the use of noise generating construction equipment both large and small. Construction activities will also increase noise levels in the area through the use of power tools and associated equipment. While short-term increases in noise will occur that can be attributed to this project, construction activities are exempt from the County's Noise Standards as they are temporary in nature and cease once construction is completed. To assist in reducing this impact, Mitigation Measures 13A is recommended which restricts construction activities to daytime hours (7 a.m. to 7 p.m.) Monday-Sunday. With the observation of Mitigation Measure 13A temporary noise impacts will be *less than significant with mitigation*.

13b: The project does not propose blasting during construction or other activities that could cause substantial vibration impacts. Therefore, the proposed project would have *no impact* to this criterion.

13c: The project is not located within the vicinity of a private airstrip or an airport land use plan. Furthermore, the nearest airport is 10.5 miles away. Therefore, the proposed project would have *no impact* to this criterion.

**Mitigation:** To reduce potentially significant impacts associated with construction noise, the following mitigation measure shall be noted on improvement plans:

**Mitigation Measure 13A: Limit construction activities to reduce noise impacts.** Hours of operation for construction activities shall be limited to the hours of 7 a.m. to 7 p.m. Monday through Sunday. These limited hours of operation shall be noted on grading and building plans, which shall be reviewed and approved by the Planning Department prior to permit issuance.

**Timing:** *Prior to issuance of grading or improvement permits and during construction*

**Reporting:** *Agency approval of permits and by complaint*

**Responsible Agency:** *Planning Department and Code Compliance*

14. **POPULATION / HOUSING**

**Existing Setting:** The project area is within an existing cross-county ski trail network that is within a large parcel that is developed with skiing related improvements. The project parcel has an eight-unit condominium. According to the project applicant, four units are used for employee housing and the other four are privately owned.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				✓	A
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓	A

**Impact Discussion:**

14a-b: The project would not contribute to any **population** growth because no housing is proposed and because the lights will not draw a substantial number of additional people to the area. No housing will be demolished to make room to the lights and no people will be displaced for the construction. The proposed location of the lights is currently undeveloped land. Therefore, the proposed project would have *no impact* related to these issues.

**Mitigation:** None required.

15. **PUBLIC SERVICES**

**Existing Setting:** The following public services are provided to this site:

The following public services are provided to this site:

**Fire:** The Truckee Fire Protection District provides fire protection services to this site.

**Police:** The Nevada County Sheriff provides law enforcement services.

**Schools:** The Truckee/Tahoe School District provides education for the area.

**Parks:** The Truckee-Donner Recreation and Park District provide recreational facilities and opportunities.

**Water & Sewer:** The Truckee Donner Public Utility District provides treated water to the site and the Truckee Sanitary District provides public sewer to the site.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following the public services:					
1. Fire protection?				✓	H, M
2. Police protection?				✓	A
3. Schools?				✓	A
4. Parks?				✓	A
5. Other public services or facilities?				✓	A

**Impact Discussion:**

15a.1-5: The proposed project would not result in a new substantial need for additional public services because it would not result in increased population or intensification of use. Therefore, the proposed project would have *no impact* related to these issues.

**Mitigation:** None required.

**16. RECREATION**

**Existing Setting:** The existing cross-county ski trail system is located within the Truckee Donner Recreation and Park District Zone and is primarily used for recreation. Recreational resources are in abundance within this area of Nevada County including passive recreational resources, such as the Martis Creek Lake National Recreation Area to the east and active recreational resources, such as several golf courses, ski resorts, hiking trails, and other established recreational uses.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓	A

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				✓	A
c. Conflict with established recreation uses of the area, including biking, equestrian and/or hiking trails?				✓	A, L

**Impact Discussion:**

16a-c: The project would not result in more people using existing neighborhood or regional parks because the project site itself is a recreational facility. The project would not result in population growth and is unlikely to draw more users to the facility. No additional recreational facilities will need to be constructed to accommodate the users the benefit from the addition of the lights. The lights will allow athletes to use the cross-county trails later at night. Currently skiing is the only use of the trails so other established recreational uses will not be impacted. Therefore, the proposed project would have *no impact* related to these issues.

**Mitigation:** None required.

**17. TRANSPORTATION**

**Existing Setting:** The Auburn Ski Club Parcel is located off Interstate 80 approximately 10 miles west of Truckee, CA. It is accessed from Boreal Ridge Road which is off of Interstate 80 at exit 176. There are private shuttle companies that will drop off skiers at the Boreal parking lot, but it is primarily accessed by private car.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle or pedestrian facilities?			✓		A, B, N
b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			✓		A, B
c. Substantially increase hazards due to a geometric design feature (e.g., a sharp curve or dangerous intersection) or incompatible uses (e.g., farm equipment)?			✓		A, H, M, N
d. Result in inadequate emergency access:			✓		H, M
e. Result in an increase in traffic hazards to motor vehicles, bicyclists, or pedestrians, including short-term construction and long-term operational traffic?			✓		A, H, M, N

**Impact Discussion:**

17a-b. The California Department of Transportation reviewed the project and did not identify any issues related to conflicts with program plans or ordinances related to the circulation system. Additionally,

the Nevada County Department of Public Works determined that a Traffic Study is unnecessary due to the minor impact on traffic that will be created by lights that will allow longer hours of skiing. The proposed project would not generate substantial traffic or increase reliance on transit services, due to the scale of the overall operation not increasing substantially. As proposed, the project would not affect any policies supporting transit alternatives, circulation patterns, sight distance, access, Vehicle Miles Traveled or Level of Service. Thus, given the above discussions, the proposed project is anticipated to have *less than a significant impact* on transportation policies and services, and CEQA Guidelines Section 15064.3, subdivision (b).

- 17c. No road improvements are proposed so there will be no hazards resulting from a geometric design feature such as sharp curve or dangerous intersection. Therefore, given the above discussion the proposed project is anticipated to have a *less than significant* impact related these geometric design features.
- 17d. The proposed project would not significantly increase the population needed to be evacuated. Both CAL Fire and the Truckee Fire Protection District have reviewed the project proposal and did not note any adverse impacts to emergency response or evacuation plans. It is anticipated that any potential adverse impacts would be *less than significant*.
- 17e. Short-term truck traffic from the transportation of construction materials may present a unique traffic hazard on both local roads and high use roads. However, the proposed construction is relatively minor so a significant increase in traffic is not expected. The project construction is adjacent to Interstate 80, but it does not encroach into the right of way, adheres to the required setbacks of the Nevada County Land Use and Development Code, and is screened by pine trees. Therefore, it is anticipated that any potential adverse impacts related to transportation would be *less than significant*.

**Mitigation:** None required.

**18. TRIBAL CULTURAL RESOURCES**

**Existing Setting:** Assembly Bill 52 (Chapter 532, Statutes 2014) required an update to Appendix G (Initial Study Checklist) of the CEQA Guidelines to include questions related to impacts to tribal cultural resources. Changes to Appendix G were approved by the Office of Administrative Law on September 27, 2016. Tribal Cultural Resources include sites, features, and places with cultural or sacred value to California Native American Tribes. The Washoe Tribe of Nevada and California, the United Auburn Indian Community of the Auburn Rancheria (UAIC) and the Shingle Springs Band of Miwok Indians has contacted the County to request consultation on projects falling within their delineated ancestral lands. See Section 5 for additional information regarding tribal resources.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope		✓			33

<p>of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <ul style="list-style-type: none"> <li>i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</li> <li>ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</li> </ul>					
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**Impact Discussion:**

18a: Due to the confidentiality and sensitive nature of ancestral lands, it is difficult to determine which tribes have stake in the specific project site. Therefore, the Washoe Tribe of Nevada and California, Nevada City Rancheria Nisenan Tribe, T’si Akim Maidu, United Auburn Indian Community, and the Shingle Springs Band of Miwok Indians were all invited to begin Assembly Bill 52 Consultation on May 10, 2022. As of the writing of this document, no correspondence from the any of the tribes has been received. The site is believed to have been previously used for logging and sheep grazing in the early 1960’s by the former owner James Sherritt. The environmental review for U89-039 states that the only cultural sites are found in Castle Valley, which is outside of the project area. The existing trails have been used and maintained since before 1970. Disturbance already exists from minor grading, tree removal and culvert installation. Due to the small amount of ground disturbance required for the installation of the poles and electrical trenching (approximately 7,526 square feet), it is not anticipated that any tribal cultural resources will be discovered. While cultural resource discovery has been determined to be unlikely, Mitigation Measure 5A is proposed that would require construction to be halted and local tribes to be notified in the unlikely event that there is a discovery of cultural resources, including historic, prehistoric, tribal, and paleontological resources. Additionally, Mitigation Measure 18A is proposed which would require that a Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with the geographic area be immediately notified if any suspected Tribal Cultural Resources (TCRs) are discovered during ground disturbing construction activities. All work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. With these protections in place, impacts to Tribal Cultural Resources would be *less than significant with mitigation*.

**Mitigation Measures:** To offset potentially adverse cultural or historical resources impacts associated with the construction activities, the following mitigation measures shall be required and shall be included as notes on the supplemental data sheets that record concurrently with the parcel map:

**Mitigation Measure 18A: Unanticipated Tribal Cultural Resources.** If any suspected Tribal Cultural Resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and

shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs under CEQA and UAIC protocols, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by UAIC or by the California Native American Tribe that is traditionally and culturally affiliated with the project area.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB52, have been satisfied.

*Timing: Prior to Issuance of grading/improvement/building permits and throughout construction*

*Reporting: Planning Department Approval of Grading and Construction Permits*

*Responsible Agency: Planning Department*

**Mitigation:** Also see Mitigation Measure 5A.

**19. UTILITIES / SERVICE SYSTEMS**

**Existing Setting:** Sewage service and public water is provided to this area by the Donner Summit Public Utility District and is currently available on the site. Water and sewer lines pass through the site along the existing dirt road and continue to Boreal. Electricity is provided by Pacific Gas & Electric. There are a number of wireless telephone and internet services available in the Boreal Ridge Area, such as Charter Cable and Suddenlink Communications as well as national providers such as AT&T, Verizon as well as satellite television services.

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Require or result in the relocation or the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?			✓		A,D
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				✓	A
c. Generate solid waste in excess of State or local standards, or in excess of the capacity of local		✓			C

Would the proposed project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
infrastructure, or otherwise impair the attainment of solid waste goals?					
d. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓		C

**Impact Discussion:**

- 19a: The proposed project would not result in development that would create a need for the extension of electrical power, storm drainage facilities, or water or wastewater treatment facilities as those facilities are either existing or located adjacent to the project site. The installation of the light poles will not alter storm drainage, will not require additional water, and will not generate additional waste that will need to be processed at a wastewater treatment facility. The 40 light poles will be powered by electricity provided by PG&E. The poles will require approximately 5,165 linear feet of trenching for underground electrical. The project was routed to Pacific Gas and Electric for comment and no comment was received. The lights are only a minor addition to the current electrical uses on the property which include stadium lights for night skiing at Boreal, two lodges, multiple chair lifts, telecommunications towers, condominiums, and an action sport training facility. Based on the application materials provided and the comments received from the appropriate responsible agencies, the project will be able to be served by adequate utilities and service systems and therefore this project will have a *less than significant impact* to those facilities.
- 19b: The installation and operation of lights will not require additional water supplies, therefore, the project will have *no impact* in regard to sufficient water supplies.
- 19c: The operational phase of the proposed project would not result in the significant production of increased solid waste from baseline conditions. Construction activities, however, could produce solid waste in the form of construction materials or industrial toxic waste like glues, paint, and petroleum products. Construction of the proposed project could thus result in potentially adverse landfill and solid waste disposal impacts. Impacts would be *less than significant with mitigation* as identified in Mitigation Measure 19A below which requires proper disposal of waste not accepted by the regional landfill.
- 19d: The construction and operation of the proposed lights are not anticipated to result in significant amounts of solid waste; however, any waste generated would be required to comply with federal, state and local statutes and regulations related to solid waste. Therefore, project related impacts to these regulations are anticipated to be *less than significant*.

**Mitigation:** To offset potentially adverse impacts related to construction waste, the following mitigation measure is recommended:

**Mitigation Measure 19A: Appropriately dispose of toxic waste:** Industrial toxic waste (petroleum and other chemical products) is not accepted at the Eastern Regional Landfill and if encountered, shall be properly disposed of in compliance with existing regulations and facilities. This mitigation measure shall be included as a note on all improvement plans, which shall be reviewed and approved by the Planning Department prior to permit issuance.

**Timing:** Prior to issuance of grading or improvement permits and during construction

**Reporting:** Agency approval of permits or plans

**Responsible Agency:** Nevada County Planning Department

**20. WILDFIRE**

**Existing Setting:** The project parcel is in the Truckee Fire Protection District and is in a Very Hazard Severity Zone as designated by CalFire. The site is largely second growth lodgepole pines and red fir. Jeffrey pine and a scattering of western white pine are found higher up in sunny areas.

If located in or near state responsibility areas or lands classified as very high fire severity hazard zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?				✓	A,H,M,2 3
b. Due to slope, prevailing winds, or other factor, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrollable spread of wildfire?			✓		A,B,H, M,18
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			✓		A,H,M
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			✓		A,H,M,1 2

**Impact Discussion**

20a The Safety Element of the Nevada County General Plan addresses wildlife hazards in Nevada County and has several policies to improve fire safety. The Safety Element discusses the importance of ingress and egress by roadways, and Policy FP-10.7.3 requires that a condition of development is to maintain private roads, including the roadside vegetation. Nevada County has also adopted a Local Hazard Mitigation Plan (LHMP) that was updated in May 2018. Objective 3.6 of the LHMP is to improve communities’ capabilities to prevent/mitigate hazards by increasing the use of technologies. Goal 4 of the LHMP is to reduce fire severity and intensity, with Objective 4.4 to promote the implementation of fuel management on private and public lands. The Office of the Fire Marshal reviewed the project and did not have any comments. The Truckee Fire Protection District also reviewed the project and did not have any comments due to the electrical being located underground. The addition of lights does not pose any conflicts with adopted plans for emergencies; therefore, the project would have **no impact** on impairing emergency plans.

20b,c,d The cross-county ski trails already exist and operate during the winter when there is a layer of snow available for skiing. Wildfire risk is substantially reduced in the winter and the addition of lights with underground electrical will not exacerbate wildfire risks. Additionally, the trenching for the electrical and the excavation for the footings of the light poles is a relatively small amount of disturbance. Therefore, is anticipated to have a **less than significant impact**.

**Mitigation:** None required.

**21. MANDATORY FINDINGS OF SIGNIFICANT ENVIRONMENTAL EFFECT**

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California's history or prehistory?		✓			
b. Does the project have environmental effects that are individually limited but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of the project are considered when viewed in connection with the effects of past, current, and probable future projects.)			✓		
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		✓			

**Impact Discussion:**

21a, c: As discussed in Sections 1 through 20 above, the project would involve the construction of 40 light poles along an existing cross-county trail system. Development of the proposed project would comply with all local, state, and federal laws governing general welfare and environmental protection. Construction and operation of the proposed project could result in potentially adverse impacts to Air Quality, Biological Resources, Cultural Resources, Hydrology/Water Quality, Noise, Tribal Cultural Resources and Utilities/Service System. Mitigation measures are proposed to reduce potential impacts relative to Air Quality, and due to possible impacts to migratory birds and nesting raptors, mitigation has been added to reduce potential impacts if construction occurs during nesting season. Although Cultural, Tribal Cultural, and paleontological resources are not known to be present, mitigation has been added for their protection if resources are found. To minimize the disruption to surrounding parcels during the construction phase of the project, mitigation has been included to limit construction to daytime hours on Monday through Sunday. To minimize the potential for pollution in drainages that lead to Upper Castle Creek, mitigation measures have been added to protect water quality. Lastly, mitigation has been added to reduce potential impacts related to construction waste. Each of the potential adverse impacts are mitigated to levels that are *less than significant levels with mitigation*, as outlined in each section.

21b: A project’s cumulative impacts are considered significant when the incremental effects of the project are “cumulatively considerable,” meaning that the project’s incremental effects are considerable when viewed in connection with the effects of past, current, and probable future projects. Reasonably foreseeable projects that could have similar impacts to the proposed project include other anticipated projects within the project vicinity that could be constructed or operated within the same timeframe as the project. All the proposed project’s impacts, including operational impacts, can be reduced to a less-than-significant level with implementation of the

mitigation measures identified in this Initial Study and compliance with existing federal, state, and local regulations. Therefore, the proposed project would have *less than significant* environmental effects that are individually limited but cumulatively considerable.

**Mitigation Measures:** To offset potentially adverse impacts to Air Quality, Biological and Cultural Resources, Hydrology/Water Quality, Noise, Tribal Cultural Resources and possible impacts to Utilities/Service Systems, see Mitigation Measures 3A-3D, 4A, 5A, 10A-B, 18A and 19A.

### RECOMMENDATION OF THE PROJECT PLANNER

On the basis of this initial evaluation:

\_\_\_\_\_ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

  X   I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

\_\_\_\_\_ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

\_\_\_\_\_ I find that the proposed project MAY have a "potentially significant impact" or a "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

\_\_\_\_\_ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
David Nicholas, Assistant Planner

  7-5-2022    
\_\_\_\_\_  
Date

## APPENDIX A – REFERENCE SOURCES

- A. Planning Department
  - B. Department of Public Works
  - C. Environmental Health Department
  - D. Building Department
  - E. Truckee Donner Public Utility District
  - F. Natural Resource Conservation Service/Resource Conservation District
  - G. Northern Sierra Air Quality Management District
  - H. Truckee Fire Protection District
  - I. Regional Water Quality Control Board (*Lahontan* Region)
  - J. North Central Information Service, Anthropology Department, CSU Sacramento
  - K. California Department of Fish & Wildlife
  - L. Nevada County Geographic Information Systems
  - M. California Department of Forestry and Fire Protection (Cal Fire)
  - N. California Department of Transportation (CalTrans)
- 
- 1. State Division of Mines and Geology. *Mineral Classification Map*, 1990.
  - 2. State Department of Fish and Game. *Migratory Deer Ranges*, 1988.
  - 3. State Department of Fish and Game. *Natural Diversity Data Base Maps*, as updated.
  - 4. FHSZ Viewer, California Department of Forestry and Fire Protection, <https://egis.fire.ca.gov/FHSZ/>.
  - 5. State Division of Mines and Geology. *Geologic Map of the Chico, California Quadrangle*, 1992.
  - 6. State Division of Mines and Geology. *Fault Map of California*, 1990.
  - 7. California Department of Conservation, Division of Land Resource Protection. 2016. *Nevada County Important Farmland Data*. Available at: <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/nev16.pdf>.
  - 8. State Dept. of Forestry & Fire Protection. *Nevada County Hardwood Rangelands*, 1993.
  - 9. U.S.G.S, *7.5 Quadrangle Topographic Maps*, as updated.
  - 10. National Wetlands Inventory, U.S. Fish & Wildlife Service, <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>.
  - 11. Web Soil Survey, United States Department of Agriculture, February 2022, <https://websoilsurvey.sc.egov.usda.gov/>.
  - 12. U.S. Geological Service. *Nevada County Landslide Activity Map*, 1970, as found in the Draft Nevada County General Plan, Master Environmental Inventory, December 1991, Figure 8-3.
  - 13. Federal Emergency Management Agency. *Flood Insurance Rate Maps*, as updated.
  - 14. Northern Sierra Air Quality Management District. *Guidelines for Assessing Air Quality Impacts of Land Use Projects*, 2000.
  - 15. County of Nevada. *Nevada County General Plan Noise Contour Maps*, 1993.
  - 16. Nevada County. 1991. *Nevada County Master Environmental Inventory*. Prepared by Harland Bartholomew & Associates, Inc. (Sacramento, CA). Nevada County, CA.
  - 17. Nevada County. 1995. *Nevada County General Plan: Volume 1: Goals, Objectives, Policies, and Implementation Measures*. Prepared with the assistance of Harland Bartholomew & Associates, Inc. (Sacramento, CA). Nevada County, CA.
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23. Nevada County. *Local Hazard Mitigation Plan Update*. August 2017. <https://www.nvnevadacounty.com/DocumentCenter/View/19365/Nevada-County-LHMP-Update-Complete-PDF?bidId=>
24. "Sierra Nevada Yellow-Legged Frog." National Parks Service, U.S. Department of the Interior, <https://www.nps.gov/yose/learn/nature/snlyfrog.htm>.
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30. Nevada County. *Land Use and Development Code Section 5, Article 13, Grading*. Amended December 2016.
31. California Department of Conservation, California Geological Survey, Accessed June 15, 2022. <https://maps.conservation.ca.gov/planning/>
32. Site Lighting Photometrics. Norris Electrical, 15 Dec. 2021.
33. Nevada County, Use Permit U-88-10, Environmental Review, May 4, 1988
34. Delta Smelt. California Department of Fish and Wildlife, <https://wildlife.ca.gov/Conservation/Fishes/Delta-Smelt>.
35. "Pollinators - Monarch Butterfly." National Parks Service, U.S. Department of the Interior, <https://www.nps.gov/articles/monarch-butterfly.htm>.