

FINAL
Initial Study
Proposed Negative Declaration
for the
Climate Adaptation and Public Safety Element



September 2023

**City of Nevada City
Planning Department
317 Broad Street
Nevada City, CA 95959**

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**INITIAL STUDY/NEGATIVE DECLARATION
FOR THE PUBLIC SAFETY ELEMENT – CLIMATE ADAPTATION AND
PUBLIC SAFETY ELEMENT (CAPSE)**

GENERAL PROVISIONS

INTRODUCTION

This Initial Study/Negative Declaration (IS/ND) has been prepared by Price Consulting Services on behalf of the City of Nevada City (lead agency) pursuant to all relevant sections of the California Environmental Quality Act (CEQA). This IS/ND is intended to inform the City of Nevada City (City) decision-makers, responsible agencies, and the general public of the environmental consequences of the proposed update to the City's General Plan Public Safety Element now referenced as the Climate Adaptation and Public Safety Element (CAPSE). This IS/ND is intended to provide the CEQA-required environmental documentation for all City approvals required to adopt the CAPSE which includes basic information to support this IS/ND.

The CAPSE contains goals, policies, and programs that are consistent with the land use designations established by the General Plan Land Use Element (1998) and consistent with the policies and programs related to recreation, open space, and natural resources management in the Open Space and Conservation Element of the General Plan (1998). The CAPSE is a policy document and does not approve or facilitate any specific development nor does it grant development entitlements. The CAPSE establishes an updated policy framework upon which to base future City decisions.

This IS/ND includes all contents required by Section 15063(d) of the CEQA Guidelines, including a project description, an identification of the project's environmental setting and environmental effects, and an examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls.

PROJECT DESCRIPTION AND BACKGROUND

Project title: Safety Element General Plan Amendment 2023-01

Lead agency name: City of Nevada City

Address: 317 Broad Street
Nevada City, CA 95959

Contact person: Lisa McCandless

Phone number: (530) 265-2496 x.130

Email: Lisa McCandless@nevadacityca.gov

Project sponsor's name: Same as Lead Agency

Address: Same as Lead Agency

Project location: City Wide

General Plan designation: N/A

Zoning: N/A

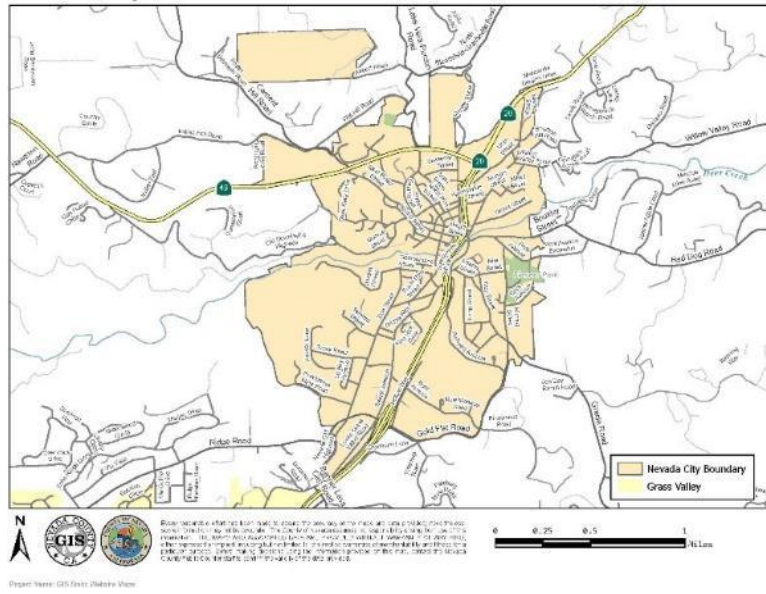
Description of project: Update to the City's General Plan Public Safety Element; now called the Climate Adaptation and Public Safety Element (CAPSE). It includes refinements to the goals, policies and programs concerning public safety. As a major component to the General Plan, the CAPSE identifies, and provides programs to address potential and existing hazards in and around the city such as seismic, geological, flood, fire, hazardous materials, weather, noise, and other hazards. This new document, which relates to the City's General Plan Economic Development, Resources, Housing and Circulation Elements, also includes sections on noise exposure and climate change and incorporates policies and programs from the Nevada County Local Hazard Mitigation Plan. Other portions of the CAPSE include the Climate Vulnerability Assessment and the Noise Element/Exposure Background Report; both as appendices of the CAPSE.

Surrounding land uses and setting: The City sits approximately 60 miles northeast of Sacramento and 84 miles west of Reno in the foothills of the Sierra Nevada Mountains. At approximately 2,500 feet in elevation above sea level, it is surrounded by forest covered hills and is protected by ridge tops and surrounded by forest. The Safety Element covers the City's approximate 4,200-acre General Plan Area including its 2,700-acre incorporated boundaries (see Map 1).

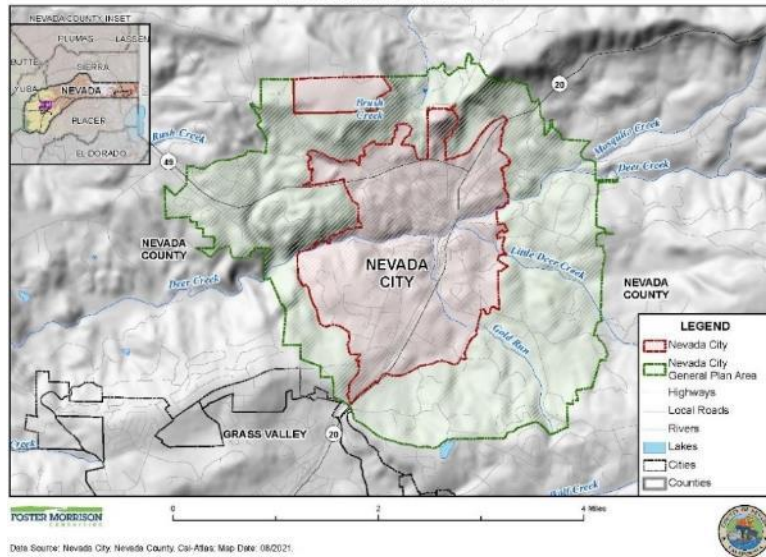
Map 1. Vicinity, Location and Study Area



Nevada City, California



City of Nevada City and General Plan Area



Other public agencies whose approval is required: Each city and county must provide a draft of its safety element or amendment of its safety element for review (prior to adoption) to the California Geological Survey of the Department of Conservation to determine if all known seismic and other geologic hazards are addressed (California Government Code § 65302.5(a)). A city or county that contains a state fire responsibility area or a very high fire hazard severity zone must provide a draft of its safety element or amendment of its safety element to the State Board of Forestry and Fire Protection for review before adoption, and the Board may recommend changes regarding uses of land, policies or strategies for reducing fire risk (California Government Code § 65302.5(b)).

California Geological Survey of the Department of Conservation: Submitted electronically the first staff draft of the document to this agency at cgshq@conservation.ca.gov on March 5, 2023. Requested comments within the 45-day response timeline by April 20, 2023.

State Board of Forestry and Fire Protection: City is coordinating review with this agency and submitted the first staff draft of the document to this agency on March 5, 2023, for preliminary review.

Prior to adopting the CAPSE, the City must refer the proposed action to the following entities, as locally relevant (California Government Code § 65352):

- Any city or county, within or abutting the area covered by the proposal, and any special district which may be significantly affected by the proposed action, as determined by the planning agency.
- Any elementary, high school, or unified school district within the area covered by the proposed action.
- The local agency formation commission.
- Any areawide planning agency whose operations may be significantly affected by the proposed action, as determined by the planning agency.
- Any federal agency if its operations or lands within its jurisdiction may be significantly affected by the proposed action, as determined by the planning agency.
- Any public water system with 3,000 or more service connections that serves water to customers within the area covered by the proposal.
- The Northern Sierra Air Quality Management District for a proposed action within the boundaries of the district.

In accordance with California Government Code § 65352, the City has notified or will notify the appropriate locally relevant entities prior to adopting the CAPSE.

NATIVE AMERICAN CONSULTATION

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code § 21080.3.1?

Yes No

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.? Yes No

If yes, ensure that consultation and heritage resource confidentiality follow Public Resources Code §§ 21080.3.1 and 21080.3.2 and California Government Code § 65352.4.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process (see Public Resources Code § 21080.3.2). Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code § 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code § 21082.3(c) contains provisions specific to confidentiality.

FINAL ENVIRONMENTAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION PUBLIC REVIEW

The Preliminary Draft Initial Study for this project was circulated for public review between July 22, 2023 and August 31, 2023. This circulation involved distribution to the California State Clearinghouse. Below are all the written comments received during this circulation. Some parts of the Preliminary Draft Initial Study were revised (minor clarifications were made) to respond to these comments. The City, as lead agency for this project, has determined that the Initial Study does not need to be recirculated and has been determined that this Final Initial Study adequately addresses concerns referenced in the public comments. Therefore, this document is formalized as the Final Initial Study and the City may issue a Mitigated Negative Declaration based on concurrence of adequacy.

Responses to Public Comments

Comment	Response
<p>September 10, 2021, email to City Manager, Joan Phillipe from Sam Git chel, the Greater Champion Firewise Neighborhood to City Manager, Joan Phillipe:</p> <p>Hi Joan,</p> <p>Happy Friday and weekend. Please forward this to the appropriate person.</p> <p>A Greater Champion neighbor, Carol Cox, pointed out an omission from the map that is part of the flyer/invitation to participate in the safety element survey. Her comments, below, are self-explanatory.</p> <p>The document is attached -- I renamed the original PDF file for my own filing system but the content is unchanged.</p> <p>Thanks,</p> <p>Sam</p> <p>Hi Sam and Frances,</p> <p>As a former professor of geography I need to make this one note regarding the Safety Elem.pdf map attached in your last email.</p> <p>For safety planning, the map should be updated for accuracy to include all city property north of old Downieville Highway. For example my property (parcel 05-100-30) does touch city property . . . so my neighbors on American Hill Road to the east would also be impacted. Any property below</p>	<p>September 15, 2021, email response from City Manager, Joan Phillipe to Sam Gitchel, the Greater Champion Firewise Neighborhood:</p> <p>Hello Sam,</p> <p>I forwarded your email to our planning staff and consultant working on the Safety Element. A lot of review has been done in regard to Carol’s comments with comments forwarded to me this morning. The survey includes a map taken from the Nevada County GIS Portal to describe the city boundaries as illustrative. Attached is a more complete map of the city’s jurisdictional boundaries and General Plan boundaries, which is more complete. Also attached is a map that shows the various firewise communities in relation to the city that should also be helpful. Please feel free to send this map to Carol Cox noting that the city plans to address safety issues in the Safety Element on a neighborhood scale, not restricted to just city jurisdictional boundaries. If you or Carol have any further questions, you can feel free to contact our safety element consultant, Gary Price, directly at 530-272-6434 or at gary@plannerprice.com.</p> <p>I hope this helps to clarify the concerns expressed by Carol.</p> <p>Best regards,</p> <p>Joan</p>

Comment	Response
<p>us in the Deer Creek drainage, whether city or BLM, has implications for the safety and fire planning of residents.</p> <p>This is offered in response to your request for opinions about safety priorities and practices. Planning should rely on accurate tools such as maps.</p> <p>Thank you for all you are doing for all of us.</p> <p>Best regards,</p> <p>Carol J. Cox</p>	
<p>June 29, 2023 email to City Planner, Lisa McCandless from Theo Fitanides:</p> <p>Hi Lisa,</p> <p>Below is what I wrote for public comment. If the councilmembers, commissioners, and consultants have to read it, please apologize a little for some of my meanderings.</p> <p>One clarification I have is that during the meeting, I said an ordinance "similar to earthquake retrofits, which began in LA," would be beneficial. I think that it was heard as LA has a building retrofit ordinance for wildfire. I do not know of such ordinance.</p> <p>Thank you for the work on this, and enough time before adoption for there to be meaningful changes. A few comments follow:</p> <p>Page 32, Fire and Protection, Fuel - the listing of structures as "also fuel" really undercuts the key issue with wildfire in our area - structures are perhaps the most</p>	<p>August 2, 2023, email response from Gary Price, City Contract Planner, at the request of Lisa McCandless, City's Interim City Planner:</p> <p>Hi Theo:</p> <p>Your comments are noted.</p> <p>The City Fire Chief has collaborated with the staff/consultant team to produce the CAPSE and has determined that it meets the City's needs. The CAPSE has also been revised to address CALFIRE comments/recommendations per review (see link below):</p> <p>https://nevadacityca.municipalonline.com/pview.aspx?id=20947&catID=0</p> <p>July 3, 2023, comments below). California Board of Forestry reviewed the revised CAPSE and were acceptable with the document (see July 14, 2023, comments). Many of the programs have been strengthened to address structure fires, building renovation, defensible space, and home hardening as suggested in your comments.</p> <p>Some noteworthy changes are as follows:</p> <p>Page 10-New section on READY Nevada County Wildfire Evacuation Preparedness Action and Extreme Climate Event Mobility and Adaptation Plans.</p> <p>Page 70-New discussion of fire safety critical facilities and capacity to address emergency service response.</p> <p>Program FP-1 revised to capacity to provide emergency services and to include retrofit and home hardening provisions. New land use regulations added to address fire safety requirements in Zoning Code. New fire protection plan requirements added for new development.</p>

Comment	Response
<p>vulnerable and important fuels to consider for our community's survival. Please consider upping the priority. More often, the impacts from wildfire have been urban conflagrations, often spread solely by structural fires. I lost some faith in the veracity of the rest of the safety element when this was not recognized in the draft language.</p> <p>Density of vegetation needs to include density of structures. Although this is not generally considered alterable, it is an important component of the risk assessment. The historic district, and some neighborhoods, have old buildings made of the driest vegetation (lumber and plywood) which are densely clustered. These two factors were the strongest determinant in structure loss during the Camp Fire, been seen in Greenville during the Dixie Fire and others.</p> <p>Page 34, WUI fires - thank you for the mention of the importance of structures and that mitigation is building hardening and defensible space. The first paragraph, however, implies that proximity to flammable vegetation is the key factor (implicitly contradicted somewhat in the second paragraph) - this is based on the mapping element showing vegetation proximity and not proximity to all fuels (buildings). Non-ember/wind driven wildfire is mostly suppressible in our location (great airbase, high economic and population priorities, etc.) and we can see that with so many successful</p>	<p>Policy FP-17 revised to address long-term maintenance of existing development.</p> <p>Policy FP-22 revised to include home hardening requirements.</p> <p>New references to specific California Code of Regulations throughout.</p> <p>Additional changes may be made to further address these comments that are more restrictive than noted in the document. For example, should the City wish to pursue mapping and analysis of the number of structures that are extremely vulnerable to ember ignitions as suggested an additional program could be created.</p> <p>Please feel welcome to contact me or Lisa if you have any questions or wish to provide further comments. We anticipate the Planning Commission review of the CAPSE during a special meeting on August 31, 2023, and as the City continues to seek public comments.</p>

Comment	Response
<p>containments in recent history. But the ember/wind driven wildfires (including slope/wind effects, which we always have with the steep deer creek canyon) are the non-suppressible ones. The River fire was not stopped by suppression, only mitigated with flanking drops to keep it out of Alta Sierra. The fire fizzled out in the large area of agricultural land of Chicago Park, and Rollins Reservoir, as the weather was calming. The large fuel breaks allowed few spot fires to ignite and be extinguished. The Jones fire did exactly what it wanted until the wind died down. It was even boxed in with foscheck before they had to divert aircraft away, and then the winds picked up. I don't know the conditions during the 49er fire, but it did jump to their contingency line at my then home.</p> <p>My point is that defensible space is so helpful but won't save the town, especially the treasured historic district heart of our community. I'd like to see an analysis of the number of structures that are extremely vulnerable to ember ignitions, within the dense urban setting, which would put the entire town at risk of an urban conflagration. Think of the structures we see peppered around the city outskirts and center which have shake siding, rotten siding in ember accumulation pockets, combustible deck furniture, single pane windows, open gaps in garages, friable fence bottoms against dry grass (less than 4" ;), outbuildings with all sorts of</p>	

Comment	Response
<p>issues, etc. During a significant wildfire challenge, we have increasingly seen resources diverted to evacuations, and little or no resources for smoke chasing, structure prep, and engine crew suppression. Let alone if the visibility is such that smoke chasing is even feasible, or the weather is such that a captain would even commit resources into a dead end road with the possibility of being cut off. All the work on defensible space, and individual home hardening, can be for naught when we eventually get challenged by a wildfire during adverse weather conditions with long range spotting and short range ember showers.</p> <p>And getting back to my point, we need more than encouragement to harden structures. We need an ordinance and/or alteration of the building code to make it serious. Especially if it causes a community buzz. It is highly defensible as a necessary element of community safety. We are not in a situation where one's home is solely a risk for themselves. This is shared risk within the dense structural environment.</p> <p>Which gets me to my point, for real! This document is specifically not creating any projects. Thus, it is the best - perhaps only, at this political moment - place to include the observation that an ordinance or change in building code would be very effective in hastening and broadening structure hardening. It should not be controversial that these steps would increase public</p>	

Comment	Response
<p>safety. And no action is required. Without this inclusion among "engineering, enforcement, education, emergency response, and economic incentive," this section of the document rings hollow to me as an apolitical exercise. We don't currently require retroactive engineering, there is no mandate to enforce any structural alteration other than vent screens on buildings. The building code almost specifically only engages with those property owners with more resources who can do significant renovations. Those buildings which are owned by less resourced owners are likely more often those more vulnerable to ignition. Additionally, the written ordinance or building code is a great tool to support and drive education and enhance the speed of developing economic incentives.</p> <p>This is not asking our consultant to develop, plan, lobby for, or take any other action than to include this common tool for municipal enhancement into this list of helpful tools.</p> <p>Page 37-38, Structure Fire - this section does not mention ignition of buildings from vegetation fires (this is definitional because of the WUI fire category) but does happen to include mention of the building code (that function mainly for situations that are not pertinent to our risk of urban conflagrations during wildfire events - new construction and significant remodels, of which there are relatively few). Why is</p>	

Comment	Response
<p>this omitted in the WUI section? It is obviously helpful. Furthermore, since the only mention of specific building protection measures occur here, the document gives a false sense of security from fire protection measures for internally ignited structure fires. Internal sprinklers will hardly make a difference during an urban conflagration - that isn't their design.</p> <p>Policy FP-14, hints at the building code update, but does not mention the most significant and impactful aspect - it doesn't help for existing structures.</p> <p>Program FP-1, e., is unclear: "Update building [is there a missing "s" or follow-up word here?] to meet or exceed building hardening requirements in Chapter 7A of the California Building Code or other applicable codes, based on local studies or conditions identified in the local fire hazard and risk assessment." Is this meant to indicate existing building retrofits? If so, hooray! We have a chance at survival.</p> <p>Program FP-1, h. - Is there an appropriate place in zoning requirements for regulation of unhardened outbuildings?</p> <p>Page 41, Section 5.5 Private Property, Wildfire - this section is out of date and needs revision.</p>	
<p>August 2, 2023, email response from Gary Price's email from Theo Fitandis:</p> <p>Thank you very much for your diligent response. It was very easy for me to see the</p>	

Comment	Response
<p>improvements you and staff and CALFIRE have made.</p> <p>Be well,</p> <p>Theo</p>	
<p>July 3, 2023, email from Fire Captain, Donnie Privette, CALFire, involved significant work with staff/consultant team to revise CAPSE per State Fire laws:</p> <p>We have arrived! It is time for you to Formally Submit your draft Safety Element and Existing Conditions Report to the Board of Forestry (BOF).</p> <p>You will need to send an email to Edith Hannigan edith.hannigan@bof.ca.gov requesting for a Formal Review of Nevada City Draft Safety Element.</p> <p>Please CC Me (Donnie Privett), Chief Vargas (Shane.Vargas@fire.ca.gov), and anyone you need to in your department.</p> <p>Attach the following three documents for Formal Review either as an attachment or Link as the documents are large (all links worked great for me)</p> <ul style="list-style-type: none"> - Nevada City Draft Safety Element (SE). This should be the completed version. This is the one used for Formal Review by the Board of Forestry. - Appendix A Safety Element Update. - Appendix B 2017 Nevada County Local Hazard Mitigation Plan-Annex B-Nevada City. 	

Comment	Response
<p>- Appendix D-Critical Facilities and Essential Services.</p> <p>- Appendix F-Terms and Definitions</p> <p>Once Edith receives your request, she will give us permission to conduct a Formal Review of your SE. I will then complete a Formal Review utilizing the above documents along with the SE Review Document making sure the roadmaps, the Draft SE, and the ECR are all still accurate. I then submit it to Chief Vargas to review. He will then pass it up the chain of command back to the BOF.</p> <p>Please let me know if you have any further questions.</p>	
<p>July 14, 2023, California Board of Forestry reviewed CAPSE during their regular meeting.</p> <p>In accordance with California Government Code 65302 the Board of Forestry accepted the CAPSE document with no recommended changes.</p>	<p>See attached meeting agenda.</p>
<p>August 21, 2023, letter from Gary Arnold, Branch Chief, Local Development Review, Equity and System Planning, Division of Planning, Local Assistance and Sustainability California Department of Transportation, District 3 (see attached letter)</p> <p>In summary main points of letter are as follows:</p> <p>1) The pre-planning tool that is mentioned on page 31 cannot be found.</p>	<p>Staff/Consultant Team Responses are numerically cross referenced to comments:</p> <p>1) The Pre-Planning Tool link referenced on Page 27 of the document (previously Page 31) does work: https://www.nevadacountyca.gov/2792/Preparedness-Toolkit</p> <p>2) Concurrence with comment.</p> <p>3) As noted in the CAPSE Assembly Bill AB 747 requires that the Safety Element be reviewed and updated to identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios. CAPSE Programs EP-3 and EP-4 address this with a collaborative strategy to work with Nevada County in developing a evacuation capacity analysis in compliance with AB 747 and then updating the City’s Circulation Element to address evacuation capacity</p>

Comment	Response
<p>2) Overall, the data regarding climate vulnerability is in agreement Caltrans District 3 Climate Change Vulnerability Assessment.</p> <p>3) General discussion regarding evacuation routes in CAPSE and need to develop an expanded evacuation capacity analysis.</p> <p>4) The city still falls into a low-income category that may require some review of disadvantaged populations.</p>	<p>needs. The Nevada County OES is working on an evacuation capacity study that will address this for the City.</p> <p>4) Several sections of the CAPSE address disadvantaged populations, including a separate section on vulnerable communities and environmental justice (see Pages 90-91). CAPSE Policy OC-11 prioritizes the needs of at-risk, vulnerable, and disadvantaged populations during emergency response and disaster recovery efforts, including increasing awareness of defensible space requirements and promoting understanding of evacuation routes.</p>
<p>August 26, 2023, email from City of Nevada Planning Commissioner Rodney Brown.</p> <p>1) In conjunction with the standards update, update the City tree removal process to simplify process for property owners to reduce fuels on their properties.</p> <p>Identified Program:</p> <p>PROGRAM FP-2: Update landscaping standards, such as Chapter 17-80, Zoning Code Performance Standard, to incorporate fire-resistant planting material prohibiting flammable landscaping plantings or materials storage in the structure ignition zone (e.g., within 0–5 feet of the structure). Include in this amendment landscaping standards to address vegetation maturity in the required number of initial plantings and vegetation Plocation/spacing requirements to address long-term defensible space and wildfire protection for the life of the landscaping.</p> <p>2) In addition, continue to monitor culverts for degradation and deficiencies, and upgrade</p>	<p>Staff/Consultant Team Responses are numerically cross referenced to comments:</p> <p>1) Revised CAPSE includes an addition to Program FP-1 to simplify tree removal process as follows (see i below):</p> <p>PROGRAM FP-1: In accordance with the California Fire Hazard Reduction Around Buildings and Structures Regulations (Title 14, CCR, division 1.5, chapter 7, subchapter 3, article 3 (commencing with section 1299.01) and to address fire safety risks, update the approach to reviewing new development and land use entitlements and to the extent feasible, retrofit development, and include the amendments/updates to regulations/requirements and require a Fire Protection Plan when applicable. This Program shall also ensure that new development be located where fire and emergency services have sufficient capacity to meet project needs or require that they be upgraded to provide necessary capacity as part of the proposed development activities to ensure new development has adequate fire protection and shall include the following provisions:</p> <p><i>Updated Regulations for New Development and Land Use Entitlements:</i></p> <p>a. Provision of public and private standards for road and driveway design, to ensure the ability of emergency service providers to respond to structural and wildland fires and calls for medical and law enforcement emergency assistance. Designs shall provide for secondary road access necessary for fire safety or emergency access;</p> <p>b. Ensure that each property outside of a developed water system shall maintain water storage to provide wildfire and structure protection on the property;</p>

Comment	Response
<p>drainage system capacity as appropriate in conjunction with street improvements.</p> <p>In addition, continue to monitor culverts for degradation and deficiencies, and upgrade drainage system capacity as appropriate in conjunction with street improvements [acknowledge good ongoing efforts described by Bryan]</p> <p><i>Identified Program</i></p> <p>PROGRAM FH-4: The City will work with other stakeholders, such as Nevada County, Nevada Irrigation District, and Sierra Fund, to identify key impact areas on Deer Creek and Little Deer Creek that are most exposed to post-wildfire debris flows. This may include review of the implications this scenario would have on stormwater runoff during larger storm events. This review could result in a set of recommended set of pre-disaster mitigation measures to be implemented to help mitigate impacts from post-wildfire debris flow events. Mitigation measures could include:</p> <ul style="list-style-type: none"> • rapid reforestation and stabilization of wildfire-affected areas susceptible to debris flow runoff to stabilize soils; • communication and coordination with residents and businesses located within potential impact areas from post-wildfire debris flow events; and • development of analysis techniques to predict debris flow 	<p>c. Ensure that sign and address standards for new development as well as retrofit, which will provide for easy identification of roads, streets, driveways and buildings by emergency service providers; and</p> <p>d. Create measures/standards for defensible space to reduce hazards associated with the structural and wildland intermix, including:</p> <ol style="list-style-type: none"> 1. Fuel modification and vegetation management procedures adjacent to structures and fuel breaks where appropriate; 2. Vegetation management adjacent to roads and driveways to provide safe travel for residents, and firefighting, medical and police personnel; and 3. Building setbacks. <p>e. Update building to meet or exceed building hardening requirements in Chapter 7A of the California Building Code or other applicable codes, based on local studies or conditions identified in the local fire hazard and risk assessment.</p> <p>f. Create a planning process for review of new subdivisions, such as tentative maps and parcel maps, that requires that specific findings be made by the City for these types of land use entitlements that are located within a State Responsible Area or a Very High Fire Hazard Severity Zone.</p> <p>g. Create a planning process to determine what new and significant remodel project are subject to preparing fire protection plans that incorporate project-specific risk reduction measures, subject to the determination and approval of the local agency.</p> <p>h. Revise Zoning Code to Prohibit land uses that could exacerbate the risk of ignitions, such as outdoor storage of hazardous or highly flammable materials, outdoor welding, or temporary fireworks sales.</p> <p>i. Revise Zoning Code and/or process for simplifying the tree removal process to help reduce fuels on properties.</p> <p>2) Revised CAPSE includes amendments for Program FH-4 to address monitoring culverts for degradation and deficiencies and improve system capacity as follows:</p> <p>PROGRAM FH-4: The City will work with other stakeholders, such as Nevada County, Nevada Irrigation District, and Sierra Fund, to identify key impact areas on Deer Creek and Little Deer Creek that are most exposed to post-wildfire debris flows and continue monitoring culverts for degradation and deficiencies and evaluate needs to improve capacity of the drainage system. This may include review of the implications this scenario would have on stormwater runoff during larger storm events. This review could result in a set of recommended set of pre-disaster mitigation measures to be implemented to help mitigate impacts from post-wildfire debris flow events. Mitigation measures could include:</p>

Comment	Response
<p>events based on rainfall and moisture conditions.</p> <p>3) Amend spelling of Deer Creek throughout document.</p> <p>4) Recommend adding improved air quality and improve public health in the following policies OC-13 through 16 regarding "Reduced Carbon Footprint.</p> <p>5) Recommend adding improved air quality and improve public health in the following policies OC-13 through 16 regarding "Reduced Carbon Footprint.</p> <p>6) "Promotion" is very vague and non-specific. Add the following.</p> <p>As part of OC-15 or as a separate policy, add, "Seek funding for and implement the Nevada County Active Transportation Plan, which identifies new and improved walking, biking, and trail facilities within the City, improving options and increasing safety for these modes of travel while improving quality of life."</p> <p>Similarly, add, "The City shall work with Caltrans and NCTC to implement the improvements for walking and biking accessibility and safety along State Routes 20 and 49 within the City as identified in the Caltrans District 3 Active Transportation Plan."</p> <p>Identified Program</p> <p>POLICY OC-15: The City shall continue to promote alternative transportation modes, such as walking and bicycle trails.</p>	<ul style="list-style-type: none"> • rapid reforestation and stabilization of wildfire-affected areas susceptible to debris flow runoff to stabilize soils; • communication and coordination with residents and businesses located within potential impact areas from post-wildfire debris flow events; and • development of analysis techniques to predict debris flow events based on rainfall and moisture conditions. <p>3) Corrections made in Revised CAPSE and Initial Study Mitigated Negative Declaration.</p> <p>4) Revised CAPSE includes new Section Heading: Reduced Carbon Footprint and Improved Air Quality. Safety Element addresses public safety, not public health. Suggest the possibility of creating a Public Health Element of the General Plan that would address public health matters that could include, but not be limited to air quality, tobacco use, healthy food, pandemics.</p> <p>5) See response 4 above.</p> <p>6) The Nevada County Active Transportation Plan (NCAT) is a county-wide plan primarily involving circulation issues. These references to NCAT would best be located in the City's General Plan Circulation Element. However, recognizing that the NCAT does, to some extent address public safety hazards, such as automobile conflicts with bicycles, for example, there is some cross over to public safety. Many agencies are involved in implementing the NCAT so this is a collaborative plan. Recognizing that the City has very limited resources to implement this plan and that this plan is a collaborative depending on multiple agencies to fund the plan, the CAPSE has been revised to include revised Policy OC 10 and new Policy OC-17 and Program OC-16 as follows:</p> <p><i>Revised Policy:</i></p> <p>POLICY OC-10: Help support efforts to educate the public about the health impacts of poor air quality, <u>including</u> particulate pollution <u>and ozone</u> from wildfire smoke, <u>vehicle emissions, and other sources</u> through education and outreach <u>and local pollutant monitoring</u>, focusing on protection of vulnerable populations including youth and seniors.</p> <p><i>New Policy and Program:</i></p> <p>POLICY OC-17: The City shall collaborate with others in developing and implementing programs that reduce the reliance on automobiles, such as the Nevada County Active Transportation Plan (NCAT). The</p>

Comment	Response
	<p>NCAT identifies new and improved walking, biking, and trail facilities within the City, and options for improvements and increasing safety for such facilities and these modes of travel.</p> <p>PROGRAM OC-16: The City shall collaborate with others, including Caltrans, Nevada County, and the Nevada County Transportation Commission to seek funding and implement the Nevada County Active Transportation Plan.</p> <p>Agency/Department: All City Department</p> <p>Funding Source: Grants and General Fund</p> <p>Time Frame: Ongoing</p>
<p>August 29, 2023, email from Mark Tutte which includes the following specific comments:</p> <p>1) Timing: I believe Nevada County (and the City?) are getting ready to start a new LHMP update. The CAPSE should be coordinated with this effort and not “included by reference”. How do you incorporate a future plan?</p> <p>2) Climate Change and Environmental Justice: More focus should be made to these areas instead of 1 paragraph each discussing the state laws. Real actions need to be identified to address wildfire, storm events, flooding, etc.</p> <p>3) Data: It is 2023. Why are we using ACS projections from 2015? We have had a full census since then.</p> <p>4) Inconsistent regulations: The noise and other development requirements in the CAPSE are different than the requirements in the municipal code. These updates should also be coordinated to give clearer</p>	<p>Staff/Consultant Team Responses are numerically cross referenced to comments:</p> <p>1) Since the City is located in a State Responsible Very High Fire Hazard Severity Zone, the Safety Element is mandated to be updated when the Housing Element is updated (GG Sections 65302 and 65302.5). The Housing Element was last updated in 2019. The City began a process to develop the CAPSE in 2021 when the City had access and was approved a State grant to pay for the CAPSE. Major funding to support completing the CAPSE expires at the end of September 2023. Consequently, due to limited resources and the City’s opportunity to use this one-time grant for the project, the City needs to complete the CAPSE now instead of waiting for the Nevada County Local Hazard Mitigation Plan, (LHMP) to be updated. The LHMP expires on September 19, 2023. It is unknown when the LHMP will be completed and ready for adoption, but Nevada County has indicated that it could be sometime in 2024. California Government Code Section 65302(g)(4) requires that the safety element (CAPSE) be upon the next revision of the LHMP. After the LHMP is updated and adopted, the CAPSE will then need to be updated again.</p> <p>2) Noted. Two sections of the document are devoted to climate change and environmental justice and there are a number of related policies and programs have been included. Appendix A of the CAPSE consists of a climate vulnerability study.</p> <p>3) Much of the information in the CAPSE is taken from more recent sources where there are no conflicts with the LHMP. Much of the information in the CAPSE has been taken from the 2017 LHMP; the LHMP (although may be perceived to be outdated) needs to be consistent and incorporated by reference into the CAPSE. (CG Section 65302). As noted in the current Housing Element, which references</p>

Comment	Response
<p>direction to the business and development community working in the city.</p> <p>5) IS/ND: The document on the website is still a draft and has some comments still (and also has references to mitigation). This document should be finalized and recirculated for public comment for at least 3 months so people can read it and the CAPSE and provide more informed comments.</p> <p>6) Comments: Caltrans comments were not discussed but have some good points for real actions. Why were the Caltrans policies dismissed?</p> <p>7) It feels like this thing is just checking the box, but doesn't quite check it.</p>	<p>more recent population estimates, population has not significantly changed from 2015 to the extent that it would change analysis or policies/programs in the CAPSE. As noted in 1 above, the CAPSE will need to undergo a further update once the LHMP is updated. This will be a further opportunity to look at more current data, including population, to adjust where found warranted.</p> <p>4) The noise exposure section of the CAPSE consists of the City's Noise Element of the General Plan. It is a policy document that describes current and projected noise in the community and incorporates policies and programs to address noise. The CAPSE describes the current noise regulations and offers recommendations to change them to address newer noise standards. Noise regulations don't need to be consistent with the CAPSE, but the CAPSE suggests many changes to the noise regulations. Ideally, once recommended amendments are made to the noise regulations and programs, then they become consistent with the CAPSE. This same approach applies to other aspects of the CAPSE where the CAPSE recommends amendments to a number of codes and programs to bring them up to current State and Federal standards and/or to improve them for other reasons.</p> <p>5) The CAPSE is a policy document that is self-mitigating, meaning policies and programs are designed to minimize environmental impacts that result in not needing the Draft Initial Study Negative Declaration (ISND) to have any mitigation measures. The ISND was circulated for public review between July 22, 2023, and August 31, 2023. This circulation included distribution to the California Clearinghouse and local agencies and consideration was given to comments received from this distribution. The ISND is only required be recirculate when it has been substantially revised; generally if new significant impacts are discovered that were not previously addressed or if mitigation measures have been significantly altered or added (CEQA Guidelines Sections 15072 and 15073.5). The City, as lead agency for this project, will need to determine that the Initial Study is adequate and will not require substantial revision. The final ISND is issued when the City Council adopts the CAPSE.</p> <p>6) The ISND continues to be an evolving document that includes responses to agency and public comments. The City did receive comments from Caltrans and has responded to them in the most recent ISND. See previous responses to comments in this table.</p> <p>7) Noted.</p>

California Department of Transportation

DISTRICT 3
703 B STREET | MARYSVILLE, CA 95901-5556
(530) 821-8401 | FAX (530) 741-4245 TTY 711
www.dot.ca.gov



August 21, 2023

GTS# 03-NEV-2023-00300
SCH# 2023070568

Lisa McCandless
City Planner
City of Nevada City
317 Broad Street
Nevada City, CA 95959

Nevada City General Plan for the Climate Adaptation and Public Safety Element (CAPSE)

Dear Ms. McCandless:

Thank you for including the California Department of Transportation (Caltrans) in the review process for the project referenced above. We reviewed this local development for impacts to the State Highway System (SHS) in keeping with our mission, vision, and goals, some of which include addressing equity, climate change, and safety, as outlined in our statewide plans such as the California Transportation Plan 2050, Caltrans Strategic Plan, and Climate Action Plan for Transportation Infrastructure.

The Safety Element Update, which is now referenced as the Climate Adaptation and Public Safety Element (CAPSE) is part of the Nevada City General Plan and consists of a policy document that provides an assessment of hazards and establishes programs and policies to improve safety within the City. This document also includes an update to the City's General Plan Noise Element (incorporated as a section of the CAPSE). Proposed plans include adoption of the CAPSE into the City's General Plan and location is citywide throughout Nevada City.

We will work in partnership on an ongoing basis to address issues such as access management, safety and reducing vehicular miles traveled. In addition, please note the following:

Transportation Planning (Climate Change/Sustainability Planning)

PDF pages 30-31 go over the two main routes through Nevada City, State Route (SR) 20 and SR 49. The pre-planning tool that is mentioned on page 31 cannot be found. Also, there are good maps through PDF page 35.

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The Wildfire severity map (PDF page 42) data is from CAL FIRE (2021), and was discussed in our 8/2 meeting to cross-reference with Caltrans District 3 Climate Change Vulnerability Assessment (VA) Map. The trends are mostly on par with each other. As the Caltrans Wildfire Exposure Map layer from the VA only focuses on the SHS while the CAL FIRE map focuses on severity across all land in the area, the Wildfire Exposure 2040-2069 RCP 8.5 layer on Caltrans' map most closely aligns with the overall severity shown on the CAL FIRE map. Overall, the data is in agreement that severity ranges from moderate to very high.

Evacuation routes during an incident are developed in real time and are dependent on the type of incident, the urgency of the impending threat, and the direction of threat. The public may be notified using door-to-door notification methods, local media via radio, television, Internet; and/or activation of the emergency alert notification system. Routes designated in the City's Circulation Element, this CAPSE, and the Nevada County General Plan as interstates, freeways, highways, and other principal arterial routes are considered primary evacuation routes. Such routes provide the highest levels of capacity and contiguity and serve as the primary means of egress during an evacuation from the City and ingress for emergency personnel. Evacuation out of town is limited to SR 20 and SR 49, and is described in more detail as follows:

- SR 20 connects the City of Grass Valley with Yuba County to the west of Grass Valley and continues north of Nevada City, connecting to I-80. The highway portion between SR 20 to the west of Grass Valley and SR 20 north to Nevada City are signed as shared SR 49/20, and serve as a principal arterial. This shared route is named the "Golden Center Freeway" between SR 49 south of Grass Valley and SR 20 north of Nevada City.
- SR 49 runs north/south and is a principal arterial for Nevada County, connecting the cities of Grass Valley and Nevada City with I-80 in Auburn (Placer County) to the south. SR 20 and SR 49 also serve as an emergency detour route for I-80. SR 49 is the lifeline for much of Nevada County's freight and lumber traffic and also provides access to recreational and tourist attractions. To the west of Nevada City, this route continues in a northerly direction to the Nevada/Yuba County line.

Highway Operations

Highway and City Facilities Enhancements:

- Propose adding capacity to the existing highway system and local city facilities where not in conflict with other policies. Special consideration must be given to not increasing normal travel demand and Vehicular Miles Traveled.

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Signal Operations

Power Outages:

- Please upgrading and/or keep maintaining battery-backup systems at existing State traffic signal system locations along SR20 & SR49.
- Long period of power-outage, you may need to connect a temporary back-up generator to keep the existing traffic signal system operating. During a black-out traffic signal system, coordinate with the local & State law enforcement to assist traffic management during an emergency evacuation.
- Please keep and maintain communication with Caltrans electrical maintenance superintendent and supervisor within this region.

Transportation Planning (Equity & Native American Liaison)

Nevada City, even though historically disadvantaged, is no longer considered as being disadvantaged, however, the city still falls into the low-income category. The city is highlighted for high traffic exposure with areas of Equity priority populations that reside along the SHS. With these low-income and Equity priority populations near and along the SHS, allows for prompt access of main evacuations routes. Other than the concerns previously mentioned by other functional reviewers, there are no other comments to provide.

Encroachment Permit

Any project along or within the State's ROW requires an encroachment permit issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five sets of plans clearly indicating State ROW must be submitted to:

Hikmat Bsaibess
California Department of Transportation
District 3, Office of Permits
703 B Street
Marysville, CA 95901

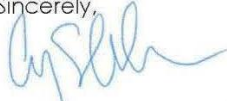
Please provide our office with copies of any further actions regarding this proposal. We would appreciate the opportunity to review and comment on any changes related to this development.

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Lisa McCandless, City Planner
August 21, 2023
Page 5

If you have any questions regarding these comments or require additional information, please contact Satwinder Dhatt, Local Development Review Coordinator, by phone (530) 821-8261 or via email at satwinder.dhatt@dot.ca.gov.

Sincerely,



GARY ARNOLD, Branch Chief
Local Development Review, Equity and System Planning
Division of Planning, Local Assistance and Sustainability
Caltrans District 3

"Provide a safe and reliable transportation network that serves all people and respects the environment"

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project. Please see the checklist beginning on Page 9 for additional information.

- | | |
|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions |
| <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire |
| <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

On the basis of this initial evaluation (choose one):

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

Lisa McCandless, City Planner

Sept. 13, 2023

Print Name

Signature

Date

CEQA ENVIRONMENTAL CHECKLIST

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impact. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words “significant” and “significance” used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

AESTHETICS

Except as provided in Public Resources Code § 21099, would the project:

Question	CEQA Determination
a) Have a substantial adverse effect on a scenic vista that is visible from a City scenic corridor?	No Impact
b) Substantially damage scenic resources that are visible from a City scenic corridor, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact
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 a 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?	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	No Impact

Discussion

The City of Nevada City is a small town surrounded by forested land to the north, east and west, and some urban uses (City of Grass Valley) to the south. Implementation of the CAPSE would not result in significant urban and suburban growth. This is a policy document with programs that would not result in aesthetic changes or changes to the environment. The project, as a policy document, will not, in and of itself, result in aesthetic impacts to scenic vistas, scenic resources, or visual character, and will not create sources of substantial light or glare which adversely affects views. All future development that may occur with implementation of this updated General Plan element will require project-specific environmental impact assessment.

AGRICULTURE AND FOREST RESOURCES

Would the project:

Question	CEQA Determination
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 Resources Agency, to non-agricultural use?	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined by Public Resources Code § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact
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?	No Impact

Discussion

Based on data from the California Department of Conservation, the City does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, nor does it contain land under a Williamson Act contract. There are no timber resources or forest land designated as having statewide significance within the city limits. However, much of the area surrounding the city is vacant forest land. The CAPSE will not, in and of itself, result in impacts to forest or timberland. The Plan does reference fuel breaks, and the need to reduce vegetation strategically to reduce wildfire hazards. However, all future projects, including new development in the study area that may result in impacts to these resources will require project-specific environmental evaluation in order to determine that any potential impacts are less than significant.

Project Impacts

- a) **Would the project 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 Resources Agency, to non-agricultural use?**

As described previously, the City is almost entirely composed of urban land and does not contain Prime, Unique, or Farmland of Statewide Importance according to the California Department of Conservation. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, no impacts would occur related to conversion of Prime, Unique, or Farmland of Statewide importance to non-agricultural use.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

As described previously, the City does not contain land under a Williamson Act contract. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, no impacts would occur related to conflicts with existing zoning for agricultural use or Williamson Act contract.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined by Public Resources Code § 4526), or timberland zoned Timberland Production (as defined by California Government Code § 51104(g))?

This section of the state code defines forest land as land that can support 10% native tree cover of any species under natural conditions (including hardwoods), and that allows for management of one or more forest resources including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. The CAPSE does not propose any rezoning of property that would result in removal of timberland. There may be some forest land within the project study area but the CAPSE does not propose any specific areas for forest land removal. There are some programs that reference the potential need for fire breaks and strategic removal of vegetation to reduce fire hazards. Consequently, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, no impacts would occur related to conflicts with existing zoning for forest land or timberland.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No impacts would occur related to the loss of forest land or conversion of forest land to non-forest use.

e) Would the project 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?

The CAPSE includes goals, policies, and programs to minimize risks from the effects of natural and non-natural hazards. It also does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, no impacts would occur related to other changes in the existing environment that could result in the conversion of farmland to non-agricultural use or the conversion of forest land to non-forest use.

Impact Conclusions

No impacts have been identified and no mitigation measures are required.

AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

Would the project:

Question	CEQA Determination
a) Conflict with or obstruct implementation of the applicable air quality plan?	No Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	No Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No Impact

Discussion

The CAPSE Area is located in the western foothills of Nevada County which is in the Mountain Counties Air Basin (Basin). The Basin is in the northeastern region of the State of California. The Basin is bounded to the east by the Sierra Nevada Mountain Range, to the west by the Coastal Mountain Range and to the south by the Tehachapi Mountains. Air quality attainment status is determined from air monitoring in the adjacent city of Grass Valley. Grass Valley and Nevada County is in nonattainment for applicable state and federal ozone standards, in nonattainment for state PM10 standards and unclassified for federal PM10 standards, and unclassified/attainment for state and federal PM2.5 standards. Northern Sierra Air Quality Management District (NSAQMD) is the local agency responsible for adopting and enforcing air quality regulations. The NSAQMD is comprised of three contiguous, mountainous, rural counties in northeastern California (Nevada, Sierra, and Plumas counties). Through its permitting powers, the NSAQMD enforces limitations for emission of criteria and toxic air contaminants for stationary sources. Other NSAQMD responsibilities include monitoring air quality, preparation of clean air plans and responding to citizen air quality complaints. The California Air Resources Board (CARB) regulates mobile air quality and of particular concern for the study area is Ozone levels which are more directly impacted by vehicular emissions and meteorologic conditions. CARB prepared a draft Ozone Attainment Plan for Western Nevada County in February 2023, which indicates that the prevalence of wildfires during the summer ozone season significantly impacted the air quality in Western Nevada County. High ozone concentrations were observed on days when air quality was affected by forest fires, particularly in 2018, 2020 and 2021. Given the limited number of emissions sources under the regulatory authority of Northern Sierra AQMD, and the overwhelming impact of transportation on local ozone concentrations, options for additional emission reduction measures in Western Nevada County are scarce. The District relies on emission reductions from upwind areas and mobile source control measures at the State. Although this CAPSE is limited to public safety policies and programs, some, particularly those that are intended to reduce wildfires may help reduce the impact of smoke and therefore reduce ozone incidents.

Project Impacts

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

The NSAQMD does not currently have an air quality plan. However, it does have standard threshold regulations that apply to different types of development projects that evaluate by

air pollutant categories levels of significance. The CAPSE includes goals, policies and programs to minimize risks from the effects of natural and non-natural hazards, none of which are expected to conflict with or obstruct programs of the NSAQMD. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. Therefore, no impacts related to a conflicting with or obstructing implementation of the NSAQMD air quality plans would occur.

- b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

The General Plan area is located in the Mountain Counties Air Basis and is considered a non-attainment for criteria pollutants applicable state and federal ozone standards, state PM10 standards and unclassified for federal PM10 standards, and unclassified/attainment for state and federal PM2.5 standards. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. Therefore, the project would not result in a cumulative net increase in criteria pollutants.

- c) Would the project expose sensitive receptors to substantial pollutant concentrations?**

Sensitive receptors include schools and schoolyards, parks and playgrounds, daycare facilities, nursing homes, hospitals, residential areas, and people who are particularly sensitive to air pollutants, such as children, the elderly, and people with illnesses. Several policies and a programs in the CAPSE addresses smoke exposure to sensitive receptors as noted below.

The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements and thus does not include any physical construction or changes that would expose sensitive receptors to pollutant concentrations. Therefore, no impacts related to exposure of sensitive receptors to substantial pollutant concentrations would occur.

- d) Would the project result in other emissions (such as objectionable odors) adversely affecting a substantial number of people?**

The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements and thus does not include any physical construction or changes that would result in other emissions, such as objectionable odors. Therefore, no impacts related to other emissions, such as objectionable odors, affecting a substantial number of people would occur.

Impact Conclusions

No impacts have been identified and no mitigation measures are required.

BIOLOGICAL RESOURCES

Would the project:

Question	CEQA Determination
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 Wildlife, U.S. Fish and Wildlife Service, or NOAA Fisheries?	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	No Impact
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?	No Impact
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?	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact

Discussion

The project area includes the City’s jurisdictional boundaries of approximately 1,470 incorporated acres (2018 Nevada County GIS data) and the remaining General Plan Area of approximately 2,700 acres (see Map 1 of Project Area). The project area is located within a basin on the western slope of the Sierra Nevada, and it has a unique topography with hills and valleys, watercourses, and defined seasons to which a variety of plant and wildlife species have adapted. The City is primarily developed with a mix of commercial, residential and some limited industrial uses. Areas beyond the City boundaries, within the General Plan Area, are generally surrounded by rural residential development and undeveloped forests.

Any future safety improvement projects that are brought forward to the City within the project area would be required to comply with the General Plan Conservation Element which addresses open space preservation and mentioned seer Creek and Little Deer Creek. The Resources Element notes that the existing open space is a distinctive characteristic of the City and one of the goals of the City is to preserve a strong sense of entry and distinctness created by the surrounding green and wooded hills and an effort should be made to preserve the surrounding forest.

Regarding the protection of riparian corridors are the policies related to flooding and drainage. These policies are as follows:

- In cooperation with the county, enforce a required building setback from all drainageways.
- Include assessment of drainage impact of proposed projects as part of the environmental review process

The Zoning Code includes requirements for building in proximity to a stream or watercourse such as building no closer than one hundred feet from a perennial stream nor closer than twenty-five feet from a seasonal creek. Also, any potential impact from development of a riparian area must be approved by the California Fish and Wildlife Service. The Zoning Code also provides for tree preservation criteria.

Project Impacts

- a) **Would the project 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?**

The Resources Element and Zoning Code contains policies and regulations to protect special status, sensitive, and candidate species within the City. The CAPSE includes goals, policies, and programs, to minimize risks from the effects of natural and non-natural hazards and would not alter the Resources Element. The CAPSE does not propose policies or implementation actions that would conflict with the policies and programs in the Resources Element regarding the protection of biological resources. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant any development entitlements that could result in impacts to biological resources. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to substantial adverse effects on candidate, sensitive, or special status species would occur. However, there are a few policies and programs in the CAPSE that could potentially reduce impacts to sensitive or special status species as noted below.

- b) **Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

The Resources Element contains policies to protect riparian habitat and other sensitive natural communities within the project area. The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and would not alter the Resources Element. The CAPSE does not propose policies or actions that would conflict with the policies and programs in the Resources Element regarding the protection of biological resources. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to substantial adverse effects on riparian habitat or sensitive natural communities would occur.

- c) **Would the project 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?**

The Resources Element and Zoning Code contain policies and regulations to protect wetlands within the City. The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and would not alter the Resources Element. The CAPSE does not propose policies or implementation actions that would conflict with the policies and programs in the Resources Element regarding the protection of biological resources. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to substantial adverse effects on state or federally protected wetlands would occur. However, there are a few policies and programs in the CAPSE that could potentially reduce impacts to protected wetlands as noted below.

- d) Would the project 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?**

The Resources Element and Zoning Code include policies and regulations to protect fish and wildlife species and their habitats within the project area. The CAPSE has policies and programs intended to minimize risks from the effects of natural and non-natural hazards and would not alter the Resources Element. The CAPSE does not propose policies or programs that are contrary to the Resources Element regarding the protection of biological resources. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to substantial adverse effects on migratory wildlife corridors and nursery sites would occur. However, there are a few policies and programs in the CAPSE that could potentially reduce impacts to migratory fish or wildlife species as noted below.

- e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

The Resources Element and Zoning Code contain policies and regulations to protect biological resources within the project area. The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and would not alter the Resources Element or the City's Tree Preservation Ordinance. The CAPSE does not propose policies or implementation actions that would conflict with the policies in the Resources Element or the City's Tree Preservation Ordinance regarding the protection of biological resources. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to substantial adverse effects on biological resources, including tree preservation policies or ordinances would occur.

- f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

There are no Habitat Conservation Plans (HCPs), Natural Community Conservation Plans (NCCPs), or other approved local, regional, or state HCPs that apply to the proposed project. Nevada County is not currently covered under any existing HCPs or NCCPs. Thus, there would be no direct or indirect impacts.

Impact Conclusions

No impacts have been identified and no mitigation measures are required.

CULTURAL RESOURCES

Would the project:

Question	CEQA Determination
a) Cause a substantial adverse change in the significance of a historical resource pursuant to California Government Code §15064.5?	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Government Code §15064.5?	No Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	No Impact

Discussion

A cultural resource is the physical or observable traces of past human activity including, prehistoric habitation and activities, historic-era sites and materials, and places used for traditional Native American observances or places with special cultural significance. Cultural resources, along with prehistoric and historic human remains and associated grave goods, must be considered under various federal, state, and local regulations, including CEQA and the National Historic Preservation Act of 1966.

For the purposes of CEQA, “historical resources” generally refer to cultural resources that have been determined to be significant, either by eligibility for listing in State or local registers of historical resources, or by determination of a lead agency (see definitions below). Historical resources can also include areas determined to be important to Native Americans that qualify as tribal cultural resources as defined in Public Resources Code § 21074 (sites, landscapes, historical, or archeological resources). Paleontological resources are also considered within this section.

The County contains many prehistoric sites including native villages, multi-task camps, sites with task-specific features such as bedrock mortar milling features, as well as sites that special use sites including hunting blinds, petroglyphs, and quarries. More modern historic areas within Nevada County, including the project area, are typically related to mining, water management, logging, transportation, emigrant travel, ranching and agriculture, and grazing. Cultural resources that are considered culturally sensitive, including architectural resources, within the County are generally located less than one-quarter mile from a source of water (i.e., streams, lakes and rivers), between 400 and 3,000 feet above mean sea level (amsl) and on the west side of the Sierra Nevada Mountains.

Project Impacts

a) **Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Government Code § 15064.5?**

The Resources Element and Zoning Code contains policies and regulations to protect and preserve historic resources within the City. Goals relating to historic preservation include the following:

Goals

- The City aims to continue its efforts to preserve and enhance the architectural diversity of historic buildings in the central area, to maintain the remarkable collection of city-owned historic buildings and to encourage private efforts of historic preservation and restoration.
- Whereas many other Mother Load towns are surrounded by modern subdivisions and commercial development, the Nevada City Basin remains nearly pristine. The city seeks a means to preserve its sense of a historic town surrounded by open forest.
- As a city grows and new buildings are added outside the historic district, it is the City's aim to encourage design, which is appropriate to our own age, but which is unassertive, allowing the dominance of the City's primary, nineteenth-century historic period.

The General Plan also provides more specific guidance in the form of Objectives and Policies. These are as follows:

Objectives

- Maintain the dominance of the City's primary, nineteenth-century historic period.
- Allow new development which is complementary to the form and scale of its content.
- Ensure continued concentration of public and cultural activities which reinforce the historic core as the "heart" of Nevada City.

Policies

- Encourage private efforts at historic rehabilitation and restoration.
- Seek innovative means to maintain and improve city-owned historic buildings.

The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and would not alter the Open Space and Conservation Element. The CAPSE does not propose policies or implementation actions that would conflict with the policies and programs in the Resources Element or Zoning Code regarding the protection of historical resources. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to substantial adverse effects on historic resources would occur.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Government Code §15064.5?

The Resources Element contains policies to protect and preserve archaeological resources within the City. The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and would not alter the Resources Element. The CAPSE does not propose policies or implementation actions that would conflict with the policies and programs in the Resources Element regarding the protection of archaeological resources. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to substantial adverse effects on archaeological resources would occur.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

The Resources Element contains policies and programs to protect buried human remains within the City. The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and would not alter the Resources Element. The CAPSE does not propose policies or programs that would conflict with the policies and programs in the Open Space and Conservation Element regarding the protection of human remains. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to disturbance of human remains would occur.

Impact Conclusions

No impacts have been identified and no mitigation measures are required.

ENERGY

Would the project:

Question	CEQA Determination
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	No Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No Impact

Discussion

Electric and natural gas facilities are provided in Nevada County, including the City and project area, by Pacific Gas and Electric Company (PG&E). There are 5 PG&E substations within the County. Four of these substations have distribution voltages of 12kV and one substation has a distribution voltage of 21kV. Three of the substations are served via 60kV transmission lines and two substations are served via 115kV transmission lines. The transmission lines are networked and generation for these transmission lines comes from generators located throughout the state.

Project Impacts

- a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

The CAPSE would not directly result in an impact to energy resources. The increased energy use build-out of the General Plan (project) area as contemplated by the Land Use and Economic Development Element will foreseeably be reduced by imposition of energy-saving requirements on specific projects as required by already adopted State and local policies and regulations. Future development proposals would be subject to project-specific environmental review to ensure that the project would be compliant with local and regional standards and procedures for minimizing short-term and long-term impacts related to wasteful, inefficient or unnecessary consumption of energy resources. As proposed, all future development projects would be required to obtain appropriate Building Permits and would be required to meet all current building standards including but not limited to the California Building Code, California Electrical Code, California Energy Code (Title 24). Therefore, the indirect energy consumption impacts of the General Plan will be reduced to less than significant through conformance with applicable regulations and existing energy reduction measures.

The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. Therefore, no impacts related to the wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation would occur.

- b) Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?**

As noted in subsection a) above, the CAPSE would not result in conflicts with State or local plans for renewable energy or energy efficiency. The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and does not propose any changes to plans or policies for energy efficiency or renewable energy. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. Therefore, no impacts related to a State or local plan for renewable energy or energy efficiency would occur.

Impact Conclusions

No impacts have been identified and no mitigation measures are required.

GEOLOGY AND SOILS

Would the project:

Question	CEQA Determination
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> 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. 	No Impact
ii) Strong seismic ground shaking?	No Impact
iii) Seismic-related ground failure, including liquefaction?	No Impact
iv) Landslides?	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	No Impact
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?	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	No Impact
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?	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	No Impact

Discussion

Nevada County is within the Sierra Nevada Mountains, a geologic block approximately 400 miles long and 80 miles wide which extends in a north-south band along the eastern portion of California. The terrain of Nevada County is distinctly characterized by two features of the Sierra Nevada Mountains. The western third of the County is comprised of rolling foothills which form a transition between the low-lying Sacramento Valley to the west and the mountains to the east. The eastern two-thirds of the County is comprised of the steep terrain and exposed granite of the Sierra Nevada Mountains itself.

The project area is located in a geologically complex and diverse area that has the potential for earthquake-induced hazards. Earthquakes are produced in Nevada County and throughout the

state from sudden movements along faults, described in detail below, generating ground motion when the accumulated stress within the rocks is released as waves of seismic energy.

According to the California Department of Conservation fault activity map, there are no faults under Nevada City. The nearest fault is the Grass Valley Fault approximately 3 miles to the west. The Grass Valley Fault is a pre-Quaternary fault that has not had recognized movement in the last 1,600,000 years. The nearest faults with more recent activity include the Giant Gap Fault approximately 10 miles to the east, the Swan Ravine Fault approximately 16 miles to the west, and the Cleveland Fault within the most recent movement approximately 20 miles to the northwest near Oroville.

Project Impacts

a) **Would the project directly or indirectly cause potential substantial adverse effects, including the 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?* The City does not contain any known active earthquake faults nor Alquist-Priolo Earthquake Fault Zones. Nonetheless, the CAPSE includes policies and programs to reduce adverse effects involving earthquakes, such as enforcing seismic regulations regarding new development and retrofit of existing buildings. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. Therefore, no impacts related to the exposure of people or structures to potential substantial adverse effects involving a known earthquake fault would occur.
- ii) *Strong seismic ground shaking?* Ground shaking, rather than fault surface rupture, is the cause of most damage during earthquakes. The City does not contain any known active earthquake faults. Nonetheless, the CAPSE includes policies and programs to reduce adverse effects involving earthquakes, such as enforcing seismic regulations regarding new development and retrofitting of existing buildings. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to strong seismic ground shaking would occur.
- iii) *Seismic-related ground failure, including liquefaction?* There are no known areas in the City or project area with liquefaction susceptibility.
- iv) *Landslides?* None of the project area has been evaluated for landslides. However, there are some areas that contain clay deposits that can be susceptible to land sliding hazards. Nevada County also has a history of mining including hydraulic mining which used jets of water to break down gold-laden gravel banks and wash the materials through gold separating devices. Any area adjacent to a hydraulically mined area may be subject to landslide activity. Uphill instability is increased by removal of the toe of the slope and a landslide can be triggered by seismic activity, heavy rainfall, overloading, grading activities, etc. There are provisions in the Building Code that require geotechnical review and soil mitigation in the event clay soils are found prior to development. Policy GH-2 of the CAPSE requires geologic hazard investigations/reports to review new development that may be located within areas that are known (areas determined to be seismically active by the State Department of

Conservation) or potentially have geologic concerns, such as steep slopes and/or areas of unstable soil. See related policies and programs below.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Soils in the project area generally have either no hazard of erosion or a moderate hazard of erosion. The CAPSE includes policies and programs to reduce soil erosion by requiring erosion control standards as conditions of approval. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to soil erosion or the loss of topsoil would occur. See related policies and programs below.

c) Would the project 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?

As described under Project Impacts ii, iii and iv above, the CAPSE includes policies and programs that would reduce impacts related to landslides, subsidence, and other adverse geologic conditions by requiring site feasibility studies, geotechnical evaluations, and the implementation of grading Best Management Practices and other geological considerations as conditions of project approvals. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to on- or off-site landslides, subsidence, or other adverse geologic conditions would occur. See related policies and programs below.

d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Expansive soils can undergo substantial volume change (i.e., shrink and swell) as a result of variations in moisture content, which can result from rainfall, landscape irrigation, utility leakage, roof drainage, and/or perched groundwater. Expansive soils are typically very fine-grained and have a high to very high percentage of clay. If expansive soils underlay future project sites and they are not properly treated, subsequent expansion and contraction could lead to differential and cyclical movements and cause damage and/or distress to structures and equipment. It is not known if expansive soils underlay potential development areas, and this is considered a potentially significant impact. Some locations within the project area may have isolated units of expansive soil. As described under Impacts ii, iii, and iv, the CAPSE includes policies and programs that would reduce impacts related to expansive soils by requiring site feasibility studies, geotechnical evaluations, and the implementation of grading Best Management Practices and other geological considerations as conditions of project approval. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to expansive soils would occur. See related policies and programs below.

e) Would the project 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?

None of the actions proposed in the CAPSE would result in additional septic tanks or alternative wastewater disposal systems. In addition, the CAPSE does not approve or

facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to the use of septic tanks or alternative wastewater disposal systems would occur.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The City has some sensitivity level for paleontological resources. The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to adverse effects on paleontological resources or unique geologic features would occur.

Impact Conclusions

No impacts have been identified and no mitigation measures are required.

GREENHOUSE GAS EMISSIONS

Would the project:

Question	CEQA Determination
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	No Impact

Discussion

Certain gases in the earth’s atmosphere, classified GHGs, play a critical role in determining the earth’s surface temperature. Solar radiation enters the earth’s atmosphere from space. A portion of the radiation is absorbed by the earth’s surface and a smaller portion of this radiation is reflected toward space. This absorbed radiation is then emitted from the earth as low-frequency infrared radiation. The frequencies at which bodies emit radiation are proportional to temperature. Because the earth has a much lower temperature than the sun, it emits lower-frequency radiation. Most solar radiation passes through GHGs; however, infrared radiation is absorbed by these gases. As a result, radiation that otherwise would have escaped back into space is instead “trapped,” resulting in a warming of the atmosphere. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on earth.

Fossil fuel combustion, especially for the generation of electricity and powering of motor vehicles, has led to substantial increases in CO2 emissions (and thus substantial increases in atmospheric concentrations). There is international scientific consensus that human-caused increases in GHGs have contributed and would continue to contribute to global warming. Potential global warming impacts in California may include but are not limited to loss in snowpack, sea-level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include the displacement of thousands of coastal businesses and residences, impacts on agriculture, changes in disease vectors, and changes in

habitat and biodiversity. The State enacting Assembly Bill (AB) 32 determining that global warming will cause detrimental effects to some of the state’s largest industries, including agriculture, winemaking, tourism, skiing, commercial and recreational fishing, forestry, and the adequacy of electrical power generation.

Project Impacts

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Global climate change is, by definition, a cumulative impact of GHG emissions. Because the proposed project consists of an update to the General Plan Public Safety Element (CAPSE). There is no specific project so there is no project-level analysis. The baseline against which to compare potential impacts of the project includes the natural and anthropogenic drivers of global climate change. However, since one of the CAPSE’s primary objectives is to address climate change from a policy standpoint, a number of policies and programs have been developed to reduce GHG emissions as compared to doing nothing. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. Therefore, no impacts related to conflicts with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases would occur.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards, none of which conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. Therefore, no impacts related to conflicts with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases would occur.

Impact Conclusions

No impacts have been identified and no mitigation measures are required.

HAZARDS AND HAZARDOUS MATERIALS

Would the project:

Question	CEQA Determination
a) a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	No Impact
b) 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?	No Impact

Question	CEQA Determination
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?	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No Impact
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?	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	No Impact

Discussion

The CAPSE addresses hazards, including a separate section on hazardous materials and review of hazards potential exposure to people or structures, such as wildland fires and discusses emergency response planning and evacuations. A number of policies and programs have been incorporated into the CAPSE to avoid or mitigate potential hazards.

Project Impacts

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The CAPSE contains policies and programs intended to reduce the risks associated with hazardous materials and hazards. Section G of the document focuses on transport, use, and disposal of hazardous materials. A number of policies and programs in the CAPSE addressing this topic including Policy HM-2 which states that the City shall comply with the Nevada County Hazardous Materials Area Plan which provides direction and establishes the policies, responsibilities, and procedures required to protect the health and safety of the City. County’s citizens, the environment and public and private property from the effects of hazardous materials emergency incidents. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to significant hazards to the public or environment would occur from the routine transport, use, or disposal of hazardous materials. The CAPSE includes policies and programs to potentially reduce hazards from transport, use, or disposal of hazardous materials as noted below.

b) Would the project 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?

The CAPSE policies and programs are intended to reduce the risks association with hazardous materials and hazards. For example, Policy HM-4 promotes prompt clean-up and/or remediation of sites contaminated by mine wastes or other hazardous materials. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to significant hazards to the public or environment from the accidental release of hazardous materials into the environment would occur. The CAPSE includes policies and programs to potentially reduce hazards from upset and accident conditions involving release of hazardous materials as noted below.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Several schools are located within one mile of the Robinson Petroleum bulk storage facility, located at 198 Lower Grass Valley Road: (1) Deer Creek School, 405 Hoover Lane; (2) 7 Hills Middle School, 405 Hoover Lane; and (3) Earl Jamieson Educational Options at 112 Nevada City Highway.

If schools are public, the City has very limited ability to restrict expansions or new schools since they are typically State institutions that are not subject to local regulations. Also, the City has no authority to restrict residential day care schools due to State regulations. However, CAPSE policies and programs are intended to reduce the potential of hazardous emissions. The CAPSE identifies critical facilities, including schools in the City in relation to various hazards, such as fire, flooding, and hazardous material sites to avoid or mitigate hazardous material handling or emissions nears these facilities. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to the emission of hazardous materials within one-quarter mile of a school would occur. The CAPSE includes policies and programs to potentially reduce emission of hazardous materials as noted below.

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

A review of the DTSC EnviroStor database indicates two active voluntary cleanup sites in Nevada City: 1) at the end of Bridge Street, involving soil clean up; and 2) at 101 Providence Mine Road, where the Grove residential subdivision project is being developed also involving soil remediation. The CAPSE also identifies several previous mine locations and the potential for these to become hazardous. There are a number of policies to in the CAPSE to reduce these hazards, such as Policy HM-3 promoting prompt clean-up and/or remediation of sites contaminated by mine wastes or other hazardous materials and Policy HM-4 regarding coordination with the Nevada County Environmental Health Department in the review of all projects that require the use, storage, or transport of hazardous materials and waste to ensure necessary measures are taken to protect public health and safety.

The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to significant hazards to the public or environment from the presence of known contamination would occur.

- 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?**

The closest airport, Nevada County Airport, is located approximately nine miles southeast of the City and the project area. Although air traffic occurs over the City, it is not impacted by the airport’s approaches/departures that is cause for significant hazard to the City. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. Therefore, no impact would occur.

- f) **Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

The CAPSE contains policies and programs intended to support the existing Emergency Operation Plan and would not create any interference or impacts related to implementation of an adopted emergency response plan or evacuation plan would occur.

- g) **Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

The CAPSE has a several sections discussing wildland fires, such as Emergency Preparedness and Evacuation, Fire Hazards and Protection and related policies and programs to provide improved safety measures. Additionally, the CAPSE references current data associated with each wildland fire hazard and incorporates the LHMP which addresses wildland fire risk by providing incentives to minimize hazards. Furthermore, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to wildland fires would occur.

Impact Conclusions

No significant impacts have been identified and no mitigation measures are required.

HYDROLOGY AND WATER QUALITY

Would the project:

Question	CEQA Determination
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?	No Impact

Question	CEQA Determination
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 which would: <ul style="list-style-type: none"> i) result in substantial erosion or siltation on- or off-site; 	No Impact
<ul style="list-style-type: none"> ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; 	No Impact
<ul style="list-style-type: none"> 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 	No Impact
<ul style="list-style-type: none"> iv) impede or redirect flood flows? 	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	No Impact

Discussion

The General Plan area is located in two main watersheds with the vast majority being in the southerly portion of the Yuba River Watershed. These watersheds span four counties: Nevada, Placer, Sutter and Yuba. Two rivers travel through Nevada City; Deer Creek and Little Deer Creek; both being influenced by these main watersheds. Several other tributaries to and from these rivers also flow through the project area.

The Deer Creek Watershed traces the southerly boundary of the Yuba River Watershed. Nevada City is at the approximate mid-point of this watershed and is approximately 12 miles west of the eastern watershed boundary near SR-20 and approximately 15 miles west of the watershed boundary near the Nevada County line. The watershed includes the area from Scotts Flat in the eastern reaches and Lake Wildwood in the western half. Deer Creek Watershed has been impacted from past uses including mining, development, water diversions, and agriculture.

Little Deer Creek Watershed encompasses much of the project area and is a tributary to Deer Creek. Other waters within the project area that are tributary to Deer Creek include Gold Run Creek, Oregon Ravine, Woodpecker Ravine, Woods Ravine, Rogers Williams Ravine, and Manzanita Ravine. All these watercourses flow or combine to flow through the downtown of Nevada City.

Project Impacts

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Water quality, waste discharges, and water quality are managed by the California Regional Water Quality Control Board (RWQCB). The project area is characterized by hilly with steep

to gently sloping terrain, perennial and intermittent streams in a forested environment. The CAPSE would not result in any direct impacts to water quality or result in the direct violation of a water quality standard or waste discharge requirements. The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural. The CAPSE does not propose policies or implementation actions that would conflict with the policies and programs in the City Resources Element or other sections of the General Plan concerning the protection of water quality. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to water quality standards, waste discharge requirements, or the degradation of surface or groundwater quality would occur.

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Future development of the General Plan (project) area would be subject to the City or County review when development plans are submitted, and/or application(s) filed. Projects that consist of areas greater than one acre and would be required to obtain a Construction General Permit. The Construction General Permit requires implementation of a Storm Water Pollution Protection Plan (SWPPP), which would include Best Management Practices (BMP)s designed to reduce potential impacts from water degradation and storm water runoff. Construction BMPs may include, but are not limited to, stabilization of construction entrances, straw wattles on embankments, and sediment filters on existing inlets. The SWPPP must be kept on-site, updated as needed while construction progresses, and would contain a summary of the structural and non-structural BMPs to be implemented during both construction and post-construction periods.

All future development within the General Plan area is subject to City or County review including CEQA analysis. As part of the CEQA analysis, the potential for impacts to hydrology and water quality would be considered, and as discussed above, proper permitting and water quality protection measures would be incorporated as conditions of project approval or as project-specific mitigation. Preparation, implementation, and participation with both a National Pollution Discharge Elimination System (NPDES) General Permit and the Construction General Permit, including the SWPPP and BMPs, would reduce potential impacts to water quality to acceptable levels. As a result, impacts associated to water quality in this regard and wastewater discharge requirements would be less than significant.

The CAPSE includes policies and programs to minimize risks from the effects on groundwater supplies. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to groundwater supplies or groundwater recharge would occur.

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 which would:

- i) *Result in substantial erosion or siltation on- or off-site.* City Municipal Code Chapter 17.80.120 contains regulations regarding the prohibition of development within riparian and adjacent to stream zones. The City prohibits building closer than 100 feet from a

perennial stream and closer than 25 feet from seasonal water (unless a variance is granted). In addition, sections 401 and 404 prohibit the release of dredge or fill materials into waters of the U.S. These measures are intended to minimize erosion or siltation on or off-site.

The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to substantial erosion or siltation on- or off-site would occur.

- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.* The CAPSE would not alter precipitation amounts or intensities, nor is it anticipated to require any additional water to be imported to serve the future project sites. Some additional run-off would occur from new impervious surfaces if construction occurs; however, the overall increased surface area would be minimal and the potential for on-site or off-site run-off would be minimal. Also, as noted in subsection i) above, construction on these sites; however, would be within a rural landscape, increased run-off would be minimal, and would be required to comply with all applicable RWQCB and City requirements related to water runoff and control.

City Municipal Code Chapter 13.20.101 Statutory Authorization would apply to future development projects that could occur in the General Plan (project) area if they are within flood zones. In part, the purposes of this chapter are to protect human life and health; minimize damage and reduce the effects on uses in flood zones. More specifically, section 13.20.050 sets forth provisions for flood hazard reduction including anchoring, use of construction materials resistant to flooding, and a requirement that in a zone A, the lowest floor be elevated at least one foot above the base flood elevation. Other requirements such as structure design and certification by a registered professional engineer or architect are required.

The CAPSE includes policies and programs to ensure that new development is located and designed to minimize the generation of and exposure to flood hazards (e.g., Implementation Actions 4.C.1 Promote Flood Safety and 4.C.7 Green Infrastructure). In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to substantial flooding on- or off-site would occur.

- 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 as discussed in subsections i) and ii) above,* impacts from future development projects, depending on the location, size, and nature would be required to obtain a Construction General Permit. The Construction General permit requires implementation of a SWPPP, which would include BMPs to minimize drainage impacts caused by storm water runoff and protect downstream receiving waters. Preparation and implementation of all required NPDES permits, including implementation of SWPPPs and associated BMPs, would reduce the potential for excess storm water drainage.

The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and does not approve or facilitate any specific

development nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to increased stormwater runoff would occur.

- iv) *Impede or redirect flood flows?* As discussed in subsections i) and ii) above, impacts from future development projects, depending on the location, size, and nature would be required to obtain a Construction General Permit. The Construction General permit requires implementation of a SWPPP, which would include BMPs to minimize the erosion caused by storm water runoff and protect downstream receiving waters. Preparation and implementation of all required NPDES permits, including implementation of SWPPPs and associated BMPs, would reduce the potential for storm water flows from carrying potential contaminants off-site during construction.

The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to increased.

- d) In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?**

The CAPSE includes policies and programs to ensure that new development is located and designed to minimize the generation of flood hazards, The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to the risk of release of pollutants due to project site inundation would occur.

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards, none of which approve physical changes to the environment or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in a physical change to the environment and no impacts related to conflicting with or obstructing implementation of a water quality control plan or sustainable groundwater management plan would occur.

Impact Conclusions

No significant impacts have been identified and no mitigation measures are required.

LAND USE AND PLANNING

Would the project:

Question	CEQA Determination
a) Physically divide an established community?	No Impact
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?	No Impact

Discussion

Nevada City was founded in 1850 and incorporated on April 19, 1856. Nevada City started as a gold-mining community one hundred and fifty (150) years ago and is now characterized as a modern city but still with modest cottages and Victorian houses and classic brick buildings. The City is located within a basin on the western slope of the Sierra Nevada and has unique topography with hills and valleys and aesthetic and scenic qualities. The town is located in a natural “bowl” giving the impression that the historic mining town is compact as it is surrounded by hills and trees.

Nevada City is generally surrounded by rural residential development and undeveloped coniferous forest. These areas extend from the city boundary in all directions and are included in the General Plan project area. These unincorporated lands, outside the City’s jurisdictional boundaries, are primarily designated and developed for residential uses.

The General Plan contains a Land Use and Economic Development Element (Chapter II), which establishes objectives and policies related to land use planning and community development in the City. As part of the CAPSE, there are no amendments being proposed to the Land Use Element of the General Plan. The CAPSE identifies land use and development as being a critical factor in preparation for future emergencies.

Project Impacts

a) Would the project physically divide an established community?

The Land Use Element establishes specific goals, objectives and policies related to land use planning and community development in the City. The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and revisions to provide consistency with the Land Use Element. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to division of an established community would occur.

b) Would the project 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?

The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards, none of which conflict with any land use plan, policy, or regulation

adopted for the purpose of avoiding or mitigating an environmental effect. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to conflicts with a land use plan, policy, or regulation would occur.

Impact Conclusions

No impacts have been identified and no mitigation measures are required.

MINERAL RESOURCES

Would the project:

Question	CEQA Determination
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?	No Impact
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?	No Impact

Discussion

A mineral resource is land on which known deposits of commercially viable mineral or aggregate deposits exist. The designation is applied to sites determined by the State Division of Mines and Geology as being a resource of regional significance and is intended to help maintain any quarrying operations and protect them from encroachment of incompatible uses.

No mineral resources are identified to exist by the City’s General Plan or located within any “Critical Mineral Resource Overlay” area, on or near the General Plan Area. Additionally, the proposed project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a City’s General Plan, specific plan or other land use plan. No impact has been identified.

Project Impacts

- a) Result in the loss of a known mineral resource that would be of value to the region and the residents of the state?**

The CAPSE would not affect mineral resources. No impact.

- 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?**

No mineral resource recovery sites are delineated within the Nevada City General Plan or any other land use or specific plan. No impact.

NOISE

Would the project result in:

Question	CEQA Determination
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	No Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?	No Impact
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?	No Impact

Discussion

Noise impacts require evaluation through CEQA. The previous Noise Element section of the General Plan Public Safety Element was adopted in 1986. The CAPSE includes an update of the General Plan Noise Element which evaluates current and future noise levels from increased growth in the region, primarily due to increased traffic levels, but also includes noise from increased stationary activities, such as increased commercial activities. Appendix C of the CAPSE consists of a background report on noise that supports a noise analysis and policies and programs in the CAPSE.

To quantify existing noise levels at areas within Nevada City, a community noise survey was performed at seven locations from Friday, April 1 through Monday, April 4, 2022. Then, noise contours were developed showing existing noise levels (to 2045) based on projected development anticipated in the General Plan area and from regional growth anticipated in Nevada County's General Plan area.

Project Impacts

- a) **Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

The CAPSE is consistent with the current City noise regulations but provides an enhanced understanding of noise issues in the community and also provides improved noise standards that can be used to improve noise regulatory enforcement. The CAPSE also provides additional policies and programs to address noise from new activity and development in the City. For example, Policy NE-5 has more specific criteria to base noise analysis requirements. Table 4, Noise Standards for New Uses Affected by Traffic Noise and Table 5, Noise Standards for Locally Regulated (non-transportation), provide standards to evaluate and restrict new activities near residential uses which should help mitigate future noise impacts on the community. Policy NE-25 consists of a formal methodology to apply

to noise studies while Policy NE-28 offers design options for mitigation of noise impacts. Program NE-1 proposes updating the City’s noise regulations to improve consistency between the CAPSE and implementation of noise requirements.

The CAPSE does not approve or facilitate any specific development designs or proposals, nor does it grant any development entitlements that could result in noise impacts. As a result, the CAPSE would not result in any physical environmental changes or introduce any new sources of noise and no impacts related to a substantial temporary or permanent increase in ambient noise levels would occur.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

The CAPSE Update does not approve or facilitate any specific development designs or proposals, nor does it grant any development entitlements that could result in groundborne vibration. As a result, the CAPSE would not result in any physical environmental changes or introduce any new sources of vibration and no impacts related to the generation of excessive groundborne vibration or noise levels would occur.

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?

The Nevada County Airport is located approximately 1 mile south of the General Plan area. The airport’s 55 dB CNEL contours does not extend into the current City limits or into the General Plan area. As a result, the General Plan area is not considered to be appreciably affected by noise related to aircraft operations at the Nevada County Airport even though audible overflights of the City do periodically occur. No impact.

Impact Conclusions

No impacts have been identified and no mitigation measures are required.

POPULATION AND HOUSING

Would the project:

Question	CEQA Determination
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)?	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact

Discussion

In 2019 pursuant to State law, the City adopted an updated Housing Element (Housing Element 2019-27), which explained City housing goals and how the City intends to meet them.

Project Impacts

- a) **Would the project 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)?**

The General Plan Housing Element (2019-27) establishes policies, programs and quantified objectives to address housing needs within the City. The CAPSE includes goals, policies, and programs to minimize risks from the effects of natural and non-natural hazards and would not alter the Housing Element. The CAPSE does not propose policies or implementation actions that would conflict with the policies, programs, and quantified objectives of the Housing Element regarding population growth. The CAPSE does not include construction or operational components (such as employment opportunities) that could directly or indirectly induce population growth. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to substantial unplanned population growth would occur.

- b) **Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

The Housing Element establishes policies, programs, and quantified objectives to address housing needs within the City. The CAPSE includes goals, policies, and programs to minimize risks from the effects of natural and non-natural hazards and would not alter the Housing Element. The CAPSE does not propose policies or implementation actions that would conflict with the policies, programs, and quantified objectives of the Housing Element regarding the displacement of people or housing. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements or require or facilitate the demolition of housing or other structures that could displace people. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to the displacement of existing people or housing would occur.

Mitigation

No impacts have been identified and no mitigation measures are required.

PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 public services:

Question	CEQA Determination
a) Fire protection?	No Impact
b) Police protection?	No Impact
c) Schools?	No Impact

Question	CEQA Determination
d) Parks?	No Impact
e) Other public facilities?	No Impact

Discussion

Nevada City is a full-service City that provides fire, police, public works, planning, water, wastewater, and parks and recreation services. These services are described in more detail in the CAPSE.

Project Impacts

a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 public services:**

- i) Fire protection
- ii) Police protection
- iii) Schools
- iv) Parks
- v) Other public facilities

The CAPSE contains policies and programs intended to support and improve fire and police protection capability and other resources within the City and within the General Plan area. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. Additionally, the CAPSE would not directly or indirectly result in an increased resident population, necessitating the need for new or physically altered facilities or manpower. As a result, adoption and implementation of the CAPSE would not result in any physical environmental changes and no impacts related to the provision of new or altered governmental or public facilities would occur.

Mitigation

No impacts have been identified and no mitigation measures are required.

RECREATION

Question	CEQA Determination
a) Would the project 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?	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No Impact

Discussion

The City maintains several public parks and recreation services in the city that serves folks both within the General Plan (project area) and surrounding communities.

Project Impacts

- (a) Would the project 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?**

General Plan Resources Element contains background information on recreation and parks that include maintaining a certain number (or size) of parks based on population growth. Chapter 3.36 of the Municipal Code, Facilities and Equipment Fee, include requirements for new development to pay for such new recreational facilities to mitigate impacts to a level of non-significance. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. Nor does the adoption or implementation of the CAPSE result in direct or indirect population growth that could increase demand for parks or other recreational facilities. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to the increased use of existing neighborhood and regional parks or other recreational facilities would occur.

- (b) Does the project include recreational facilities or require the construction of recreational facilities which might have an adverse physical effect on the environment?**

The General Plan Resources Element contains background information on recreation and parks that include maintaining a certain amount of parks based on population growth. Chapter 3.36 of the Municipal Code, Facilities and Equipment Fee, includes requirements for new development to pay for such new recreational facilities to mitigate impacts to a level of non-significance. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. Nor does the adoption or implementation of the CAPSE result in direct or indirect population growth that could increase demand for parks or other recreational facilities. As a result, no impacts related to the construction or expansion of recreational facilities would occur.

Impact Conclusions

No impacts have been identified and no mitigation measures are required.

TRANSPORTATION

Would the project:

Question	CEQA Determination
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	No Impact
b) Would the project conflict or be inconsistent with CEQA Guidelines § 15064.3(b)?	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No Impact
d) Result in inadequate emergency access?	No Impact

Discussion

The CAPSE provides a comprehensive discussion of the City’s transportation system.

Project Impacts

a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

The General Plan Circulation Element refers to the Nevada County Regional Transportation Plan (RTP) for addressing future circulation needs. contains policies and programs related to the City’s circulation system. The RTP relates to other circulation plans that enhance the City’s circulation system, such as the Bicycle Master Plan, the Transit Plan, and the Western Nevada County Non-Motorized Recreation Trails Master plan The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and would not alter the Circulation Element. Program EP-4 recommends updating the City’s Circulation Element to address more local circulation needs. The CAPSE does not propose any actions that would directly result in development of a specific site or specific infrastructure, nor would it change any land uses or zoning. The CAPSE does not propose policies or programs that would conflict with the Circulation Element regarding the City’s circulation system. Additionally, the CAPSE would not conflict with any of the regional transportation objectives identified in the RTP or other circulation plans from Nevada County Transportation Commission. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to conflicts with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities would occur.

b) Would the project conflict or be inconsistent with CEQA Guidelines § 15064.3(b)?

The CEQA guidelines underwent revisions that took effect July 1, 2020. As part of the revision, transportation impacts are now evaluated using vehicle miles traveled (VMT)

instead of the traditional Level LOS. VMT is a measure of the actual miles that an individual in their vehicle travel as opposed to LOS which measures the relative flow of vehicles as determined by potential delays and the time it requires to travel from one point to the next. As part of the CEQA update, Jurisdiction were given until the July 1, 2020, date to implement new thresholds of significance based on the guidance to use VMT and specifically thresholds guidelines are shown in CEQA § 15064.3 Determining the Significance of Transportation Impacts. The City has not adopted a thresholds or standards of significance that include an analysis of VMT. However, VMT can be analyzed quantitatively and the City can use the State's guidelines to determine an appropriate threshold of significance.

The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts would occur related to a conflict with CEQA Guidelines § 15064.3(b).

- c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards. Some of the policies and programs involve improving access to and from areas and increases in defensible space that could impact geometric design features of existing and proposed roadways. However, none of these are intended to create substantial circulation hazards. The CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes nor any directly related to street design, and no impacts would occur related to a substantial increase in hazards due to a geometric design feature or incompatible uses.

- d) Would the project result in inadequate emergency access?**

The CAPSE includes policies and programs to improve emergency access. Section 2 of the document is completely devoted to reviewing and improving emergency access routes for evacuation purposes. The Program EP-4 recommends updating the Circulation Element to address improved evacuation capacity. In addition, the CAPSE contains policies and programs to improve emergency preparedness and identify evacuation routes. Adoption and implementation of the CAPSE would have a beneficial impact on traffic and circulation during an emergency. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to inadequate emergency access would occur.

Impact Conclusions

No impacts have been identified and no mitigation measures are required.

TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Question	CEQA Determination
a) 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 § 5020.1(k); or	No Impact
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Public Resources Code § 5024.1(c). In applying the criteria set forth Public Resource Code § 5024.1(c), the lead agency shall consider the significance of the resource to a California Native American tribe.	No Impact

Discussion

The County and the General Plan areas lie within the ethnographic territory of the Nisenan. The Nisenan occupied the upper drainages and the adjacent ridges of the Yuba, the north, middle and south forks of the American, and at least the upper north side of the Cosumnes River. The territory is conventionally believed to extend to the crest of the Sierra to the east and the Sacramento River to the west.

SB 18 requires local governments (city and county) to consult with Native American tribes before making certain planning decisions and to provide notice to tribes at certain key points in the planning process. The intent is to “provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places.” AB 52 similarly requires the City, through to engage in early consultation with California Native American Tribes on all projects subject to CEQA evaluation.

Tribal Cultural Resources, which include sites, features, places, cultural landscapes, sacred place, objects, or archeological resources with cultural value to a California Native American Tribe that is listed or eligible for listing in the national, California or local registers. AB 52 requires lead agencies to consider whether a project may cause a substantial adverse change in the significance of a Tribal Cultural Resource and to consider a tribe’s cultural values when determining the appropriate environmental assessment, impacts and mitigation. AB 52 can draw upon SB 18’s guidelines and can be completed in tandem.

The City requested opportunity to consult with four Native American tribes identified by the NAHC as having affiliation with the City, including Nisenan tribes, was conducted on August 23, 2021. No responses were received from this outreach effort.

Project Impacts

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a) **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 § 5020.1(k) or:**

The General Plan Resources contains findings and policies to protect and preserve historic resources within the City. The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Resources Element. The CAPSE does not propose policies or programs that would conflict with the policies and programs in the Resources Element regarding the protection of historical resources. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to tribal cultural resources listed or eligible for listing in the California Register of Historical Resources or local register of historical resources would occur from adoption or implementation of the CAPSE.

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Public Resources Code § 5024.1(c)?

In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the City must consider the significance of the resource to a California Native American tribe.

Assembly Bill 52 and Senate Bill 18 requires the City to consult with California Native American tribes before making certain planning decisions and to provide notice to tribes at certain key points in the planning process. Pursuant to Public Resources Code § 21080.3.1, no California Native American tribe has requested an AB 52 consultation. Additionally, in accordance with California Government Code § 65352.3 (SB 18) California Native American tribes have been notified of the proposed CAPSE and been given the opportunity to initiate consultation with the City. The CAPSE was routed to six California Native American tribes on June 2, 2020. As of December 1, 2020, no responses had been received from any of the six Native American tribes contacted.

The City requested opportunity to consult with four Native American tribes identified by the NAHC as having affiliation with the City, including Nisenan tribes, was conducted on August 23, 2021. No responses were received from this outreach effort.

While the City and its vicinity are known to have been inhabited by Native American groups and/or individuals, the CAPSE does not propose any updates to the Open Space and Conservation Element, which contains objectives, policies, and programs to protect and preserve archaeological resources within the City. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to tribal cultural resources would occur.

Impact Conclusions

No impacts have been identified and no mitigation measures are required.

UTILITIES AND SERVICE SYSTEMS

Would the project:

Question	CEQA Determination
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	No Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	No Impact
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No Impact

Discussion

The City provides water and wastewater services to areas primarily located within the City’s current jurisdictional boundaries. Also, the Nevada Irrigation District provides water services to areas within the City and within areas within the General Plan area outside of the City’s jurisdictional boundaries. The City’s drainage system is also maintained by the City. Details of these services are described in more detail in the CAPSE.

Project Impacts

- a) **Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards. Related policies and programs are listed below. However, adoption of the CAPSE does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the CAPSE Update would not result in any physical environmental changes and no impacts related to the relocation or construction of new or expanded utility infrastructure would occur.

- b) **Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards. Related policies and programs are listed below. However, adoption of the CAPSE does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to the relocation or construction of new or expanded utility infrastructure would occur.

- c) **Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?**

The CAPSE includes policies and programs to minimize risks from the effects of natural and non-natural hazards and does not approve or facilitate any specific development nor does it grant development entitlements. Nor does the adoption or implementation of the CAPSE result in direct or indirect population growth that could increase wastewater generation. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to wastewater treatment capacity would occur.

WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Question	CEQA Determination
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No Impact
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?	No Impact
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?	No Impact

Background

The General Plan area is characterized by some urbanized areas but contains a substantial amount of rural development interspersed within a forest environment. Due to the nature of the vegetation and most of the General Plan area and the entire City limits is categorized as a Very

High Fire Hazard Severity Zone (VHFHSZ) by CALFIRE. More details are provided in the CAPSE. More details including specific mapping are shown in the CAPSE.

Project Impacts

a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

The CAPSE provides more current information on evacuation routes and identifies additional risks associated with evacuation planning for the overall protection of the community and to reduce the risk of property loss and damage during wildfires. A number of policies identify constraints to evacuation and emergency access and several programs have been developed to improve these features. The CAPSE does not modify or change designated emergency evacuation routes designed in the Emergency Operations Plan or Circulation Element. The CAPSE would not conflict with or change any evacuation plans and does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes that would impair an emergency response or evacuation plan and no impact would occur.

b) Would the project, due to slope, prevailing winds and other factors, exacerbate wildfire risks and, thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

The CAPSE identifies wildfire as a hazard and the document supports practices that would reduce risks and the severity of wildfires. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes that would exacerbate wildfire risks and no impacts related to wildfire risks would occur.

c) Would the project 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?

The CAPSE Update identifies wildfire as a hazard and the document supports practices that would reduce risks and the severity of wildfires. It includes policies and programs which would allow future development to include open space as a fuel break/fire break to promote fire safety while also evaluating project applications during application review and implemented through adoption as conditions of approval. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to the installation or maintenance of associated infrastructure would occur.

d) Would the project 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?

The CAPSE identifies wildfire as a hazard and the document supports practices that would reduce risks and the severity of wildfires. It includes a number of policies and programs to reduce the risks associated with flooding, runoff and post-fire slope instability. In addition, the CAPSE does not approve or facilitate any specific development, nor does it grant

development entitlements. Future development projects would be reviewed prior to implementation to ensure fire hazard safety during project construction and implementation. Construction would be required to adhere to building and fire codes to ensure safety during construction and operation and not exacerbate or create risk toward humans or structures. As a result, the CAPSE would not result in any physical environmental changes and no impacts related to the exposure of people of structures to significant risks from post-fire impacts would occur.

Impact Conclusions

No impacts have been identified and no mitigation measures are required.

MANDATORY FINDINGS OF SIGNIFICANCE

Question	CEQA Determination
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 the major periods of California history or prehistory?	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	No Impact

Discussion

As discussed in this Initial Study, the CAPSE does not approve or facilitate any specific development, nor does it grant development entitlements. As a result, the CAPSE would not result in any physical environmental changes or impacts related to biological resources, cultural resources, air quality, water quality, noise, or any other CEQA sections.

Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects “that are individually limited, but cumulatively considerable.” As defined in CEQA Guidelines § 15065(a)(3), cumulatively considerable means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” As discussed throughout this Initial Study, the CAPSE would not result in any physical environmental changes and no impacts have been identified for any of the environmental resource topics. As such, the CAPSE would not contribute to cumulative impacts to any of the environmental resource topic areas. Therefore, adoption of the CAPSE would not result in environmental effects that are individually limited but cumulatively considerable.

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