

concentrations may be removed or placed in a non-building area, subject to review by the Nevada County Department of Environmental Health.

See Section VI, Geology and Soils and Section VIII Hazards and Hazardous Materials.

Items 7.e, f The City of Nevada City and the project site is not located within two miles of the Nevada County airport or within the land use plan for that airport. In addition, there are no known private airstrips in proximity to the project site.

Item 7.h The City of Nevada City is not within a designated wildland fire area as mapped on the Calfire Wildland Fire Maps. Nevada City is however designated on those maps as being within a "Local Responsibility Area" meaning that the City of Nevada City Fire Department has primary responsibility for wildland fire protection within the City. The City Fire Department implements all aspects of Public Resource Code 4290 and 4291 as they pertain to development projects within the City. These measures would also apply to ministerial development within the new R3 zone. Compliance with fire safe standards of the Uniform Fire Code and those required of Public Resources Code 4290 and 4291 will ensure future residential development will not have a significant impact on wildland fire.

Mitigation Measures

MM VIII-1

Prior to site development (grading, brush removal, etc.) soil and mine waste containing elevated metal (arsenic and lead) concentrations shall be removed, fenced or graded to isolate these features from the development area to preclude potential exposure by future residents. The specific recommendations for each development area are as follows:

R1 Area (See map Figures 5 and 7). A future discretionary development application shall provide greater detail as to site development plans and design in the vicinity of the New Shaft mine spoils. Said plan shall be re-reviewed and more specific geotechnical engineering recommendations as to elevated levels of arsenic and lead shall be included with that submittal.

R2 Area (See map Figures 5 and 7). A future discretionary development application shall provide greater detail as to site development plans and design in the vicinity of the Crosby Shaft portal. Said plan shall be re-reviewed and more specific geotechnical engineering recommendations as to elevated levels of arsenic and lead shall be included with that submittal.

R3 Area (See map Figures 5 and 7). Spoils having elevated metal concentrations in small spoil piles TC-1, TC-2 and TC-3 on map Figure 7 shall be removed or placed in a non-building area subject to review by the Nevada County Department of Environmental Health.

Impact Conclusion: The adoption of the Housing Element and related programs would not result in significant impacts on hazards and hazardous materials and no mitigation measures are recommended.

IX. HYDROLOGY & WATER QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact

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Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a. Violate any potable water quality standards or waste discharge requirements?				X
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lessening of local groundwater supplies (i.e. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
d. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted water?			X	
e. Otherwise substantially degrade surface water quality?			X	
f. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
g. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
h. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
i. Inundation b seiche, tsunami, or mudflow?				X

Discussion-

Items IX. a ,b All uses within the City of Nevada City are required to connect to a public water source. Public water is provided by the City and the Nevada Irrigation District. Those entities are under the control of the Water Resources Control Board. As a result, new residential development on this site would lead to a potable water quality standard violation.

The City of Nevada City has minimum 50 percent impervious lot coverage standard established within Section 17.80.130 of the Zoning Code for residential projects. The R3 zone, however, includes a maximum 80 percent lot coverage. This level of impervious surfacing is expected to be minimal and additional runoff will be below significant levels. During project construction, storm water runoff could contribute to the degradation of water quality in the onsite and downstream water features, due to potential construction-related erosion and sedimentation. Impacts related to the degradation of water quality would be reduced to a level that is less than significant with implementation of best management practices provided as part of improvement plan and grading plan review.

Items IX c-f. There are two main swales on site that receive and convey winter storm water. Both require a 25 foot building setback. All projects are required to include drainage designs that minimize surface water flows. All projects are also required to design on-site detention basins to regulate storm water flows in accordance with state standards.

Items IX.g, h The FIRM for the City of Nevada City (Panel 060210) prepared by FEMA indicates the subject site is "outside the 500-year floodplain." Because there are no known floodplains, the rezone of the subject 12. P9 acre parcel would not result in the construction of any structures that could be exposed to flood hazards.

Items IX i. The project site is not in proximity to a levee or dam, and would not substantially contribute to storm water flows near a floodplain.

Items IX j. The project site is not in proximity to any water or land feature that is subject to the threat of seiche, tsunami or mudflow.

Impact Conclusion: The rezone of the subject 12.9 acre property would not result in significant impacts on hydrology and water quality and no mitigation measures are recommended.

X. LAND USE & PLANNING – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a. Physically divide an established community?				X
b Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion-

Item X.a The general plan amendment and rezone will not divide an established community. There are no residential developments in the immediate vicinity of the project site. The intended purpose of the project is to introduce residential uses to support both planned and existing employment land uses to the north in the Thompson Grass Valley and Nevada City Tech Center business parks.

Item X.b The project requires an amendment to the Nevada City General Plan and a rezone from Employment Center and LI-DA, respectively, to accomplish needed workforce housing opportunities in proximity to the two major employment land uses adjoining the subject site to the north. The recent amendment to the Housing Element included two new policies. One encourages and supports mixed use residential land uses in close proximity to commercial and office use to reduce commuting and vehicle travel and the other encourages residential land uses in close proximity to employment centers. The general plan amendment and rezone accomplishes both purposes. In addition, the R3 zone will implement Program 26 which requires that appropriate lands be zoned to R3, High Density Multiple Family to help meet the City's Regional Housing Needs Allocation (RHNA) as adopted by the Sierra Planning Organization in June, 2008. The R3 zone will

accommodates up to 16 dwelling units per acre and once zoned an individual project may proceed on a ministerial approval unless a discretionary decision is required (i.e. tentative map, Use Permit, etc.). The subject 2.0 acre site was one of the sites evaluated and recognized to be appropriate as part of the Housing Element update.

Item X-c. The project would not interfere with or be in conflict with an approved habitat conservation plan.

Impact Conclusion: The general plan amendment and rezone would not result in significant impacts on land use and no mitigation measures are recommended.

XI. MINERAL RESOURCES – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a. The loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
b. 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?				X

BACKGROUND

The site is located within the historic Nevada City gold mining district, on the southern edge of the Champion group of mines. A review of historical mining maps identified two inclined shafts at the site, as well as several spoils piles. The irregular topography at the site is indicative of shallow placer mining as well as surface expressions of underground hard rock mining. In addition to the near-surface placer and hard rock workings, the property is underlain by deeper workings associated with the Providence and Mountaineer mines. Abandoned mine features identified on the property are described in Section 4 of this report.

The Surface Mining and Reclamation Act of 1975 (SMARA) mandated the initiation by the State Geologist of mineral land classification in order to help identify and protect mineral resources in areas within the State subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board (SMGB), after receiving classification information from the State Geologist, to designate lands containing mineral deposits of regional or statewide significance. Construction aggregate was selected by the SMGB to be the initial commodity targeted for classification because of its importance to society, its unique economic characteristics, and the imminent threat that continuing urbanization poses to that resource. In 1980, at the request of SMGB, SMARA was amended to provide for the classification of non-urban areas subject to land-use threats incompatible with mining. As a result, SMARA studies were begun during 1981 in the western Sierra Nevada foothills. Studies focused on all mineral resources other than aggregate, common clay, and dimension stone.

Impact Discussion:

Item XI-a & b. The property subject to the general plan and rezone, as well as the entire western portion of the City of Nevada City is classified by the State Mining and Geology Board as having important minerals. The classification study (SR 164) was completed for Western Nevada County in 1990. The specific classification for Western Nevada City is MRZ-2b, "Areas of Identified Mineral

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Resource Significance.” The State Geologist uses classifications in determining the mineral importance of lands within California. The other classifications are MRZ-3, “Areas of Undetermined Mineral Resource Significance,” MRZ-4, “Areas of Unknown Mineral Resource Significance,” and MRZ-1, “Areas of No Mineral Resource Significance.” The classification system is based on the presence or lack thereof of mineral deposits. The classification also reflects market value, extent of the resource and other factors. Cities and Counties must develop policies and programs in their general plan to protect and/or manage lands that have important mineral classifications. Alternatively, a general plan may establish local land uses as a priority over mineral protection.

While there are identified mine sites in the area of the project, the large majority of the area is characterized as MRZ2-b. This classification indicates the area is underlain by mineral deposits where geologic information indicates there are significant inferred resources present. While the subject property is designated and zoned for employment center and industrial uses, the City of Nevada City does not permit surface mining as a permitted or conditional use within these lands. The City of Nevada City views mining as an important part of its history. Since the current General Plan and Zoning Ordinance does not accommodate mining, preserving lands for such a likelihood would be inconsistent with city policy. In addition this property is in close proximity to an established, older, residential neighborhood to the west and planned residential uses to the south. Furthermore the City has committed the lands to the north and to the east along Providence Mine Road for a variety of clean employment center uses. Protecting the subject site for the possibility of future mining would be inconsistent with the land use policy direction from the past 30 years. Given the historic mining activity in, on and around this property a geotechnical report has evaluated any remaining hazards that would present a danger or other unsafe condition for residential uses. See item VI, Geology and Item VIII, Hazards and Hazardous Waste.

Impact Conclusion: The general plan amendment and rezone would not result in significant impacts on mineral resources as these mineral values have been forgone in favor of non-mineral land uses and no mitigation measures are recommended.

XII. NOISE – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a. Expose persons to or generate noise levels in excess of the City's adopted standards established in the General Plan and Zoning Code?			X	
b. Expose persons to or generate excessive ground borne vibration or ground borne noise levels (e.g., blasting)?			X	
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
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 expose people residing or working in the project area to excessive noise levels?				X

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f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
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Impact Discussion:

Items 11. a—d. Even with the existing Thompson Grass Valley and Nevada City Tech Center developments, relatively low levels of noise are found in the vicinity of the project site. The primary noise source is traffic from employees and material truck deliveries or pick up. There would also be limited noise associated with aircraft flying over, occasional construction and typical noise associated with concentrations of people. Even though there are several employers in the area immediately to the north of the project site, the area is relatively quiet. Most of the ambient sounds comprise natural sounds associated with wind, leaves rustling, birds chirping, etc. The Champion Trails Planned Community EIR sampled and took noise reading in 1979. While these reading are over 20 years old, the ambient conditions in the project area have not changed substantially, except during construction projects, which are relatively short term. The 1979 readings in the vicinity of the subject site were 37 to 40 dBA. Since the business park constitutes indoor operations and they don't generate large volumes of traffic, the only noise contribution would be that which is associated with traffic. Traffic noise is generally limited to day time (7:00 a.m. to 6:00 p.m.) Monday through Friday.

The Noise Element of the Nevada City General Plan accepts the "normally acceptable" range within the Land Use Compatibility Chart established by the California State Office of Noise Control. The acceptable noise range of multiple family dwellings is 50 to 60 L_{dn}. Providence Mine Road is not planned to become a through road, although some time in the future the land to the south may be developed with residential uses, and traffic, and therefore noise, would increase. Currently, existing traffic is destination oriented and there is no through traffic during non commute peak times.

Items 11.e, f The project site is located beyond two miles of the Nevada County airport and is therefore not within the land use planning area for that airport. In addition, there are no known private airstrips in proximity to Nevada City.

Impact Conclusion: The adoption of the rezone on the subject 12. 9 acres would not result in significant impacts on the noise environment and no mitigation measures are recommended

XIII. POPULATION & HOUSING – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a. Induce substantial 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)?			X	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Discussion-

Item XIII-a. At buildout, the project could generate a maximum of 120 people (based on 2.04 persons per household, source Nevada City Housing Element). The purpose of the project is to increase the number of housing units that would be available to workers in the area and provide affordable housing to meet the needs identified in the Housing Element.

Items XIII-b. & c. The project will not displace any existing housing units or residents.

Impact Conclusion: The general plan amendment and rezone would not result in significant impacts on population and housing and no mitigation measures are recommended.

XIV. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or 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?

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a. Fire protection?			X	
b. Police protection?			X	
c. Schools?			X	
d. Parks?			X	
e. Other public services or facilities?			x	

Existing Setting:

For a small City, Nevada City provides a full range of services for its residents and visitors. Police protection within the City is provided primarily by the Nevada City Police Department. The Nevada City Police Department is located at City Hall and has 10 employees, including the Chief, one lieutenant and one sergeant, six patrol officers, and one record clerk. Dispatch and detention facilities are provided under contract by the Nevada County Sheriff's Office.

The Nevada City Fire Department and the Nevada County Consolidated Fire District provide fire protection services through a mutual aid agreement to the City and its sphere of influence. These two agencies coordinate operations, including emergency response, resource deployment and station operation and staffing, to provide coverage in the City, the sphere and beyond. Both agencies are parties to the Nevada County Fire and Emergency Services Joint Powers Agreement (JPA).

Nevada City owns and operates one large park and several small ones. The City's premier facility is Pioneer Park, a 15 acre multi-use area. The park includes two multi-use fields for softball, tag football, soccer, and informal play), Little League field, two tennis courts, public swimming pool, children's playground, basketball courts, volleyball court, two picnic areas, horseshoe pits, band shell, memorial grove, and community meeting hall (Seaman's Lodge).

Calanan Park, at Broad and Union Streets has historic displays and benches, primarily used by visitors to the downtown area. Robinson Plaza, another small park on Union Street, features historic displays and public conveniences. The City also has approximately four trails and one large open space in Deer Creek Environs. It also owns the 35-acre Hirschman's Pond and the adjacent 50 acres. In addition, the

City is in the process of constructing a connecting trail from the Indian Trails residential development to Hirschman's Pond as a City recreation amenity.

Impact Discussion:

Items XIV.a—e. The general plan amendment and rezone for residential development should not substantially affect growth rates above the level already projected by the State Department of Finance. While incremental increases in service will be necessary to serve the new 59 dwelling units, future housing should have no significant impact on services. The City of Nevada City is a full service City providing fire, police, parks. Additionally, the City has adopted development mitigation fees for parks, fire protection, police protection and roads to mitigate the cumulative impact of development on these services. In addition local schools also have adopted mitigation fees in accordance with state law. All new projects including ministerial projects are required to pay these fees. Thus, impacts from the general plan amendment and rezone are expected to be less than significant.

Impact Conclusion: The adoption the general plan amendment and rezone would not result in significant impacts on public services and no mitigation measures are recommended. As noted above, for the most part, mitigation fees are collected for all services as new development occurs.

XV. RECREATION – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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?			X	
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?			X	

Existing Setting.

Impact Discussion:

Item XV a, b. See discussion above under item XIV. All Residential development increases the need for recreational facilities. While the increased demand associated with the development of up to 59 residential units may generate additional impacts on recreational services within the City, those impacts will be offset by the payment of Recreation Mitigation fees. Because those fees are established by City ordinance and will be included in conditions of approval, no mitigation is recommended

Impact Conclusion: The adoption of the the general plan amendment and rezone would not result in significant impacts on park and recreation facilities and no mitigation measures are recommended.

XVI. TRANSPORTATION & TRAFFIC – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
c. Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d. Substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e. Inadequate emergency access?			X	
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X	

Existing Setting: Providence Mine Road is a dead end road that intersects with Zion Street and provides access to the Nevada City Tech Center and Thomson Grass Valley. Access to the future residential development would occur just past (west) the road leading to the Thomson Grass Valley and Nevada City Tech Center business park and would be approximately .4 of a mile from the Zion Street intersection.

The City completed the Gold Flat Corridor Study in July 2008. This study addresses the future of the Gold Flat Interchange (including Searls Avenue) and the Ridge/Zion intersection on the southern edge of the City. It should be noted that the Gold Flat Corridor Study assumes an annual growth rate of 2 percent, an assumption which seems more than ambitious given current conditions. This would result in a near-50 percent increase in traffic volumes by 2030. While the regional transportation plan also assumes this growth rate, population growth and therefore traffic projections will lag considerably behind this projection. As an example, the Housing Element projects a .3 percent growth rate for Nevada City between 2008 and 2014.

In order to mitigate the cumulative affects of growth to the year 2030, the Gold Flat Corridor Study proposes construction of roundabouts for the freeway interchange and minor improvements to the already upgraded Ridge/Zion intersection. The study recommends a large single lane roundabout with a 145-foot outside diameter to serve the westbound freeway ramps and the Searls Avenue/Lower Grass Valley Road intersection. Together, these improvements are projected to allow for acceptable levels of service.

Highway 20/49 Southbound Ramp and Ridge Road – The 1995 LOS was B and the projected LOS to the year 2020 is C. (The RTP notes, "Analyzed separately, the SB Ramp at Ridge Road operates at LOS B

currently and will operate at LOS C in the future. The NB Ramp at Ridge Road when analyzed separately operates at LOS C currently and will operate at LOS E in the future. However, when these intersections are analyzed along with the other intersections in this segment they both drop to LOS D at both locations and go to LOS E in 2020.”) With improvements, this intersection could operate at LOS B. This project is included in the current RTP with funding coming from the State Transportation Commission and local monies (mitigation fees).

PRISM Engineering, the traffic consultant to the Nevada County Regional Transportation Commission (NCTC) conducted a model run (February 10, 2010) for the changes associated with the adoption of the Housing Element. This model run also included the 59 unit, mixed density residential rezone reflected in the subject project. The model run largely supports the conclusions of the Gold Flat Corridor Study. Both studies assume that the identified road improvements or equivalent will help maintain traffic level of service at adequate levels.

Impact Discussion-

Items XV. a, b, d,e,f Future residential development would add an important mixed use component to the two large employment centers (Thomson Grass Valley and Nevada City Technology Center) and the office developments (Providence Park and Providence Plaza) along Providence Mine Road, as well as bring more people to use the various businesses in the Seven Hills District. Proximity to the two adjoining schools will also reduce automobile trips. New residential development at this location would also use the intersections of Ridge Road and Zion Street/Nevada City Highway.

The PRISM Engineering model run examined the following three properties to reflect the updated land use changes as adopted in the 2009 Housing Element. The three sites considered are as follows:

1. 646 Searls, a 1.0 acre parcel currently zoned R2 (8-units per acre) and is developed with a single family dwelling. This parcel is proposed to be rezoned to R3 (16 units per acre) and would potentially accommodate up to 16 units.
2. 726 Searls, an unimproved 1.7 acre parcel currently zoned OP, which can accommodate up to 8 units per acre with a Use Permit. Once rezoned, this site would have the potential to accommodate a maximum of 27 multiple family dwellings.
3. 210 Providence Mine Road (subject site), a vacant 12.9 acre parcel zoned LI-DA (designated as open space/ development reserve). The proposal is to zone 2 acres (R3) to accommodate up to 32 multiple family dwellings and rezone the balance 10.9 acres to R2-PD-SP with a maximum of 27 dwelling units.

The timing of development of any one of the three sites is undetermined. It is also uncertain whether all three sites would request to be rezoned to R3 during the term of the Housing Element (2009-2014). Currently, only the subject site (210 Providence Mine Road and 646 Searls) are actively pursuing rezoning in accordance with the Housing Element.

The letter from PRISM Engineering states “The model run reflects a regional level and should not be relied upon for specific intersection impacts. The regional model is applicable to determine the magnitude of growth taking place with the proposed changes, but the street level detail is generalized...more detailed analysis is necessary for designing improvements.” This analysis is used together with the Gold Flat Corridor Study to ascertain whether there would be major traffic changes that would require further study. The model run examined the following three intersections for the three residential sites that were included as part of the Housing Element update.

1. Ridge Road at Zion Street
2. Ridge Road at Searls Avenue, and
3. Providence Mine Road at Zion Street

If all three new residential developments were to proceed, traffic would increase approximately 2 to 5 percent depending on the intersection compared to 2008 p.m. peak hour traffic levels. The model also examined the 2030 p.m. peak hour traffic levels with and without these three potential developments. The Searls/Ridge Road intersection near the Gold Flat interchange increases approximately 7.4 trips or 7 percent. Most of these trips turned left. At the Zion Street/Ridge Road intersection comparing the no project to three projects, the southbound approach increased by 8 trips or 2 percent during the p.m. peak hour. These increase by themselves appear small, but they are considering cumulative traffic in the 2030 time frame. In order to fully understand the level of service implications, PRISM evaluated the total trips at the three intersections to determine level of service in the year 2030 with and without the improvements recommended in the Gold Flat Corridor Study. Their conclusion was that there would not be an impact if the designated improvements recommended in the study were accomplished.

In addition the model run recommends future signalization or equivalent to at the Zion Street—Ridge Road intersection.

Since the required road improvements are beyond the direct impacts generated by the rezones, the traffic impact fees are deemed to mitigate the cumulative impacts. Even with a funding source, there could be a cumulative significant impact if those improvements are not made. The following mitigation measure is recommended:

Mitigation Measures

MM XV-1 The City of Nevada City (co-applicant) shall coordinate with the Nevada County Transportation Commission to ensure that level of service D standards are not exceeded on those intersections referred to in the Gold Flat Corridor Study and the Providence Mine Road and Nevada City Highway intersection. Once these various intersections approach LOS D, the City and NCTC shall take the necessary steps to make the needed road improvements.

Item XV. c. There are no airports in the immediate vicinity such that this residential project would cause a change in air traffic patterns. The project is not within the influence area of the Nevada County airport.

Impact Conclusion: With the inclusion MM XV-1, there would be no significant impacts transportation with the general plan amendment and rezone.

XVI. UTILITIES & SERVICE SYSTEMS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				

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d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				
e. 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?				
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				
g. Comply with federal, state, and local statutes and regulations related to solid waste?				

Existing Setting:

Public Water Service within the City of Nevada City and within its October, 2008, Sphere of Influence is provided via three different sources. The City of Nevada City provides treated water service to the majority of the original City townsite. The Nevada Irrigation District (NID) generally provides treated water service to lands annexed in the last 30 years. NID will also be the designated service entity for newly annexed territory. Lands outside the urban service area and beyond NID service rely on individual private wells. It is expected that annexation into the City would result in treated public water service through NID. In general, absent major annexations and general plan amendments that will substantially increase development density and/or intensity, both entities have adequate water to accommodate projected growth through 2023.

Nevada City operates its own sewer treatment plant pursuant to California Regional Water Control Board treatment and discharge requirements. The City's treated effluent is discharged into Deer Creek. As the uppermost treatment plant in its watershed, the City is held to a standard applicable to pristine streams by State water quality authorities. In addition to the City's own monitoring of its intake and effluent, Friends of Deer Creek monitors water quality in Deer Creek.

The state permitted waste water treatment plant dry-weather flow capacity is .69 mgd (million gallons per day). Actual dry weather flow is .375 mgd or 54.3 percent of the flow allowed by the state permit as measured by average daily flows over the six-month period of May through October during the 2007 summer season. System demand is expected to increase from the current total of 1,400 connections to almost 1,800 in the 2023 horizon, a population increase of approximately 700. This correlates with an increase in treatment-plant capacity utilization from 55 percent to approximately 80 percent. This growth projection is for treatment plant capacity planning purposes only. The actual growth rate in the City is expected to be much less.

Impact Discussion:

Items XVI .a, e. The most recent sewer plant upgrade was completed in 2007. The sewer service area includes the entire City limits along major roads and in drainages. Due to major collection system upgrades, provision of service to most areas within the 2008 City sphere of influence will simply entail main line extensions from current terminal points. According to the 2005 LAFCo Municipal Service Review, the City sewer treatment plant has adequate permitted capacity to serve its needs through at least 2023, where plant capacity will reach approximately 80 percent. Sewer service is available to the subject site through trunk lines that serve Nevada City Technology Center and the Thomson Grass Valley industrial developments to the north.

Items XVI.b, d Similarly, the City's water system includes water service provided by NID and the City includes water service provided by NID and the City of Nevada City. Collectively these two water systems have adequate capacity to serve all lands within the 2008 sphere of influence to at least until 2023. The City budgets incremental upgrades to its sewer collection system every year to

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minimize surface water inflow into the system. Only minor upgrades are required to the City's water and sewer collection system. Water service is available through the Nevada Irrigation District to the subject site from main lines that serve Nevada City Technogy Center and the Thomson Grass Valley industrial developments to the north.

Items XVI.c The City uses surface drainage facilities. All projects are required to install required detention and treatment facilities to reduce peak hour flows into the drainage system. The general plan amendment and rezone will not result in an increase of surface water flows beyond levels projected in the current land use plan.

Items XVI.f, g. The general plan amendment and rezone is not anticipated to result in substantial solid waste production. Solid waste is collected by Integrated Waste Management, disposed of at the Nevada County McCourtney Road Transfer Station and then hauled to a permitted sanitary landfill, the Ostrom Road Landfill in Wheatland, California. The Ostrom Road Landfill has a reported capacity of 75 years, which would accommodate increased solid waste generated by new growth of all types within the City.

Items XVI.h. Telephone and other communication systems are already in place in Nevada City. Any incremental expansion can be accommodated from the existing system in the vicinity of the project area.

Impact Conclusion: The adoption of the general plan amendment and rezone of this 12.9 acres would not result in significant impacts on utilities or the expansion thereof and no mitigation measures are recommended

E. MANDATORY FINDINGS OF SIGNIFICANCE:

Environmental Issue	Yes	No
1. Does the project have the potential to 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, 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?		X
2. 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.)		X
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		X

F. OTHER RESPONSIBLE AND TRUSTEE AGENCIES whose approval is required:

<input checked="" type="checkbox"/> California Department of Fish and Game	<input type="checkbox"/> Local Agency Formation Commission
<input type="checkbox"/> California Department of Forestry	<input type="checkbox"/> National Marine Fisheries Service
<input type="checkbox"/> California Department of Health Services	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> California Department of Toxic Substances	<input type="checkbox"/> U.S. Army Corp of Engineers

<input type="checkbox"/> California Department of Transportation	<input type="checkbox"/> U.S. Fish and Wildlife Service
<input type="checkbox"/> California Integrated Waste Management Board	<input type="checkbox"/> California Department of Conservation, Mines and Geology Board
<input type="checkbox"/> California Regional Water Quality Control Board	<input type="checkbox"/> _____

G. DETERMINATION – The Environmental Review Committee finds that:

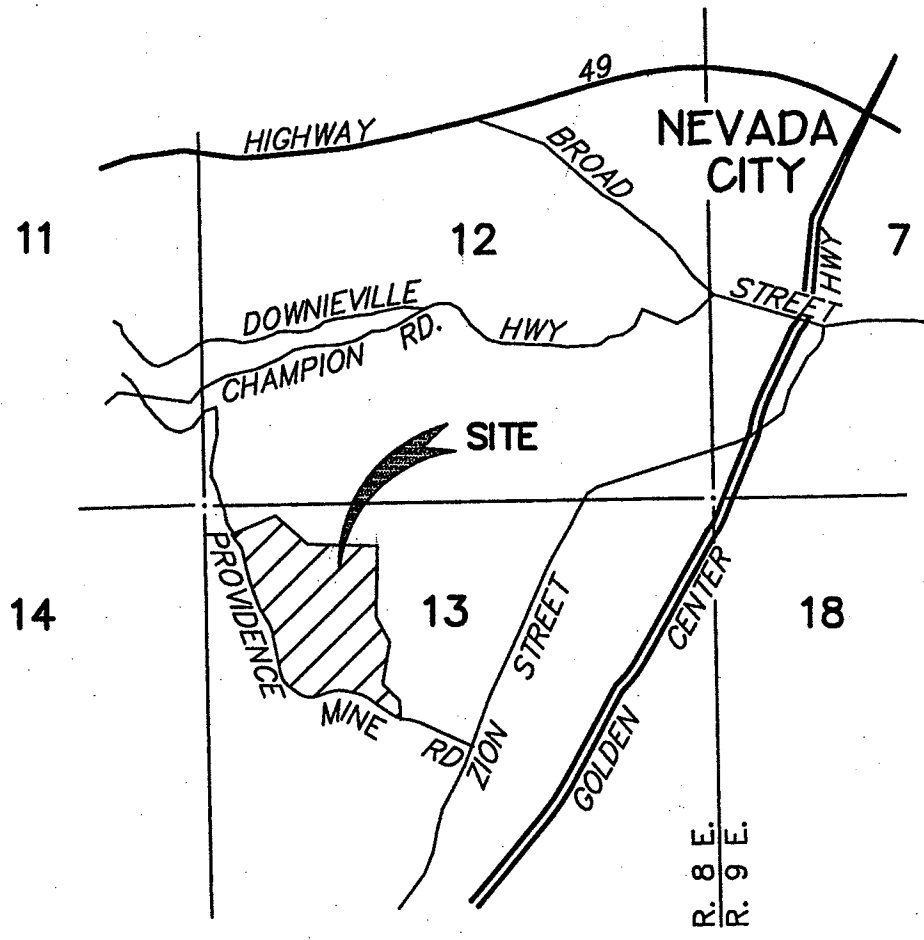
Although the proposed project **COULD** have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because the mitigation measures described herein have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

Signature Thomas G. Paulo Date 8/19/10

H. SUPPORTING INFORMATION SOURCES: The following public documents were utilized and site-specific studies prepared to evaluate in detail the effects or impacts associated with the project. This information is available for public review, Monday through Friday, 8am to 5pm, at the _____

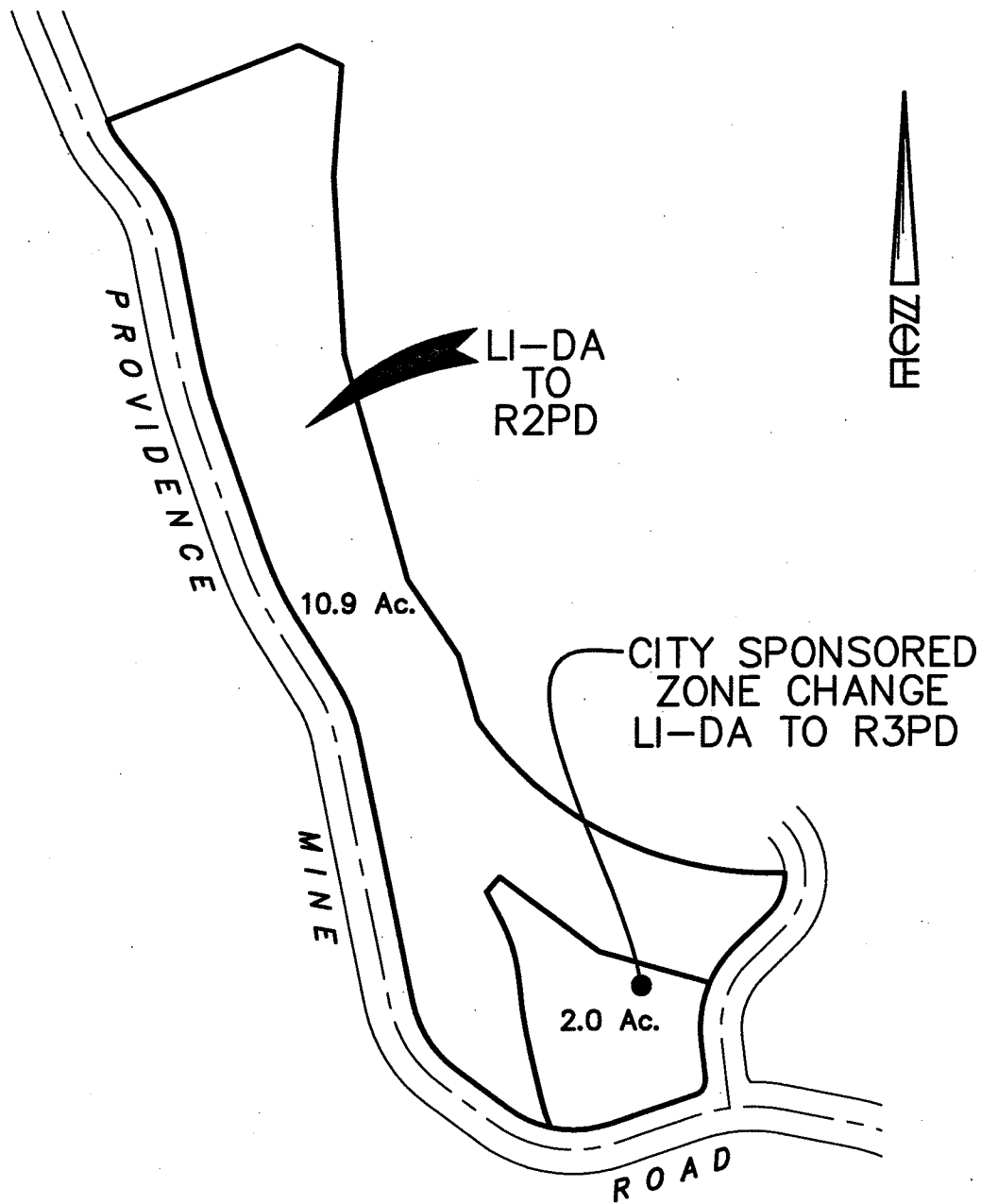
I. BIBLIOGRAPHY

- Champion Trails Planned Community Environmental Impact Report, December, 1979
- Grass Valley 'Group EIR, February, 1984
- Thomson Grass Valley Development agreement and update of December, 2000
- Initial Study/Negative Declaration City of Nevada City Housing Element, September 2009
- Nevada County Geographic Information regarding Mineral Land Classification.
- California Surface Mining and Reclamation Policies and Procedures, Guidelines for Classification and Designation of Mineral Lands
- Surface Mining and Reclamation Act, Revised 2007
- Northern Sierra Air Quality Management District's Guidelines for Assessing and Mitgating Air Quality Impacts of Land Use Projects, 2009
- URBEMIS Summary Report for Summer Emmissions, June 2010
- Traffic modeling study, PRISM Engineering, February 10, 2010
- Guidelines for Classificaion and Designation of Mineral Lands, Department of Consevasion, State Mininng and Geology Board
- SR-164 Mineral Classification study for Nevada County, State Mining and Geolgy Board, 1990
- Holdredge and Kull, Preliminary Soils Report for Nevada City Tech Center Housing Area, July 26, 2010



LOCATION MAP

SCALE: 1" = 2000'



ZONE CHANGE REQUEST

FOR

NEVADA CITY TECHNOLOGY CENTER

WITHIN A PORTION OF

SECTION 13, T. 16 N., R. 8 E., M.D.M.

WITHIN THE INCORPORATED TERRITORY OF THE CITY OF

NEVADA CITY

CALIFORNIA

SCALE: 1" = 300'

APRIL, 2010

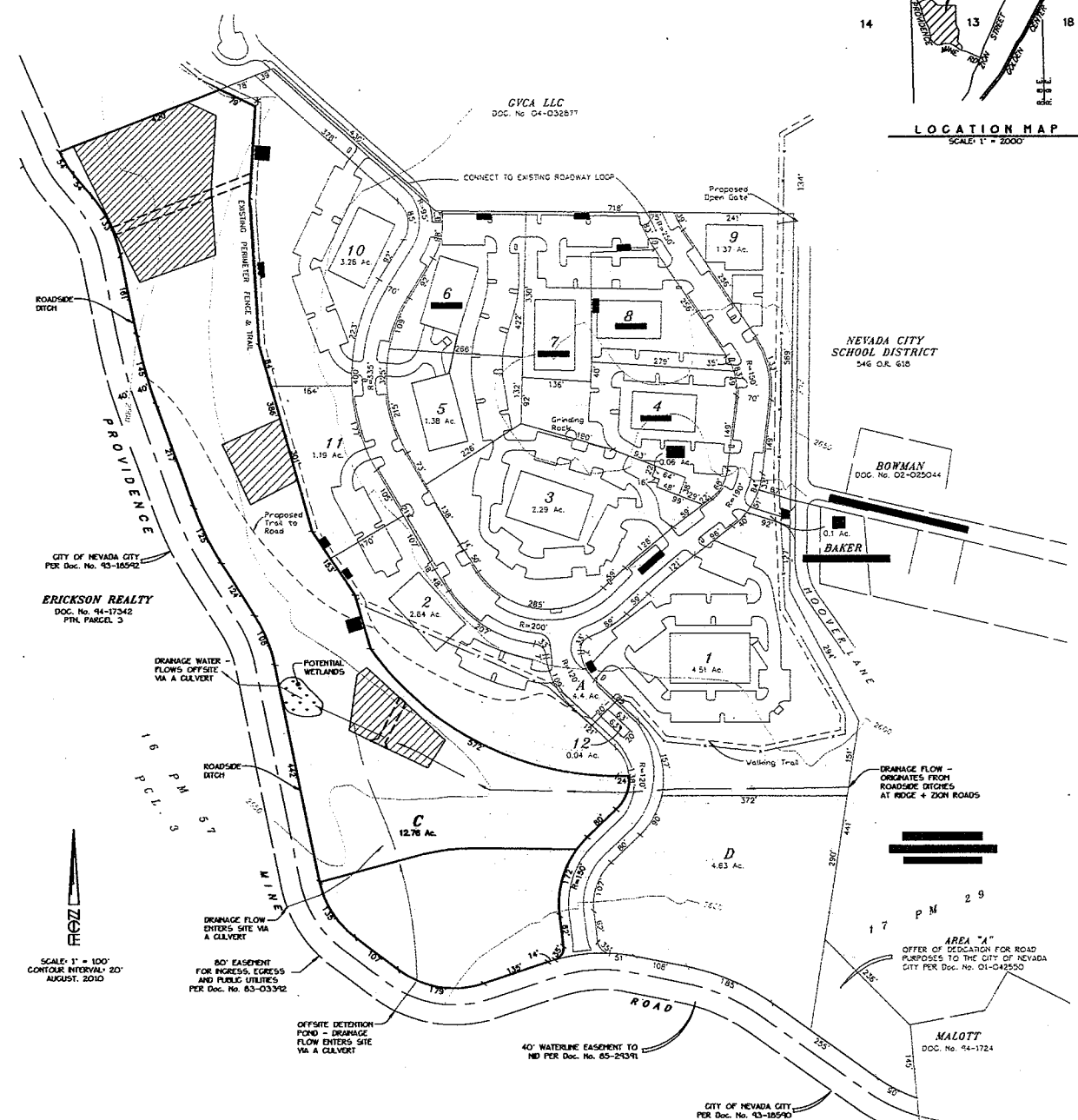
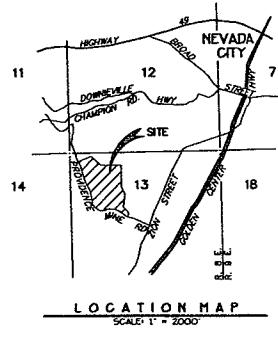
NEVADA CITY ENGINEERING . INC.

505 COYOTE STREET * P.O. BOX 1437 * NEVADA CITY * CALIFORNIA


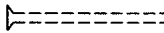
SHEET 1 of 1

05-145

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SCALE: 1" = 100'
 CONTOUR INTERVAL: 20'
 AUGUST, 2010

- LEGEND:**
-  APPROXIMATE LOCATION OF 1"MC SHAFTS + POSSIBLE STOPPING
 -  APPROXIMATE SHAFT LOCATION

OWNER/APPLICANT:
 NEVADA CITY TECHNOLOGY CENTER, LLC
 1348 FOURTH STREET, SUITE 200
 SAN RAFAEL, CA 94901
 PH: (415) 485-3707
 FAX: (415) 485-3704

PREPARED BY:
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 505 COYOTE STREET-P.O. BOX 1437
 NEVADA CITY, CA 95969
 (530) 265-6111
 FAX: (530) 265-8056

CONSTRAINTS MAP
 FOR
**NEVADA CITY
 TECHNOLOGY CENTER
 HOUSING DISTRICT**
 WITHIN A PORTION OF
 SECTION 13, T. 16 N., R. 8 E., M.D.M.
 WITHIN THE INCORPORATED TERRITORY OF THE CITY OF
 NEVADA CITY, CALIFORNIA
 AUGUST, 2010
 NEVADA CITY ENGINEERING, INC.
 505 COYOTE STREET • P.O. BOX 1437 • NEVADA CITY • CALIFORNIA

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