



# County of Yuba

## Community Development & Services Agency

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915 8<sup>th</sup> Street, Suite 123, Marysville, CA 95901

### Planning Department

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### PLANNING COMMISSION STAFF REPORT

- Hearing Date:** November 16, 2022
- Case Number:** Planned Unit Development PUD 2022-0001 and Tentative Subdivision Tract Map TSTM 2021-0012 (Linda Commons)
- Request:** A request for a Planned Unit Development and a Tentative Subdivision Tract Map on approximately 20 acres in the RM (Medium Density Residential) Zoning District.
- Location:** The property is located at 1687 Hammonton Smartsville Road, approximately 0.16 miles north of the North Beale Road and Hammonton Smartsville intersection in the Linda Community (APN 020-080-012).
- Applicant:** Linda Commons LLC, 1825 Del Paso Blvd., Sacramento, CA 95815
- Engineer:** Sean Minard, MHM, 41204 E Street, P.O. Box B, Marysville, CA 95901
- Recommendation:** Approve the attached Resolution recommending the Board of Supervisors amend the Zoning Map from “RM” TO “RM-PD”, adopt the attached Mitigated Negative Declaration and Mitigation Monitoring Plan, and approve the Planned Unit Development PUD2022-0001 and Tentative Subdivision Tract Map TSTM2021-0005, subject to the attached Mitigation Monitoring Plan and Conditions of Approval.

**Background:** The project consists of a Tentative Subdivision Tract Map (TSTM) that would create 134 residential lots on 14 acres, a park on 1 acre, an open space area on 2 acres, and roadway improvements on 3 acres for a total area of 20 acres. The project also includes a Planned Unit Development (PUD) to rezone the property from the Medium Density Residential “RM” zone to Medium Density Residential “RM-PD” to deviate from the minimum lot size, lot width, front, side, and rear setbacks, and the minimum driveway width requirements listed in Development Code Section 11.07.030 for Medium Density Residential “RM”. Specifically, there will be 82 detached (cluster) homes and 52 zero-lot line (duet) homes.

The project site is located at 1687 Hammonton Smartsville Road, approximately 0.16 miles north of the North Beale Road and Hammonton Smartsville intersection in the Linda Community (APN: 020-080-012). The 2030 General Plan designates the land use as Valley Neighborhood and the zoning is “RM” Medium Density Residential. The Linda Commons Subdivision proposes 134 residences on roughly 14-acres for a density of 9 dwelling units per acre. The “RM” zoning allows a density on the site of 6 to 17 units per care.

The requested PUD allows for reduced lot sizes within the “RM” zone district. The proposed project is consistent with the existing Yuba County General Plan land use designation (Valley Neighborhood) and with the existing zoning of "RM". All road maintenance and improvement, landscape maintenance, and open space and drainage maintenance will be through a private Homeowners Association (HOA). The applicants have provided Elevations and Floor Plans (See Attachment 5) to show how the homes will be designed and fit with the proposed development reductions (a.k.a. Fit List). Table 1 below demonstrates the Minimum Development Code Requirement in the “RM” zone district and the proposed changes with the PUD:

**Table 1: PUD Requested Changes**

<b>Standard</b>	<b>Code Requirement</b>	<b>PUD Request</b>
Minimum Lot Area	3,000 square feet	2,450 square feet minimum
Minimum Lot Width	40 feet	35 feet minimum
Minimum Front or Street Side Setback	Attached sidewalk = 15 feet from edge of sidewalk	5 feet minimum
Minimum Interior Side Setback	5 feet	Zero lot line minimum
Minimum Rear Setback	10 feet	10 feet minimum
Height	35 feet	30 feet, 2 stories minimum
Garage	A minimum 20 foot driveway apron shall be provided for front loaded garages	5 feet long, 501 sq ft garage minimum

The property is currently undeveloped and vacant. Access is proposed on Hammonton Smartsville Road. There are three new internal streets proposed that will meet the 48 foot residential road width requirements. Access to the individual units will be from 20 foot wide alleyways off the internal streets. There are 24 access alleyways proposed throughout the subdivision. The proposed project alleyways and internal streets shall be maintained by the HOA. As mentioned briefly before, the HOA shall also encompass maintenance of common areas; including driveways, parking, landscaping, lighting, walls and fencing, storm drainage, etc.

The proposed subdivision layout is designed utilizing alley-loaded paired homes (duets) with a walkable paseo and cluster homes sharing a common driveway. Moreover, the applicants will be required to install a 6 foot sound masonry block wall along Hammonton Smartsville Road. They have not indicated whether or not the subdivision will be gated. If gated, the applicants shall submit a gate plan to CDSA for approval. In addition, the development proposes a focus on enhancing the quality of life through establishing communal areas such as adult exercising stations, a dog park, a picnic area, and a play area.

All proposed parcels will be required to connect to Linda County Water District (LCWD) for water and sewer services. The property is not currently within the jurisdiction of LCWD and will

therefore be required to be annexed into the LCWD prior to Final Map recordation. The Linda Fire Protection District will provide fire protection services.

**General Plan/Zoning:** As previously stated, the site is shown on the General Plan Land Use diagram as Valley Neighborhood and is located in a “RM” Use zoning district. The Valley Neighborhood land use classification is intended to allow a wide variety of residential, commercial, and public and quasi-public uses. As the Valley Neighborhood designation pertains to housing, it is intended to provide for a full range of housing types such as single-family apartments, condominiums, and other types of housing in single-use and mixed-use homes. The project complies with the following General Plan Policies:

1. *Policy CD2.1: The County will encourage infill development and redevelopment of vacant and underutilized properties within existing unincorporated communities.*

The project is located on a vacant 20 acre parcel surrounded by both Medium and Single Family Residential homes and other vacant infill land. This project is therefore an infill development as it will utilize the vacant space in this residentially zoned area.

2. *Policy CD2.3 The County will support reinvestment in Linda and Olivehurst that increases local shopping, job, and housing opportunities.*

The project is a 134 lot residential subdivision in the Linda Community. Therefore, it will provide additional housing opportunities for the area.

3. *Policy CD5.2 Valley Neighborhoods should provide compact development patterns that conserve land and place homes in close proximity to destinations.*

With the PUD, the applicants are proposing compact development through reduced lot sizes, reduced setbacks, and zero lot line development. The property is also located approximately 0.2 miles north of North Beale Road and 1 mile north of Lindhurst Avenue which is the commercial center for the Linda Community. This locates the project in a desirable location for future residences.

4. *Policy CD5.3: Valley residential development in existing and planned Valley Neighborhoods should provide for the full range of housing types and densities.*

The project site has the ability to accommodate single-family residences and “duet” style homes. The subdivision will allow for additional residences to be developed on newly created parcels.

5. *Policy CD5.5 The County’s development standards will allow narrow lots, narrow driveways, alleyway access, zero lot line housing, and other compact housing configurations in Valley Neighborhoods.*

The PUD will allow the project to create narrow lots, narrow driveways, and zero lot line housing to create a more compact neighborhood. The project will also feature alleyway access to a majority of the lots.

6. *Policy CD12.8 New developments shall contribute fees, construct and dedicate facilities, and/or use other mechanisms acceptable to local service providers to provide for law enforcement and fire protection facilities and services needed to serve new growth.*

Fees for local service providers and other County related services are collected with the building permit when the homes are constructed. All 134 new single family homes will pay into their fair share of impact fees.

7. *Policy CD12.14: Solid waste service, including recycling, is required for urban land uses developed within the Valley Growth Boundary.*

The project is not within the Linda County Water District (LCWD) and will, therefore, be required to annex into their district prior to connecting to public water and sewer. The County Environmental Health Department has also added conditions of approval to ensure connections to LCWD.

Recyclable solid waste collected by LCWD is taken to a materials recovery facility on State Route 20, outside of the City of Marysville, and all other waste is taken to a landfill on Ostrom Road. The Ostrom Road landfill has a capacity of 41,822,300 cubic yards, and has adequate capacity to serve the project site.

8. *Policy NR10.2: The County will encourage the preservation of healthy, attractive native vegetation during land development. Where this is not feasible, the County will require landscaping that uses climate-appropriate plant materials.*

Landscaping is required in the frontage of all new single-family residential parcels pursuant to Development Code Section 11.23. In addition, the County has adopted an Ordinance for Water Efficient Landscaping (also known as Model Water Efficient Landscape Ordinance “MWELO”) found in Development Code Section 11.24.070. MWELO is reviewed with the building permits.

The “RM” Medium Density Residential zoning district would allow for a mixture of housing types in a low density (up to 17 units per acre) setting where public water and sewage facilities are available. The predominant housing type in the “RM” zoning district consists of single-unit dwellings. It also provides a space for community facilities and neighborhood services needed to complement residential areas and for institutions which require a residential environment.

The project is located in the Valley Neighborhood land use designation of the 2030 General Plan. The Valley Neighborhood land use designation allows for both detached and attached single-family residences, small-lot single-family homes, second dwelling units, apartments, condominiums, and other types of housing in single-unit and mixed-use format. The project provides residential development at a density of 9 dwelling units per acre, thereby, staying consistent with medium density residential (up to 17 dwelling units per acre) called out in the Development Code for the “RM” zoning district.

The proposed project is consistent with the Valley Neighborhood land use designation and 2030 General Plan policies related to medium density single-family residential housing and new innovated housing products. The project is, also, consistent with all the development standards contained in the Development Code.



**Surrounding Uses:**

	GENERAL PLAN	ZONING	EXISTING LAND USE
Subject Property	Valley Neighborhood	RM	Vacant
North	Natural Resources	AE-80	Farmland
East	Valley Neighborhood	RE	Single-Family Residential
South	Valley Neighborhood	PS	Single-Family Residential
West	Valley Neighborhood	RM	Vacant

**Discussion:** Projects are evaluated for consistency with the County’s General Plan, conformance with the County’s Zoning Ordinance, and potential for impacts to the health, safety and welfare of persons who reside or work in the area surrounding the project. In the case of addressing project impacts to health, safety, and welfare, specific findings need to be met for each entitlement. Below are the findings for each project entitlement needed for project approval.

**Planned Unit Development:**

A. *The proposed development is consistent with the General Plan and any applicable specific plan, including the density and intensity limitations that apply;*

The project site is designated as Valley Neighborhood on the 2030 General Plan Land Use diagram and is within the “RM” Zoning Designation. The proposed project is consistent with the character of the General Plan and Zoning Designation (See General Plan/Zoning Section above for consistency).

B. *The project is in compliance with any applicable Overlay Districts;*

The project development is not located in an overlay district.

C. *The subject site is physically suitable for the type and intensity of the land use being proposed;*

The project site is deemed suitable for the proposed development due to the zoning and permitted residential density of 6-17 units per acre. It also has the capability to annex into LCWD to connect to public water and sewer. The property is currently vacant and undeveloped with topography that is flat in elevation.

D. *Adequate transportation facilities and public services exist or will be provided in accord with the conditions of PUD plan approval, to serve the proposed development; and the approval of the proposed development will not result in a reduction of traffic levels of service or public services so as to be a detriment to public health, safety, or welfare;*

There is existing public transportation located along the frontage of the property on Hammonton Smartsville Road that is serviced by Yuba Sutter Transit Bus Route 6. In addition, bus Routes 1 and 3 are less than 0.5 miles from the proposed development.

There are public services located within 1.0 mi of the development with services such as a supermarket, gas station, restaurants, dry cleaners, hair salon and additional various retail stores within the service area.

E. *The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area;*

The property was evaluated and approved to be developed with a density of 6-17 units per acre due to its General Plan designation of Valley Neighborhood and Zoning Designation of “RM”. The project is within the permitted density because they are constructing 9 units per acre. For this reason, the project is compatible with the planned land use character of the surrounding area.

Moreover, upon adoption of the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring Plan, the proposed development will not have a substantial adverse effect on surrounding land uses. Environmental factors were between no-impact to less than significant with mitigation incorporated.

*F. The development generally complies with applicable adopted design guidelines; and*

Yuba County does not currently have any adopted design guidelines for the project to comply with and adhere to. The only area of the County that has adopted design guidelines is the Plumas Lake community.

*G. The proposed development is demonstratively superior to the development that could occur under the standards applicable to the underlying base district, and will achieve superior community design, environmental preservation and/or substantial public benefit. In making this determination, the following factors shall be considered:*

*1. Appropriateness of the use(s) at the proposed location.*

The proposed development is appropriate because residential is a permitted use within the General Plan and Zoning Designation.

*2. The mix of uses and housing types.*

The proposed community layout is designed to utilize both detached single family homes and alley-loaded paired homes (duets) with a walkable paseo and cluster homes sharing a common driveway.

*3. Provision of units affordable to persons and families of low and moderate income or to lower income households.*

The layout is a more efficient use of the land, allowing homes to be more affordable to potential buyers.

*4. Provision of infrastructure improvements.*

Roadway improvements will include three (3) new internal streets that meet the 48-foot residential road with requirements. One (1) acre detention basin to reduce the peak rate of run off and one (1) designated park space to provide a variety of communal areas such as a tot lot, picnic area, adult exercising stations, and a fenced dog park.

Moreover, the project has been conditioned from Public Works to improve their frontage along Hammonton Smartsville Road to meet current roadway standards. This will include curb, gutter, and sidewalks.

*5. Provision of open space.*

There is a 2.02-acre open space to be a dedicated easement to Reclamation District No. 784. There will be twenty-four (24) alleyways with a span of 20-feet wide branch off the internal streets providing access to individual units. In addition, the development

proposes a focus on enhancing the quality of life through establishing communal areas such as adult exercising stations, a dog park, a picnic area, and a play area.

The proposed open space is in compliance with the ratio requirements set forth by the General Plan of at least 5 acres for every 1,000 residents (GP Policy NR1.7).

6. *Compatibility of uses within the development area.*

The proposed development is compatible with the residential zoning designations both within and around the surrounding development area. The development does not propose a use that is not already permitted by the current zoning designation.

7. *Creativity in design and use of land.*

Special consideration has been given to make this community a walkable neighborhood, highlighted by three distinct park areas. The large central park is a pleasant initial view upon entry to the community, and serves as its heart, supported by walkable paseos leading to it on all sides. Two smaller parks also promote walkability within the neighborhood and to the adjacent levee and County trail.

8. *Quality of design, and adequacy of light and air to the interior spaces of the buildings.*

The Duet homes are designed for future residents that place a high value on community social interaction. While each unit is provided with a private yard space, the focus of these homes is the social benefits of a central, walkable paseo that is available for the entire community. The front doors and main living areas will all face the paseos which promotes a desirable, safe and welcoming lifestyle, instead of the seclusion of a traditional single-family lot.

The Cluster homes also promote social interaction by sharing a common driveway with adjacent residents. However, there is a more traditional yard space offered on these lots for future residents that value more privacy.

9. *Overall contribution to the enhancement of neighborhood character and the environment of Yuba County in the long term.*

Traditional lots will typically create neighborhoods that are dominated by garages and vehicles parked in the driveways. As a positive alternative, the alleys and shared driveways proposed in this PUD will promote the residences, landscape, and architecture as the dominant scene, reducing the visual impact of garages and vehicles.

**Tentative Subdivision Tract Map:**

1. *The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan, this Code, and other applicable provisions of the County Code. A proposed subdivision shall be considered consistent with the General Plan or a specific plan only when the proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such a plan;*

The proposed project is consistent with the character of the General Plan and Zoning Designation (See General Plan/Zoning Section above for consistency).

2. *The design of the subdivision shall provide, to the extent feasible, for future passive and natural heating and cooling features in accordance with Section 66473.1 of the Subdivision Map Act; and*

The orientation and size of the proposed lots will allow opportunity to align the residence to have a southern exposure and shade/prevaling breezes.

3. *Water will be available and sufficient to serve a proposed subdivision with more than 500 dwelling units in accordance with Section 66473.7 of the Subdivision Map Act.*

The proposed development does not include more than 500 dwelling units.

**Environmental Review:** Staff has prepared a Mitigated Negative Declaration and Mitigation Monitoring Plan (Attachments 7 and 8) pursuant to the California Environmental Quality Act (CEQA) Section 15070(b)(1).

During the initial study of the project, no potential impacts to the environment were identified that could not be reduced through mitigation measures to a level that is less than significant and therefore a Mitigated Negative Declaration (MND) was prepared. The MND discusses the following project impacts and their respective Mitigation Measures:

- Aesthetics: No light spillage.
- Air Quality: FRAQMD standards, Fugitive Dust Control Plan and Best Available Mitigation Measures.
- Biological: Raptor Survey
- Cultural Resources: Inadvertent discovery of cultural remains and cultural material.
- Hydrology and Water Quality: National Pollution Discharge Elimination (NPDES) Permit and Drainage Plan.
- Tribal Cultural Resources: Inadvertent Discoveries of TCRs.

The environmental document was circulated for the required 20-day review period and comments received to date are listed in the Department and Agency Review section of this staff report.

**Departmental and Agency Review:** The project was circulated to various agencies and County departments for review and comment during the early consultation phase and the environmental review stages of the project. The following is a summary of comments:

- County Staff – The Public Works Department, Environmental Health Department, and Building Department have reviewed the project and provided comments and/or conditions of approval that are incorporated into the attached Conditions of Approval.
- CalTrans: No Comments.
- UAIC: AB-52 Consultation was satisfied and closed with the addition of the unanticipated discoveries mitigation measure.
- Enterprise Rancheria Estom Yumeka Maidu: AB-52 Consultation was satisfied and closed with a request for notification and consultation if any inadvertent discoveries as the project proceeds.

- LCWD: The property is not located within the LCWD and will be required to annex into their district.
- MJUSD: Requesting the assessment of additional school fees to the development for calculated impacts to the school district.
- Reclamation District (RD) 784: Requested standard conditions, requested Lot B to be dedicated to RD 784, and for homes to maintain a 30 foot setback from the toe of the levee.

**Attachments:**

1. Resolution
2. Draft Conditions of Approval
3. Tentative Subdivision Tract Map
4. Rezone Exhibit
5. Elevations & Floor Plans
6. Conceptual Landscape Plan
7. Initial Study/Mitigated Negative Declaration
8. Mitigation Monitoring Plan
9. Comment Letters

Report Prepared By:



Ciara Fisher  
Planner III

**BEFORE THE COUNTY OF YUBA  
PLANNING COMMISSION**

**RESOLUTION RECOMMENDING )  
AMENDMENT OF ZONING MAP FROM )  
“RM” TO “RM-PD” AND APPROVAL OF ) RESOLUTION NO.: \_\_\_\_\_  
PLANNED UNIT DEVELOPMENT 2022-0001 )  
AND TENTATIVE SUBDIVISION TRACT )  
MAP 2021-0012, AND ADOPTION OF )  
MITIGATED NEGATIVE DECLARATION )  
AND MITIGATION MONITORING PLAN )**

**WHEREAS**, Linda Commons LLC, filed an application for a Planned Unit Development and a Tentative Subdivision Tract Map on Assessor’s Parcel Number 020-080-012, total acreage approximately 20 acres; for a property located at 1687 Hammonton Smartsville Road, approximately 0.16 miles north of the North Beale Road and Hammonton Smartsville intersection in the Linda Community; and

**WHEREAS**, the Planned Unit Development 2022-0001 is a request to change the Zoning District of the parcel from the Medium Density Residential (RM) zone to Medium Density Residential (RM) – Planned Unit Development (PD) zone; and

**WHEREAS**, Tentative Subdivision Tract Map 2021-0012 is a request to create 134 residential lots on 14 acres, a park on 1 acre, an open space area on 2 acres, and roadway improvements on 3 acres for a total area of 20 acres; and

**WHEREAS**, the Community Development and Services Agency of the County of Yuba evaluated the proposed project for environmental impacts pursuant to the California Environmental Quality Act, and determined that the proposed project would have no significant environmental impacts, and therefore a Mitigated Negative Declaration is the appropriate environmental document; and

**WHEREAS**, the Community Development and Services Agency of the County of Yuba has provided due notice of a public hearing before the Planning Commission of the County of Yuba and it is the intent to recommend adoption of the Mitigated Negative Declaration and Mitigation Monitoring Plan for the proposed project in accordance with the California Environmental Quality Act; and

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**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The foregoing recitals are true and correct.
2. The Planning Commission hereby recommends the Board of Supervisors approve the Planned Unit Development PUD 2022-0001 and amend the Official Zoning Map, Development Code Section 11.04.030, from “RM” TO “RM-PD” for Assessor’s Parcel Number 020-080-012.
3. The Planning Commission hereby recommends that the Board of Supervisors find that the proposed change of zone shall make the project consistent with the Yuba County Zoning Map and Development Code.
4. The Planning Commission hereby recommends that the Board of Supervisors find that the proposed project is consistent with the Land Use Element and other applicable elements of the Yuba County 2030 General Plan.
5. The Planning Commission hereby recommends that the Board of Supervisors find that the project site is physically suitable for the proposed type of development and the proposed density of development.
6. The Planning Commission hereby recommends that the Board of Supervisors adopt the following 7 findings of fact as stated in the staff report for the Planned Unit Development (File# PUD 2022-0001):
  - The proposed development is consistent with the General Plan and any applicable specific plan, including the density and intensity limitations that apply;
  - The project is in compliance with any applicable Overlay Districts;
  - The subject site is physically suitable for the type and intensity of the land use being proposed;
  - Adequate transportation facilities and public services exist or will be provided in accord with the conditions of PUD plan approval, to serve the proposed development; and the approval of the proposed development will not result in a reduction of traffic levels of service or public services so as to be a detriment to public health, safety, or welfare;
  - The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area;
  - The development generally complies with applicable adopted design guidelines; and
  - The proposed development is demonstratively superior to the development that could occur under the standards applicable to the underlying base district, and will achieve

superior community design, environmental preservation and/or substantial public benefit. In making this determination, the following factors have been considered:

- Appropriateness of the use(s) at the proposed location.
  - The mix of uses and housing types.
  - Provision of units affordable to persons and families of low and moderate income or to lower income households.
  - Provision of infrastructure improvements.
  - Provision of open space.
  - Compatibility of uses within the development area.
  - Creativity in design and use of land.
  - Quality of design, and adequacy of light and air to the interior spaces of the buildings.
  - Overall contribution to the enhancement of neighborhood character and the environment of Yuba County in the long term.
5. The Planning Commission hereby recommends that the Board of Supervisors find that the project, as conditioned, meets the County design and improvement standards set forth in the Yuba County Development Code.
  6. The Planning Commission hereby recommends that the Board of Supervisors find that the project, as conditioned, is in compliance with the Yuba County Development Code.
  7. The Planning Commission hereby recommends that the Board of Supervisors find the proposed location of Planned Unit Development PUD2022-0001 and Tentative Subdivision Tract Map TSTM2021-0012 is in accordance with the Goals and objectives of the General Plan and the general purpose of the zone in which the project is located.
  8. The Planning Commission hereby recommends that the Board of Supervisors find the proposed Planned Unit Development PUD2022-0001 and Tentative Subdivision Tract Map TSTM2021-0012 and the conditions under which it would be developed or maintained will promote, protect, and secure the public health, safety and general welfare and will result in an orderly and beneficial development of the County in the areas therein.
  9. The Planning Commission hereby recommends that the Board of Supervisors find that the project, as conditioned, is in compliance with the Planned Unit Development Findings listed in the Yuba County Development Code Section 11.12.070 and the Tentative Subdivision Tract Map Findings listed in the Yuba County Development Code Section 11.40.040.E, and that the Board of Supervisors adopt and approve such findings.



- 10. The Planning Commission hereby recommends that the Board of Supervisors find, on the basis of the whole record, no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis.
- 11. The project will not cause substantial environmental damage to fish and/or wildlife and their habitats, nor have the potential for adverse effect(s) on wildlife resources or the habitat upon which wildlife depends. A Notice of Determination will be recorded with the County Recorder and Fish and Game Filing Fees will be paid to the County Recorder.

The Planning Commission hereby recommends that the Board of Supervisors amend the Official Zoning Map, Development Code Section 11.04.030, for Assessor's Parcel Number 020-080-012 from "RM" TO "RM-PD," further recommends that the Board of Supervisors approve Planned Unit Development PUD2022-0001 and Tentative Subdivision Tract Map TSTM2021-0012, subject to the Mitigation Measures contained within the Mitigation Monitoring Plan and Conditions of Approval, and further recommends that the Board of Supervisors adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan, incorporated herein by reference and attached hereto as Exhibit A.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the County of Yuba, State of California, on the \_\_\_\_\_, by the following vote.

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
**Yuba County Planning Commission  
 Chairman**

**ATTEST:**  
**Planning Commission Secretary**

**APPROVED AS TO FORM:**  
**County Counsel**

**BY:** \_\_\_\_\_

**BY:** \_\_\_\_\_  



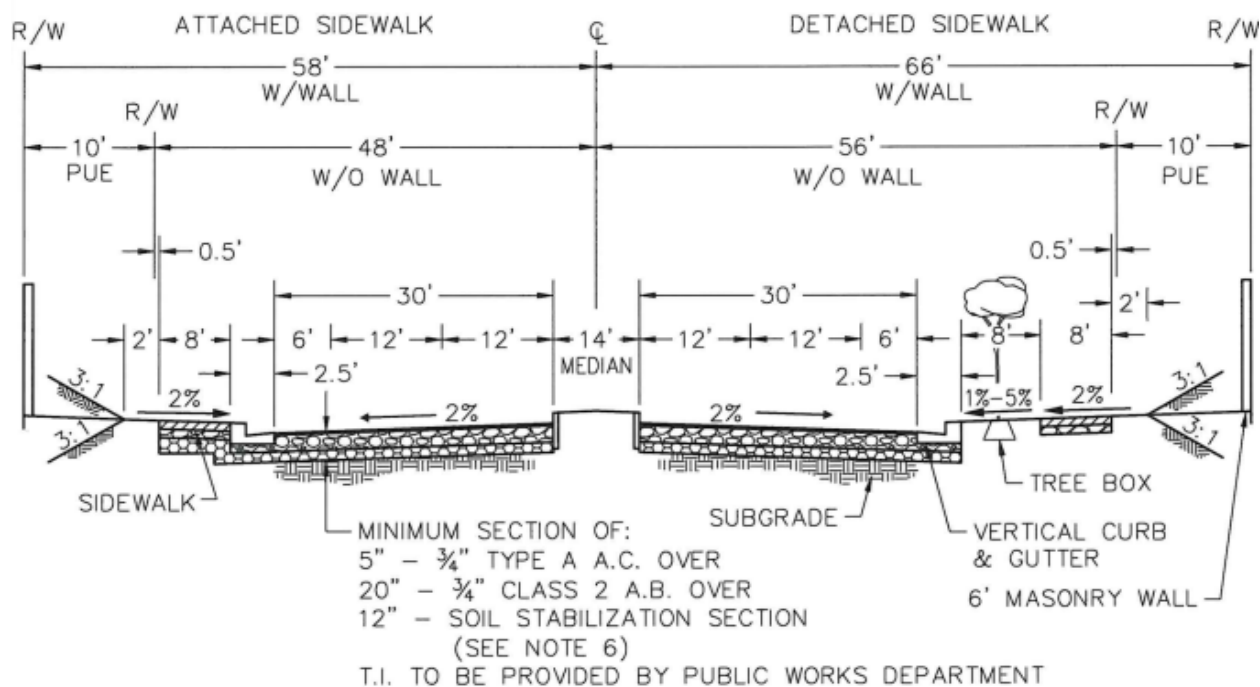

Attachment 2  
**DRAFT CONDITIONS OF APPROVAL**  
**YUBA COUNTY PLANNING COMMISSION**

**Applicant/Owner: Linda Commons LLC Case Number: PUD2022-0001 & TSTM 2021-0005**  
**APN: 020-080-012 Public Hearing Date: November 3, 2022**

**PUBLIC WORKS DEPARTMENT:**

- 8) The Public Works Director may reasonably modify any of the Public Works conditions contained herein. The required street widths as stated herein shall take precedence over those as shown on the tentative map.
- 9) Owner shall dedicate to the County of Yuba sufficient right-of-way in fee simple to provide a 66 foot strip of land adjoining the centerline of Hammonton-Smartsville Road, classed as an Urban Arterial (Major) Road, lying within the bounds of this property. Owner shall also provide a 3 foot wall footing and maintenance easement along the back side (lot side) of the masonry wall along Hammonton-Smartsville Road.
- 10) Road construction along Hammonton-Smartsville Road fronting this property shall meet the half-width requirements for an Urban Arterial (Major) Road in conformance with the Yuba County Standard (Drawing No. 103) or as modified by the Public Works Director. Such standard includes curbs, gutters, detached sidewalk, landscaping, and masonry wall. The median may be substituted for turn pockets/two-way left turn lanes, etc based upon a recommendation from a traffic engineer and approval by Public Works.

**URBAN RESIDENTIAL (LOCAL) ROAD**



(Refer to Drawing No. 103 for addition notes and requirements.)

- 11) Owner shall complete a traffic engineer's analysis to determine proper ingress/egress to the development from Hammonton-Smartsville Road and construct necessary improvements as determined by Public Works. At a minimum, a two-way left turn lane shall be constructed along the frontage of the division.

Attachment 2  
**DRAFT CONDITIONS OF APPROVAL**  
**YUBA COUNTY PLANNING COMMISSION**

**Applicant/Owner: Linda Commons LLC    Case Number: PUD2022-0001 & TSTM 2021-0005**  
**APN: 020-080-012    Public Hearing Date: November 3, 2022**

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- 12) Owner shall provide and dedicate to the Three Rivers Levee Improvement Authority (TRLIA), or its successor, sufficient easement as determined by the levee improvement authority for levee access, maintenance, and repair. No structures of any kind or fences shall be placed in this strip. Before the final map can be filed with the Yuba County Recorder, a letter from the levee improvement authority is to be submitted to the County Surveyor which states that any necessary easements and/or requirements have been met and that there are no objections to filing the final map.
- 13) The following road maintenance note applies to this division:
  - a) Access to the lots/parcels created by this division and shown hereon as right-of-way(s) or easements to be reserved in deeds or as offers of dedication to the County of Yuba are not to be construed to indicate that a passable roadbed exists within the limits described in said deeded instruments or offers of dedication. Road construction or maintenance within these limits will not be accomplished or administered by any public agency and is solely the responsibility of the abutting land owners.
- 14) Owner shall provide a streetlight plan for streetlights along Hammonton-Smartsville Road to be approved by the Public Works Department. Streetlights shall be LED type models and be maintained by Pacific Gas & Electric (PG&E). Owner shall maintain all streetlights until accepted by the Public Works Department. Prior to map recordation the Owner shall pay the County for two (2) years of service for the streetlights in accordance with rates (LS-1E) set by PG&E.
- 15) Owner shall provide a streetlight plan for streetlights interior to the subdivision to be approved by the Public Works Department. Streetlights shall be LED type models and be owned and maintained by either PG&E or the Homeowner's Association.
- 16) Improvement plans, prepared in compliance with Sections 3 and 7 of the Yuba County Standards shall be submitted to and approved by the Public Works Department prior to any construction. The initial submittal shall also include the necessary calculations for all improvements and associated drainage facilities along with the appropriate plan checking fees based upon a preliminary engineer's estimate. The engineer's estimate shall include estimated costs for the construction of the road and drainage improvements, landscaping requirements (if any), and construction staking. Such approvals shall include the alignment and grades of roads and drainage facilities.
- 17) All road and drainage construction required by these conditions of approval shall be inspected in compliance with Section 4 of the Yuba County Standards and approved by the Yuba County Department of Public Works. Owner's contractor shall meet on-site with the Public Works Department representative prior to the commencement of work to discuss the various aspects of the project.
- 18) Owner's engineer shall submit a written certification to the Public Works Department that the improvements as required by the herein Conditions of Approval have been completed and have been constructed to the standards required by the Subdivision Ordinance and Standards of Yuba County or as may be approved or modified by the Public Works Department.
- 19) Owner shall submit a Preliminary Soils Report prepared by a registered civil engineer and based upon adequate test borings to the Public Works Department for review in compliance with section 66490 of the Subdivision Map Act. Should such preliminary soils report indicate the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the decision-making authority (section 11.40.040 (G) of Yuba County Ordinance Code).

Attachment 2  
**DRAFT CONDITIONS OF APPROVAL**  
**YUBA COUNTY PLANNING COMMISSION**

**Applicant/Owner: Linda Commons LLC Case Number: PUD2022-0001 & TSTM 2021-0005**  
**APN: 020-080-012 Public Hearing Date: November 3, 2022**

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- 20) Any improvement work within the County right-of-ways for roadway connections and/or road widening or other improvements shall be accomplished under an encroachment permit issued by the Public Works Department. Improvement plans and associated checking and inspection fees shall be submitted to the Public Works Department for review and approval before any construction will be permitted within the County right-of-way.
- 21) Owner shall warranty all improvements required by these Conditions of Approval for a period of 12 months from the time the improvements are accepted by the Public Works Department and a Notice of Completion is recorded.
- 22) Owner shall provide a one-year warranty bond for all street and drainage improvements required by these conditions of approval. The warranty bond period will commence after the Notice of Completion is recorded.
- 23) Owner shall submit a drainage plan to provide for on-site and off-site storm water drainage for the project, designed by a registered civil engineer, to the Public Works Department for review and approval, prior to any construction. The drainage design for the project shall result in a zero percent increase in the storm water discharge from the project compared to the pre-development state using a 100-year storm event peak discharge. Owner shall construct such approved drainage facilities in order to provide drainage from access roads and lots to acceptable natural drainage courses.
- 24) Prior to the approval of any grading permit or improvement plans, owner must submit documentation demonstrating that all necessary permits and approvals have been obtained, which may include: a 404 permit from Army Corps of Engineers; including Section 7 consultation with the U.S. Fish and Wildlife Service, 401 certification from the Regional Water Quality Control Board, 2081/1602 permit, as necessary, from the California Department of Fish and Wildlife, and pre-construction surveys for special status species.
- 25) Whenever construction or grading activities will disrupt an area of 1 acre or more of soil or is less than 1 acre but is associated with a larger common plan of development, it is required to obtain a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000004, Order No. 2013-0001-DWQ. Coverage under the General Permit must be obtained prior to any construction. More information may be found at <http://www.swrcb.ca.gov/stormwtr/construction.html>. Owner must obtain an approved and signed Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB), a Waste Discharge Identification (WDID) number and a Storm Water Pollution Prevention Plan (SWPPP), as described by either the RWQCB or the State Water Regional Control Board (SWRCB). The SWPPP shall describe and identify the use of Storm Water Best Management Practices (BMP's) and must be reviewed by the Yuba County Public Works Department prior to the Department's approval of Improvement Plans or issuance of a Grading Permit for the project. See Yuba County's Stormwater Regulations for Construction Activities Procedures for details. According to state law it is the responsibility of the property owner that the SWPPP is kept up to date to reflect changes in site conditions and is available on the project site at all times for review by local and state inspectors. Erosion and sediment control measures, non-stormwater and material management measures, and post-construction stormwater management measures for this project shall be in substantial compliance with the SWPPP.
- 26) Owner shall submit an erosion and sediment control plan for the project, designed by a registered civil engineer, to the Department of Public Works for review and approval prior to each phase of construction and/or grading permit. Erosion and sediment control measures shall conform to Section 11 of the Yuba

Attachment 2  
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County Improvement Standards and all Yuba County Ordinance Codes. Owner shall implement such erosion and sediment control measures as per the approved plan prior to construction or grading.

- 27) Owner shall comply with all the requirements set forth in the County's *Post-Construction Standards Plan*. Owner shall also comply and be legally responsible for all post-construction requirements contained within the General Permit for Waste Discharge Requirements for storm water discharges from small municipal separate storm sewer systems (Order No. 2013-0001-DWQ). Prior to approval of any improvement plans, owner shall submit to the Public Works Department all pertinent information as required in the County's *Post-Construction Standards Plan*, Section 5.6 for review and approval.
- 28) Prior to approval of any improvement plans, owner shall submit to the Public Works Department an Operation & Maintenance (O&M) Plan and a Statement of Responsibility committing to conduct regular inspections and maintenance of the installed storm water treatment control facilities. The Statement of Responsibility indicates the current property owner's acceptance of responsibility for the on-going operation, inspection, and maintenance of the treatment control measures until the property and/or responsibility is legally transferred to another entity (such as the new property owner or a maintenance district).
- 29) If an entry gate is proposed it shall be located a distance from the edge of pavement along Hammonton-Smartsville Road and constructed to allow two vehicles to park without obstructing the future sidewalk or traffic.
- 30) Owner shall maintain all improvements required by these Conditions of Approval for a period of 12 months from the time the improvements are accepted by the Public Works Department.
- 31) Owner shall pay an in-lieu fee for parkland dedication per Yuba County Development Code §11.45.060 prior to filing the final map.
- 32) Owner shall be responsible for giving 60 days notice to the appropriate public utilities, PG&E, AT&T, Comcast, etc., prior to any new construction or development of this project.
- 33) Owner shall name all roads in a manner determined by Chapter 9.70 of the Yuba County Ordinance Code and be approved by the Address Coordinator at the Department of Public Works.
- 34) Owner shall provide all necessary street signs and pavement markings, including, but not limited to, street name signs, stop signs, speed limit signs, stop legends, limit lines, and crosswalks, as required by the Public Works Department.
- 35) Prior to or concurrently with the recordation of the final map the owner shall provide for the ownership and maintenance of those portions of the project to be commonly owned and / or maintained by the residents of the subdivision as specified herein through formation of a Homeowner's Association (HOA). The documents creating the homeowner's association shall meet the following requirements and minimum provisions:
  - a) Define the following portions of the subdivision to be common areas jointly owned and / or maintained by the residents of the subdivision: Common areas, including driveways, parking, landscaping, lighting, walls and fencing, storm drainage, etc.







Attachment 2  
**DRAFT CONDITIONS OF APPROVAL  
YUBA COUNTY PLANNING COMMISSION**

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County Recorder, a letter from the Fire Safe Planner shall be submitted to the County Surveyor which states that the Fire Safe Planner's requirements have been met and that there are no objections to filing the final map.

- 52) Owner shall submit a copy of the final map to Reclamation District 784 to determine conformance with Reclamation District 784 requirements. Before the final map can be filed with the Yuba County Recorder, a letter from Reclamation District 784 is to be submitted to the County Surveyor which states that RD 784's requirements have been met and that any public service or drainage easements as may be shown on the final map are satisfactory and that there are no objections to filing the final map.
- 53) Owner shall submit a copy of the final map to the Linda County Water District (LCWD) for review to determine conformance with the LCWD requirements. Before the final map can be filed with the Yuba County Recorder, a letter from the Linda County Water District is to be submitted to the County Surveyor which states that the LCWS requirements have been met and that any public service easements as may be shown on the final map are satisfactory and that there are no objections to filing the final map.
- 54) Owner shall submit a copy of the final map to the Linda Fire Protection District (LFPD) for review to determine conformance with the District's requirements. Before the final map can be filed with the Yuba County Recorder, a letter from the Linda Fire Protection District is to be submitted to the County Surveyor which states that the District's requirements have been met and that there are no objections to filing the final map.

**ENVIRONMENTAL HEALTH DEPARTMENT:**

- 55) Owner shall connect parcel(s) 1-134 to Linda County Water District for water and sewer services and facilities prior to building permit final inspection for occupancy.
- 56) Owner shall submit to Environmental Health a "Will Serve" letter from Linda County Water District for water and sewer services and facilities for parcel(s) 1-134.
- 57) All abandoned, wrecked, dismantled, or inoperative vehicles, machines, and equipment shall be removed by Owner from the subject site.
- 58) All existing trash and debris shall be removed from the subject site.
- 59) All abandoned or inactive wells on the subject site shall be destroyed or maintained in accordance with the "Water Well Standards: State of California, Bulletin 74-81".
- 60) All abandoned septic tanks on the subject site shall be destroyed in accordance with the requirements of Yuba County Environmental Health Department.

**BUILDING DEPARTMENT:**

- 61) All new development must meet applicable requirements of most current adopted version of the California Code of Regulations, Title 24, and Yuba County Ordinance Code Title X, which includes, but is not limited to: Building, Plumbing, Electrical, Mechanical, Accessibility and fire code requirements.
- 62) All new buildings and structures must obtain a building permit prior to construction.





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**DRAFT CONDITIONS OF APPROVAL**  
**YUBA COUNTY PLANNING COMMISSION**

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**APN: 020-080-012 Public Hearing Date: November 3, 2022**

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- 86) The masonry wall along Hammonton-Smartsville Road shall not terminate parallel to Hammonton-Smartsville Road and shall incrementally be reduced in height following the radius along intersecting streets.
- 87) Prior to the issuance of any building final occupancy permits, the project shall comply with the Noise and Vibration Section from Yuba County General Plan Chapter 6, Public Health and Safety.
- 88) Prior to Final Map recordation, the project area shall be annexed into the Linda County Water District (LCWD).



Ciara Fisher  
Planner III



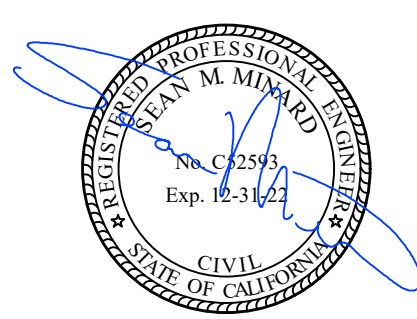
# TENTATIVE SUBDIVISION TRACT MAP TSTM 21-0012 (LINDA COMMONS)

COUNTY OF YUBA, CALIFORNIA  
OCTOBER 1, 2021 REVISED MARCH 8, 2022

## PROJECT NOTES

<b>OWNER</b> LINDA COMMONS, LLC 1865 DEL PASO BLVD. SACRAMENTO, CA 95815 CONTACT: ALLEN WARREN PHONE: (916) 929-6402	<b>AREA OF TENTATIVE MAP</b> 19.98 GROSS ACRE	<b>FIRE PROTECTION</b> LINDA FIRE PROTECTION DISTRICT
<b>APPLICANT</b> NEW FAZE DEVELOPMENT 1204 E STREET, P.O. BOX B MARYSVILLE, CA 95901 CONTACT: CHARLIE TIWANA PHONE: (916) 929-6402	<b>EXISTING USE</b> VACANT	<b>SANITARY SEWER</b> LINDA COUNTY WATER DISTRICT
<b>ENGINEER/SURVEYOR</b> MHM INCORPORATED 1204 E STREET, P.O. BOX B MARYSVILLE, CA 95901 CONTACT: SEAN MINARD, P.E., P.L.S. PHONE: (530) 742-6485	<b>EXISTING GENERAL PLAN DESIGNATION</b> VALLEY NEIGHBORHOOD	<b>DOMESTIC WATER</b> LINDA COUNTY WATER DISTRICT
<b>ASSESSOR'S PARCEL NO.</b> APN 020-080-012	<b>PROPOSED GENERAL PLAN DESIGNATION</b> VALLEY NEIGHBORHOOD	<b>STORM DRAINAGE</b> COUNTY OF YUBA
<b>GENERAL NOTES:</b>	<b>EXISTING ZONING</b> RM-MEDIUM DENSITY RESIDENTIAL DISTRICT	<b>ELECTRICITY</b> PACIFIC GAS AND ELECTRIC
1. SUBDIVIDER RESERVES THE RIGHT TO PHASE DEVELOPMENT AND FILE MULTIPLE FINAL MAPS PURSUANT TO SECTION 66456.1 (A) OF THE SUBDIVISION MAP ACT.	<b>PROPOSED ZONING</b> RM-MEDIUM DENSITY RESIDENTIAL DISTRICT	<b>NATURAL GAS</b> PACIFIC GAS AND ELECTRIC
2. A 12.0 FOOT PUBLIC UTILITY EASEMENT SHALL BE PROVIDED ON ALL STREETS LOCATED 10 FEET BEHIND SIDEWALK AND 2.0 FEET LOCATED UNDER SIDEWALK. NO PUE SHALL BE PROVIDED ON ACCESS ALLEYS.	<b>LEVEE PROTECTION</b> RECLAMATION DISTRICT NO. 784	<b>TELEPHONE</b> AT&T
3. THIS EXHIBIT IS FOR TENTATIVE MAP PURPOSES ONLY, ACTUAL DIMENSIONS, ROAD ALIGNMENTS, ACREAGE, AND YIELDS ARE TO BE VERIFIED PRIOR TO FINAL MAP.	<b>SCHOOL DISTRICT</b> MARYSVILLE UNIFIED SCHOOL DISTRICT	<b>CABLE</b> COMCAST
4. THIS IS AN APPLICATION FOR A DEVELOPMENT PERMIT.		
5. VILLAGE NUMBERING IS FOR IDENTIFICATION PURPOSES ONLY AND DOES NOT INDICATE PHASING ORDER OF DEVELOPMENT. ULTIMATE DEVELOPMENT PHASING WILL BE ORDERLY AND WILL BE DETERMINED AT FINAL MAP AND/OR IMPROVEMENT PLAN STAGE.		
6. ALL EXISTING STRUCTURES AND WELLS TO BE REMOVED PRIOR TO CONSTRUCTION.		
7. OWNERS, APPLICANT, ENGINEER, AND SURVEYOR SHALL RECEIVE ANY COMMUNICATIONS AND/OR NOTICES RELATED TO THIS PROJECT.		
8. STREET TREES SHALL BE PLANTED PURSUANT TO COUNTY OF YUBA STANDARDS. ADDITIONAL DETAIL SHALL BE PROVIDED ON THE IMPROVEMENT PLANS.		
9. LOT B ADJACENT TO LEVEE SHALL BE DEDICATED TO RECLAMATION DISTRICT NO. 784.		

**SURVEYORS STATEMENT:**  
I HEREBY STATE THAT ALL EASEMENTS OF RECORD ARE SHOWN AND LABELED PER PRELIMINARY TITLE REPORT BY ORANGE COAST TITLE COMPANY ESCROW NUMBER 21204047 AND ORDER NUMBER 100-2255717-62 DATED JULY 13, 2021.

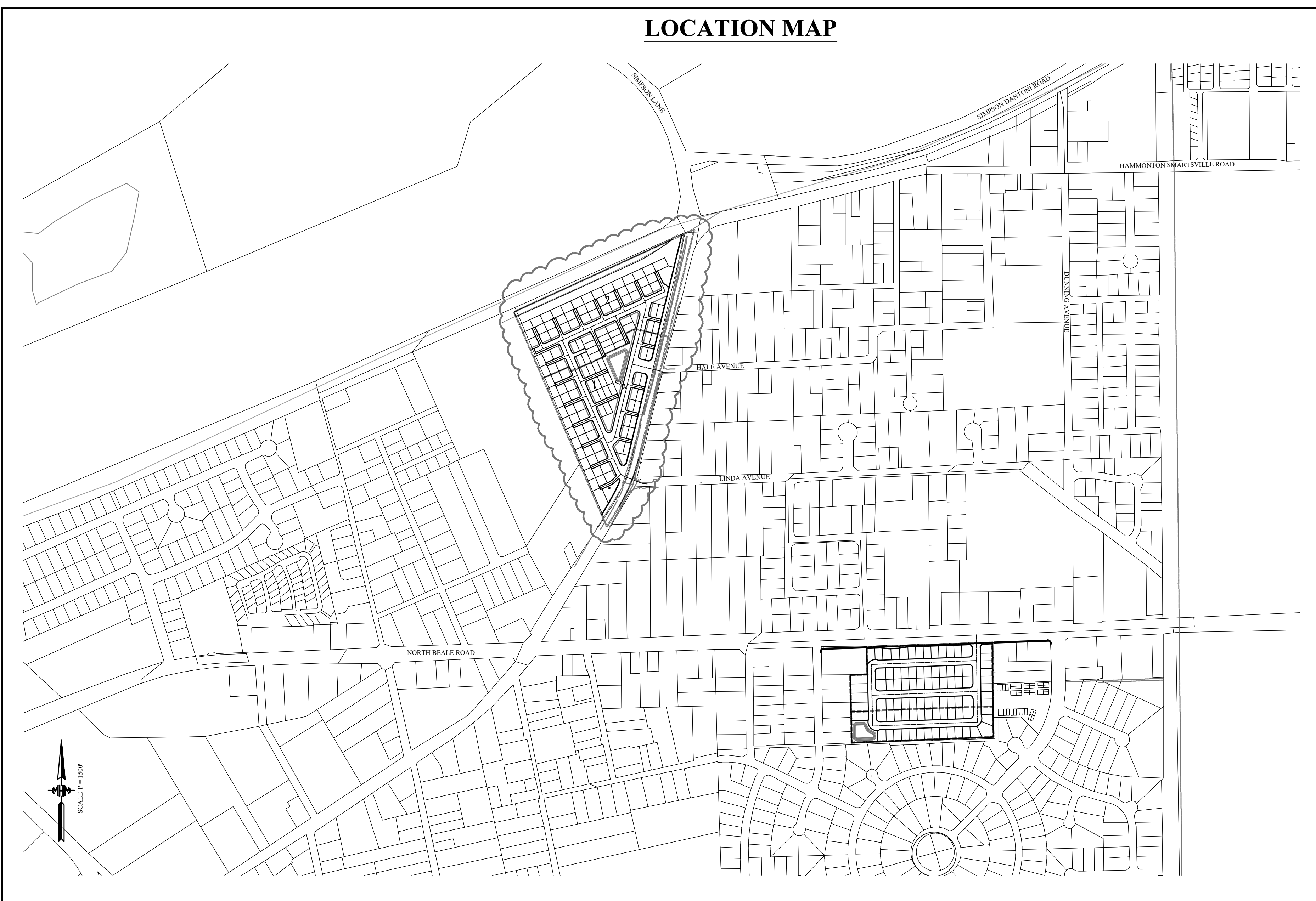


SEAN MINARD, P.E. 52593, P.L.S. 8397

**COUNTY OF YUBA APPROVAL:**  
THE COUNTY OF YUBA PLANNING COMMISSION HAS CONSIDERED AND APPROVED RESOLUTION 21-0XX APPROVING TENTATIVE SUBDIVISION TRACT MAP NO. 2021-00XX DURING THE PLANNING COMMISSION MEETING ON \_\_\_\_\_, 2022.

COUNTY OF YUBA DATE: \_\_\_\_\_

## LOCATION MAP



## LAND USE SUMMARY

<b>LOT SUMMARY*</b>			
VILLAGE NO. 1 =	65 LOTS	06.99 AC	9.30 DU/AC
VILLAGE NO. 2 =	69 LOTS	07.15 AC	9.65 DU/AC
<b>SUBTOTAL =</b>	<b>134 LOTS</b>	<b>14.14 AC</b>	<b>9.48 DU/AC</b>
<b>HAMMONTON SMARTSVILLE ROAD</b>			
LOT A - PARK		02.62 AC	
LOT B - RD 784/OPEN SPACE		01.05 AC	
LOT C - OPEN SPACE		02.02 AC	
LOT D - OPEN SPACE		00.08 AC	
		00.07 AC	
<b>SUBTOTAL =</b>		<b>05.84 AC</b>	
<b>TOTAL =</b>		<b>19.98 AC</b>	

\*ALL ACREAGES AND DENSITIES EXCLUDE MAJOR ROADWAYS.  
HAMMONTON SMARTSVILLE ROAD IS THE MAJOR ROADWAY.

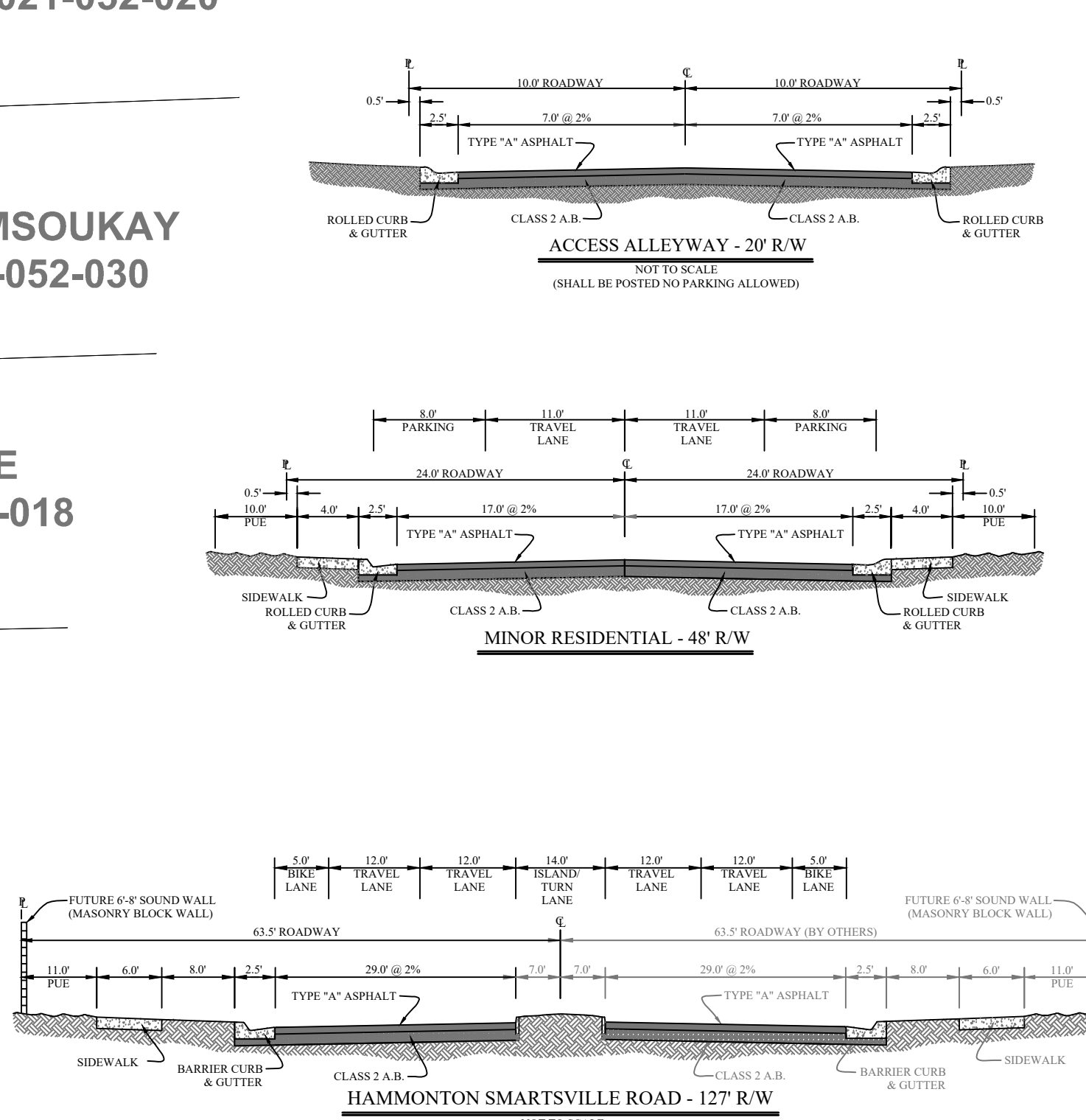
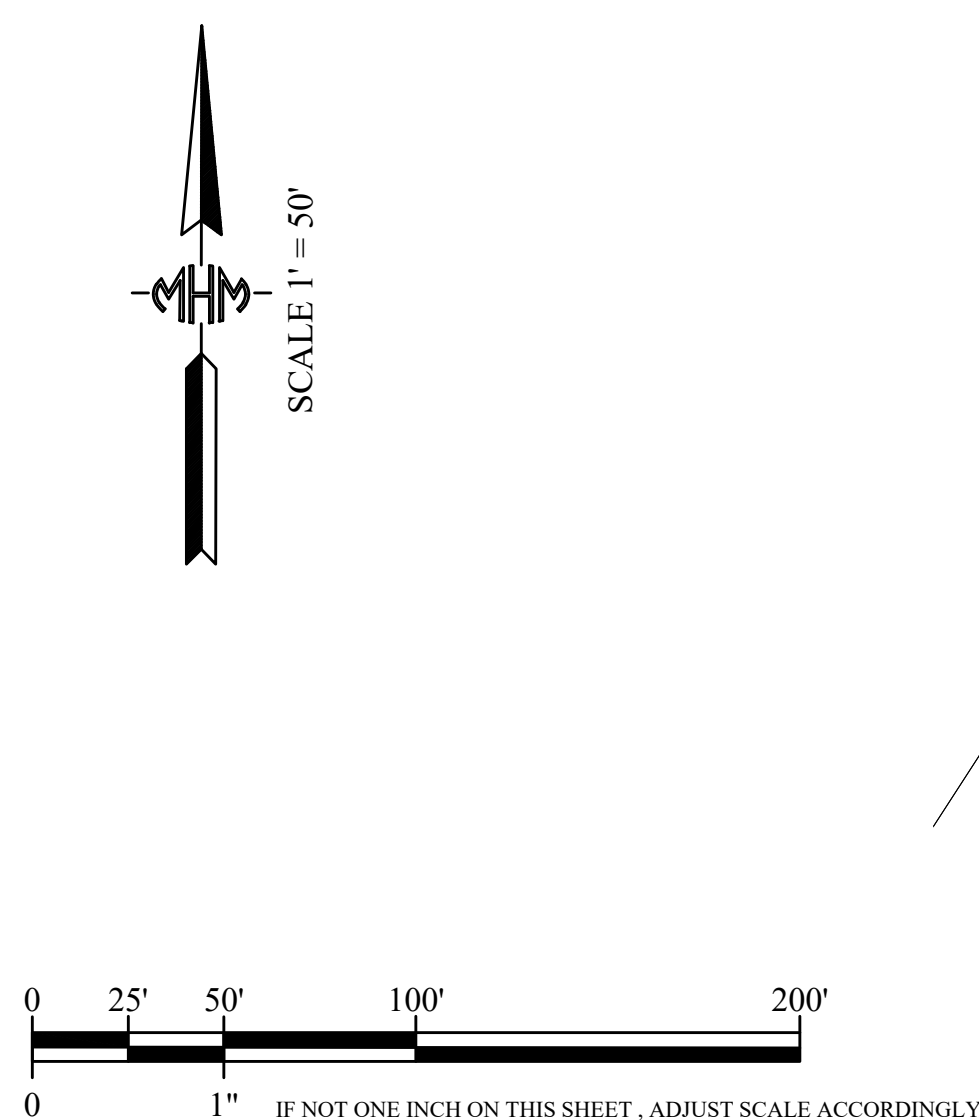
## LEGAL DESCRIPTION:

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF YUBA, UNINCORPORATED AREA, DESCRIBED AS FOLLOWS:

LOTS 4 AND 5, AS SHOWN UPON THE MAP ENTITLED, "SUBDIVISION OF TRACT NO. 13 OF YUBA GARDENS", ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF YUBA, STATE OF CALIFORNIA, IN BOOK 3 OF MAPS, PAGE 5.

EXCEPTING THEREFROM ANY PORTION THEREOF THAT LIES WITHIN THE BOUNDARIES OF A STRIP OF LAND CONVEYED TO THE COUNTY OF YUBA, BY DEED DATED FEBRUARY 24, 1873 AND RECORDED FEBRUARY 25, 1873 IN BOOK 25 OF DEEDS, PAGE 22.

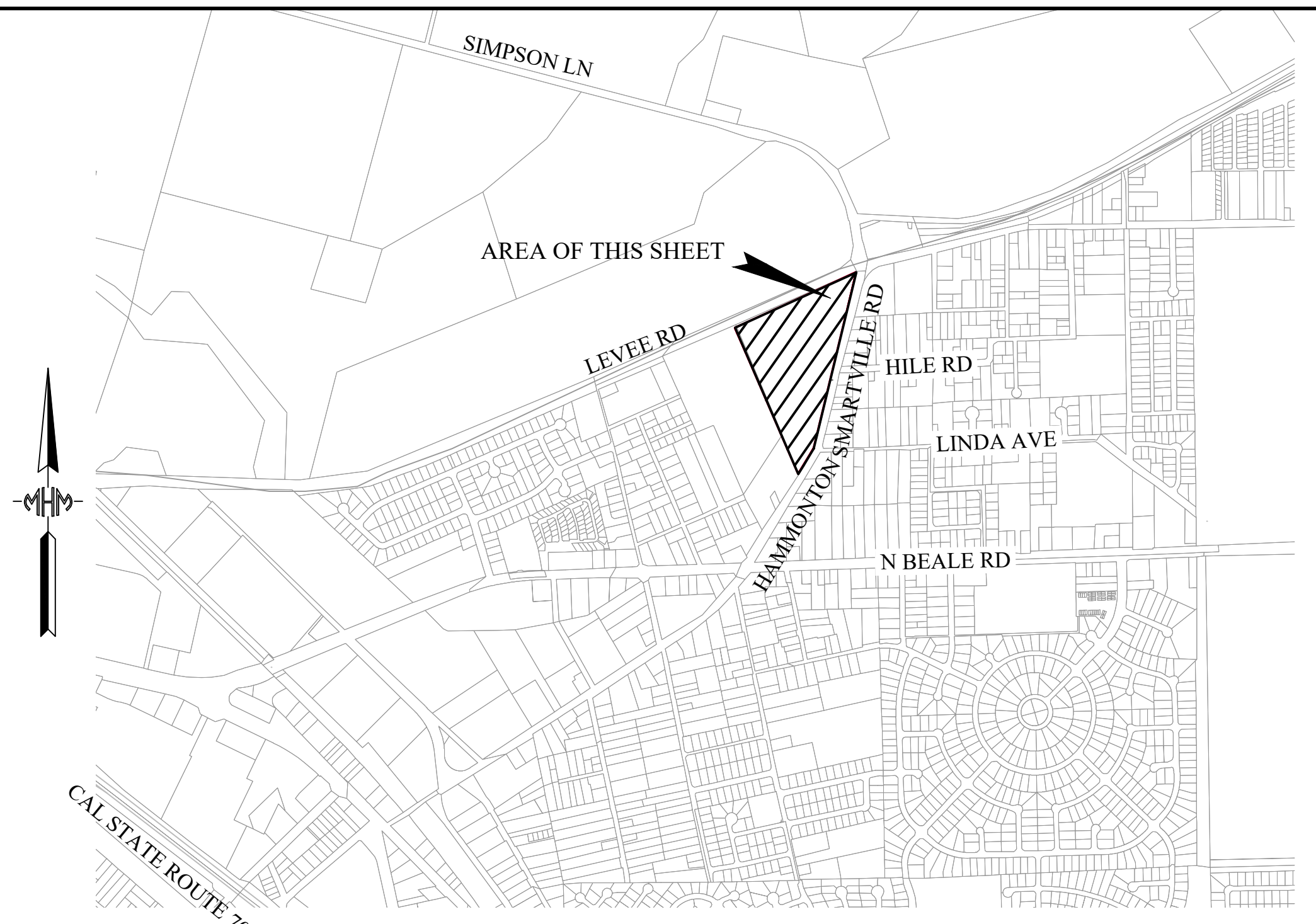
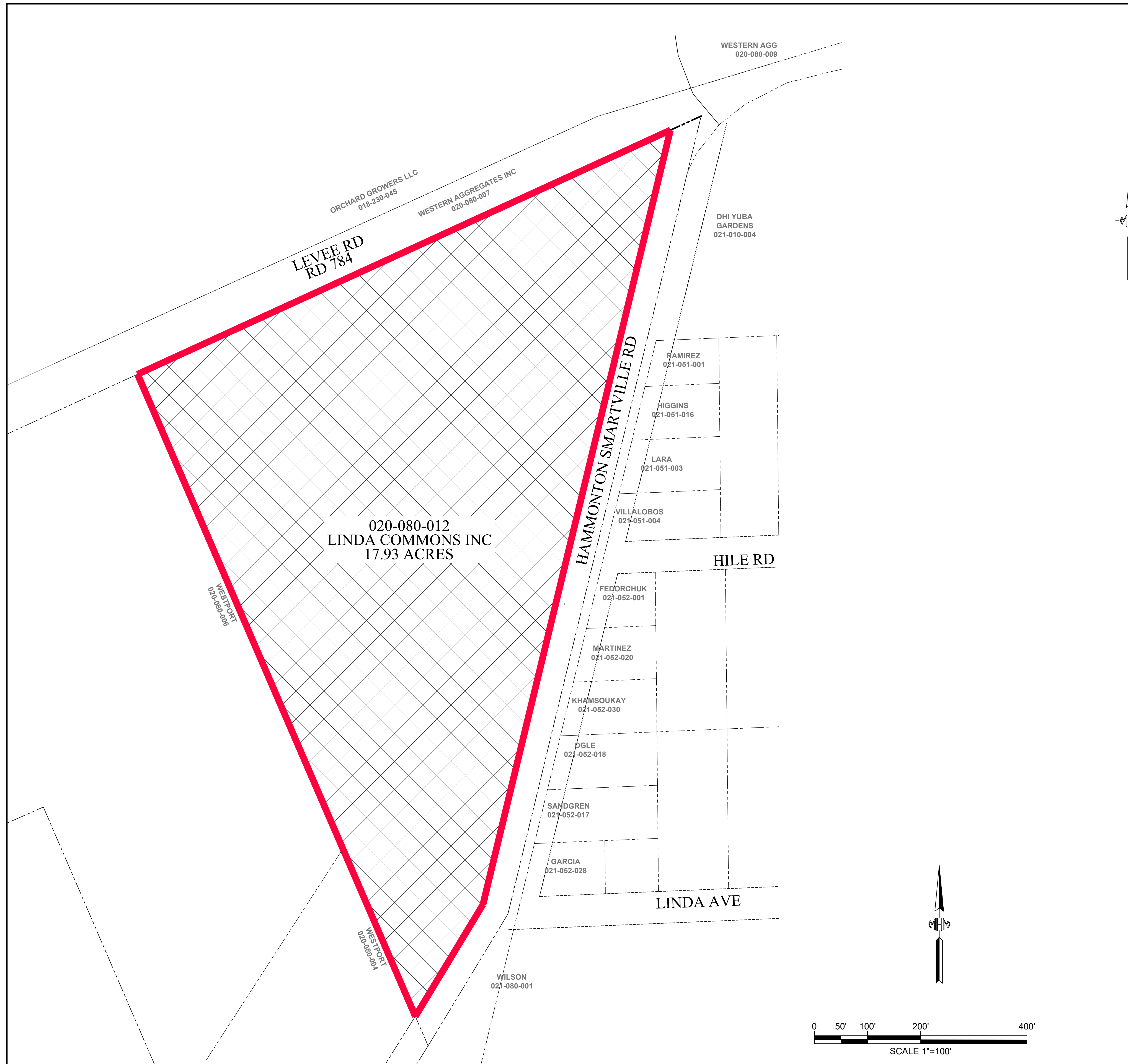
ASSESSOR'S PARCEL NUMBER (APN) 020-080-012



2 INDICATES PROPOSED PHASE

**M.H.M.**  
ENGINEERS & SURVEYORS SINCE 1892  
1204 E STREET, P.O. BOX B MARYSVILLE, CA 95901 TEL: 530.742.6485 FAX: 530.742.5639







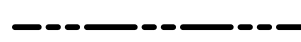
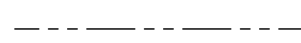
VICINITY MAP

SCALE 1"=1000'

LEGEND

 EXISTING MEDIUM DENSITY RESIDENTIAL DISTRICT (RM) ZONE TO BECOME PLANNED DEVELOPEMENT (PD) ZONE.

LINE TABLE

-  REZONING BOUNDARY
-  PROJECT PROPERTY LINES
-  EXISTING PROPERTY LINES

ZONING CHANGE - TSTM 21-0012  
(LINDA COMMONS)

FOR  
NEW FAZE

LOTS 4 AND 5, AS SHOWN UPON THE MAP ENTITLED, "SUBDIVISION OF TRACT NO. 13 OF YUBA GARDENS", ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF YUBA, STATE OF CALIFORNIA, IN BOOK 3 OF MAPS, PAGE 5.

EXCEPTING THEREFROM ANY PORTION THEREOF THAT LIES WITHIN THE BOUNDARIES OF A STRIP OF LAND CONVEYED TO THE COUNTY OF YUBA, BY DEED DATED FEBRUARY 24, 1873 AND RECORDED FEBRUARY 25, 1873 IN BOOK 25 OF DEEDS, PAGE 22 BEING A PORTION OF SECTION 20, TOWNSHIP 15 NORTH, RANGE 4 EAST M.D.B. & M.

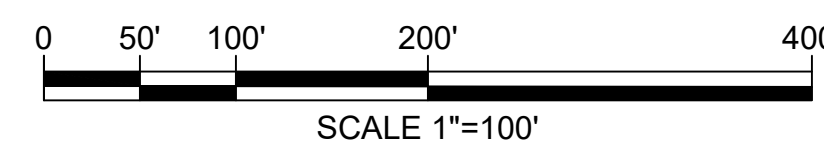
COUNTY OF YUBA  
CALIFORNIA

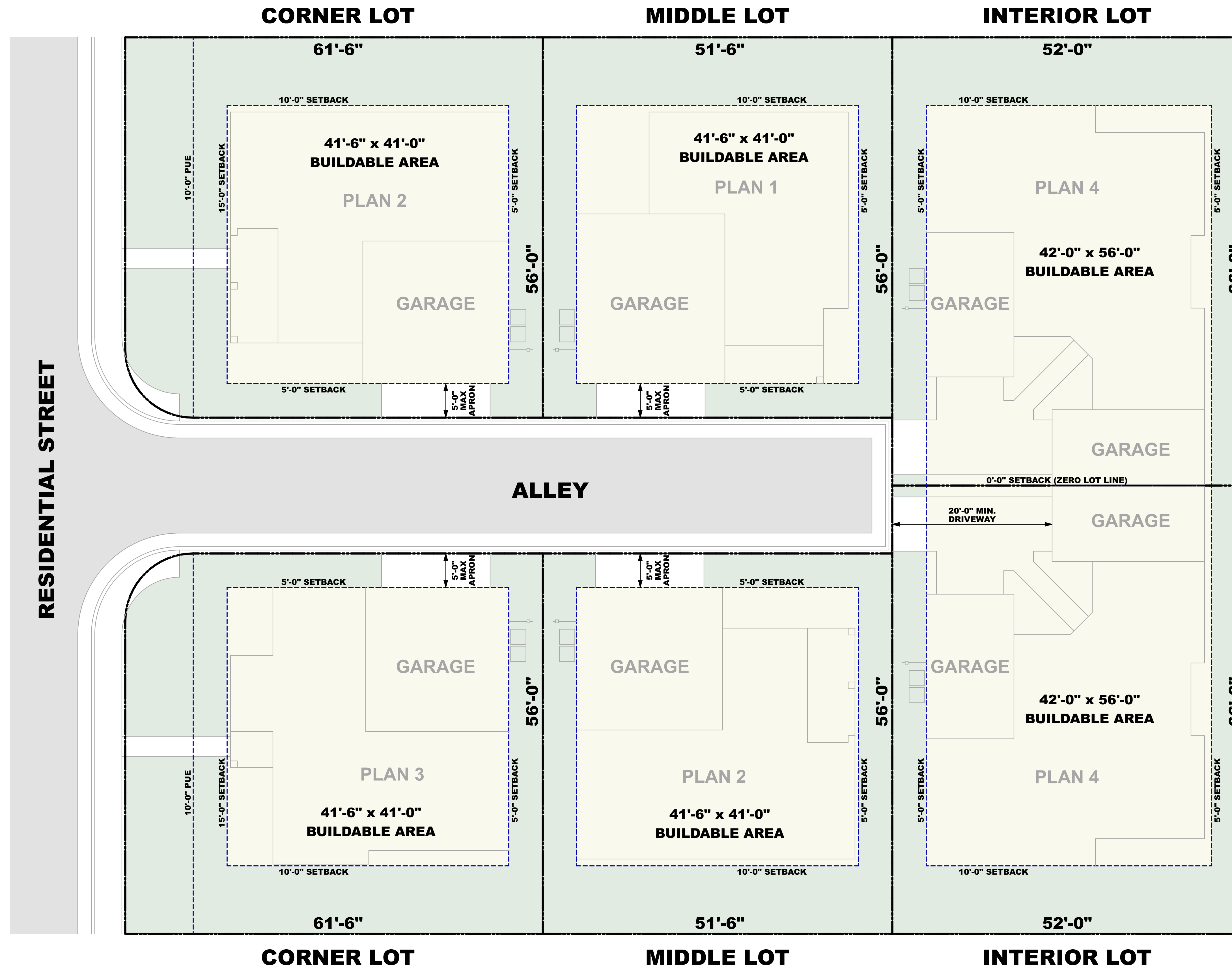
NOVEMBER 2022  
SCALE: 1" = 100'

**M·H·M**  
ENGINEERING-SURVEYING  
1204 "E" STREET  
MARYSVILLE, CALIF. 95901  
Ph: (530)742-6485/Fax:(530)742-5639

MHM JOB NO. 19-137

SHEET 1 OF 1





4944 WINDPLAY DRIVE, #116  
EL DORADO HILLS, CA 95762  
PH: 916.343.3737

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JOB NAME:  
**LINDA COMMONS  
CLUSTER HOMES**

**NEW FAZE  
DEVELOPMENT**  
1825 DEL PASO BLVD.  
SACRAMENTO, CA 95815

SHEET CONTENT:  
**TYPICAL LOT  
LAYOUTS**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

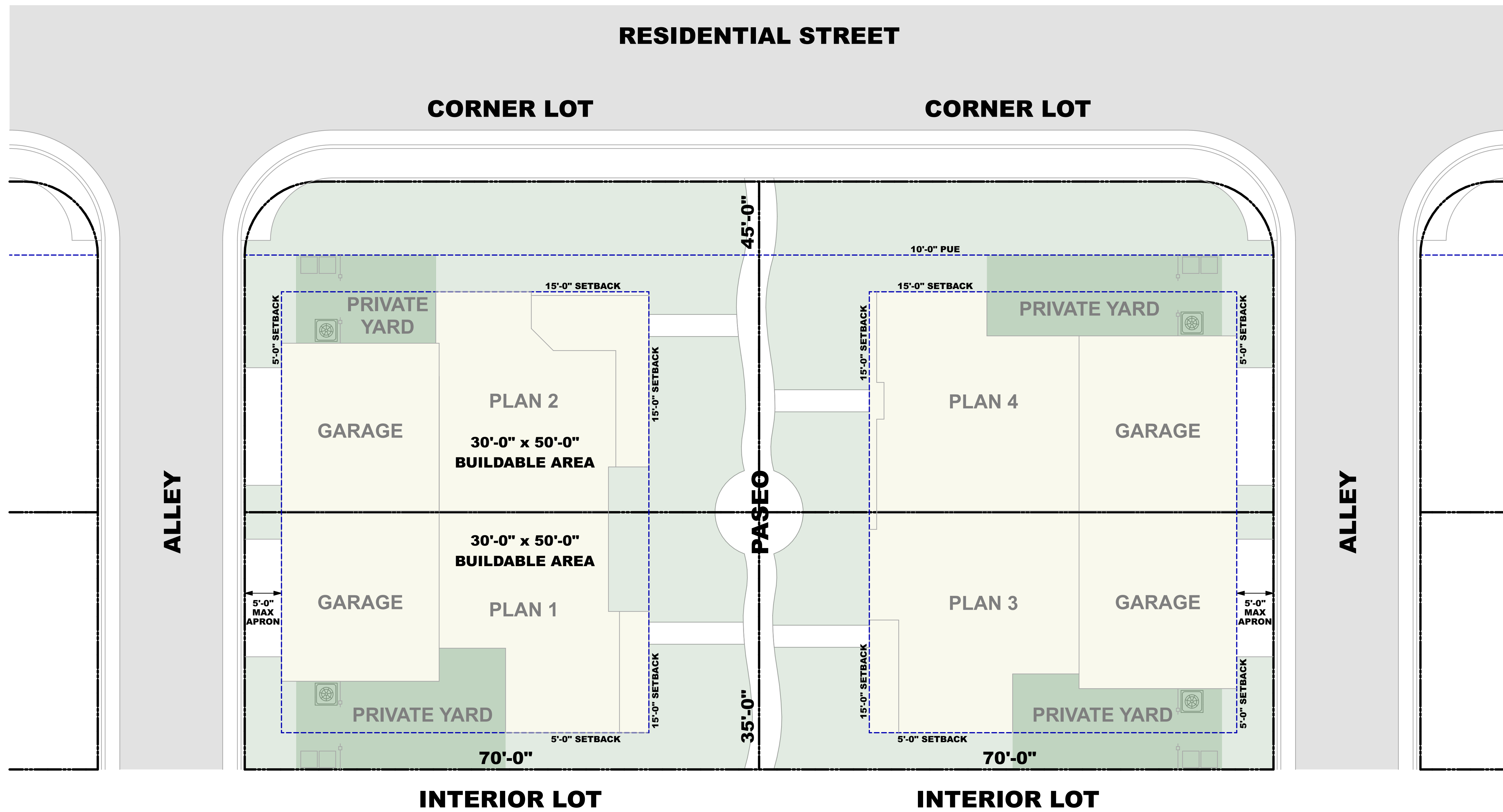
SHEET NO.:

**A0.01**  
CLUSTER

TYPICAL CLUSTER LAYOUT

SCALE: 1/8" = 1'-0"

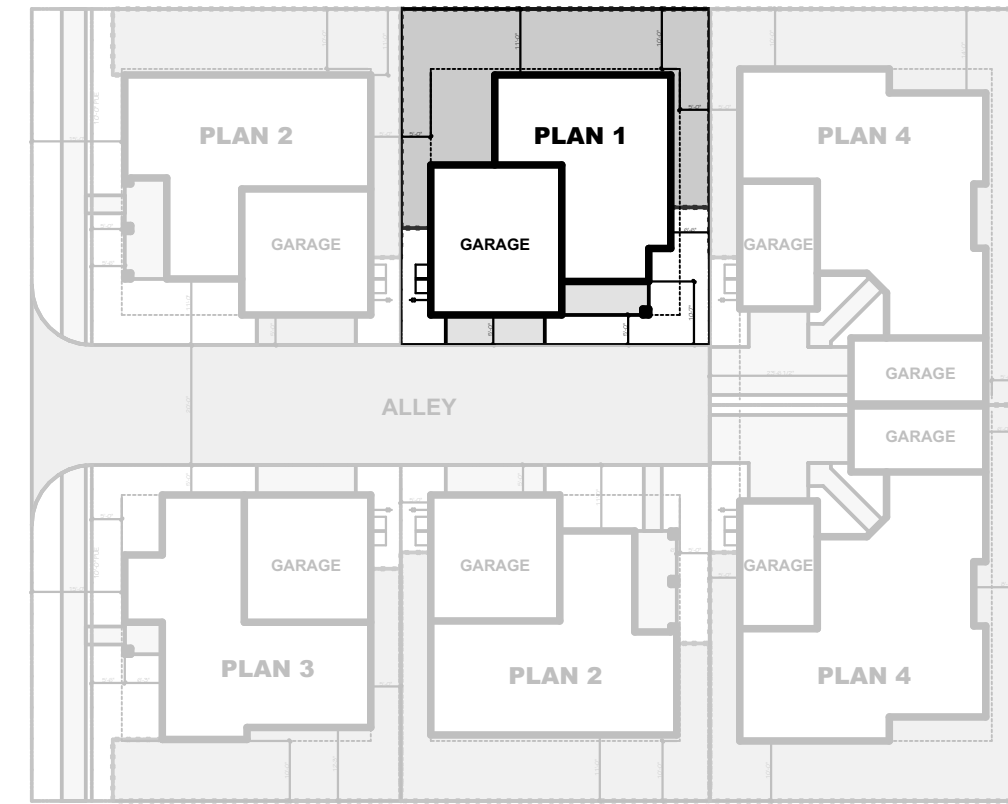




**TYPICAL DUET LAYOUT**

SCALE: 1/8" = 1'-0"





**LEGEND**

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CLUSTER HOMES**

**NEW FAZE  
DEVELOPMENT**  
1825 DEL PASO BLVD.  
SACRAMENTO, CA 95815

SHEET CONTENT:  
**FLOOR PLANS**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

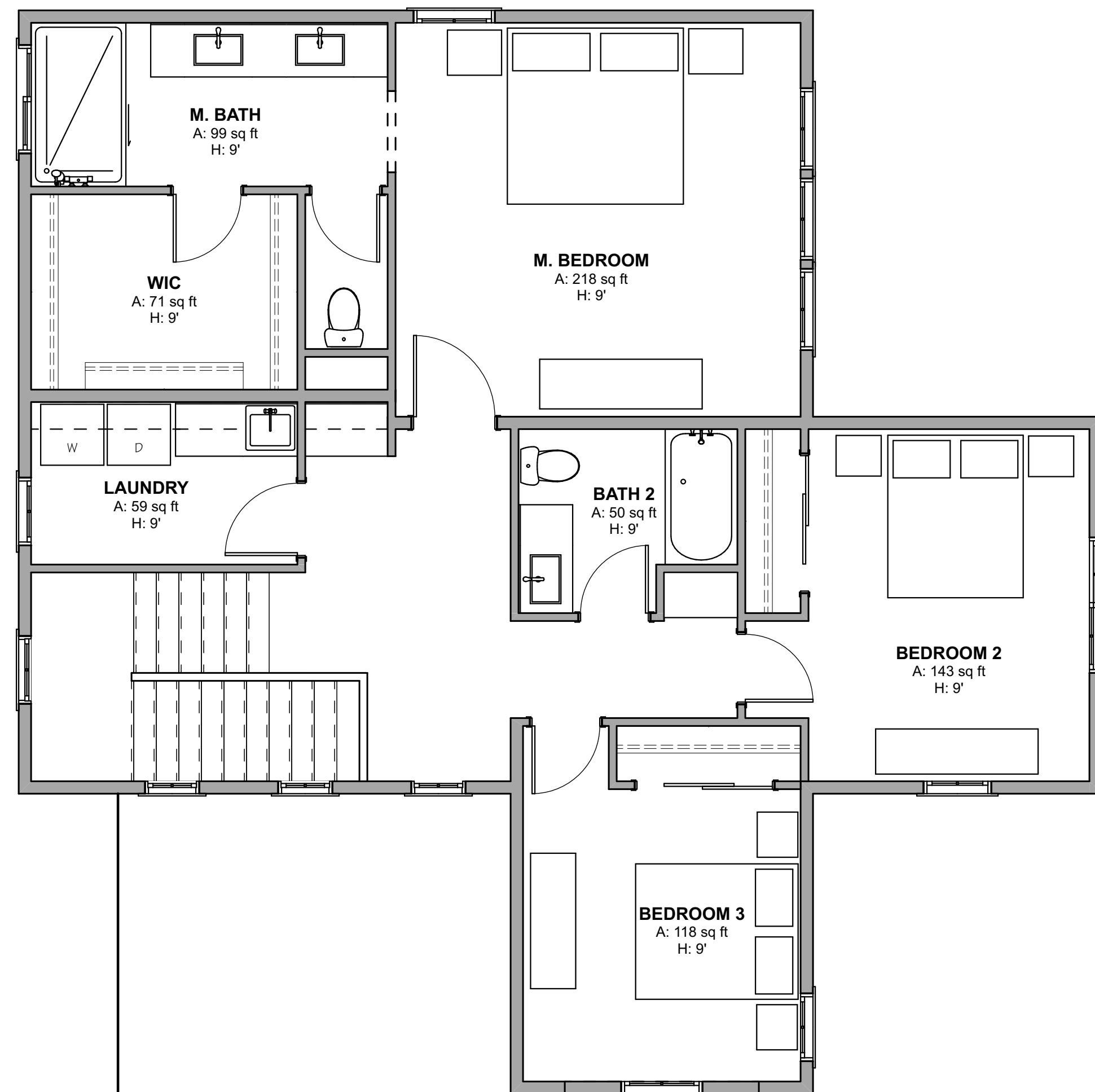
REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

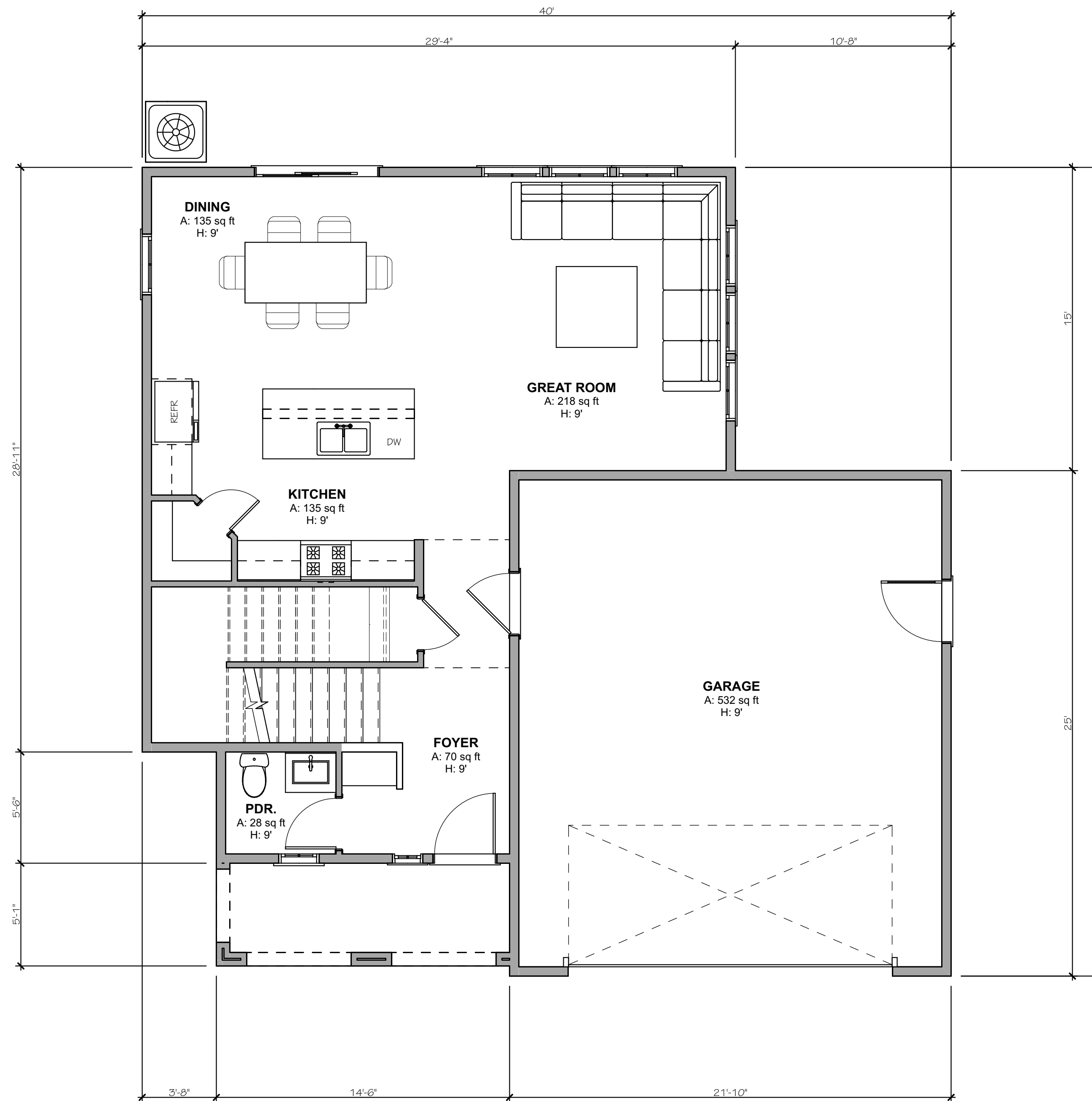
**A1.01**

PLAN 1



**UPPER FLOOR PLAN**

SCALE: 1/4" = 1'-0"



**MAIN FLOOR PLAN**

SCALE: 1/4" = 1'-0"

SQUARE FOOTAGES:	
MAIN FLOOR	786.38
UPPER FLOOR	1,030.67
<b>TOTAL LIVING AREA</b>	<b>1,817.05 ft<sup>2</sup></b>
GARAGE	532.03
PORCH	73.71



**RIGHT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"

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EL DORADO HILLS, CA 95762  
PH: 916.343.3737

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JOB NAME:  
**LINDA COMMONS  
CLUSTER HOMES**

**NEW FAZE  
DEVELOPMENT**  
1825 DEL PASO BLVD.  
SACRAMENTO, CA 95815

SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'A'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

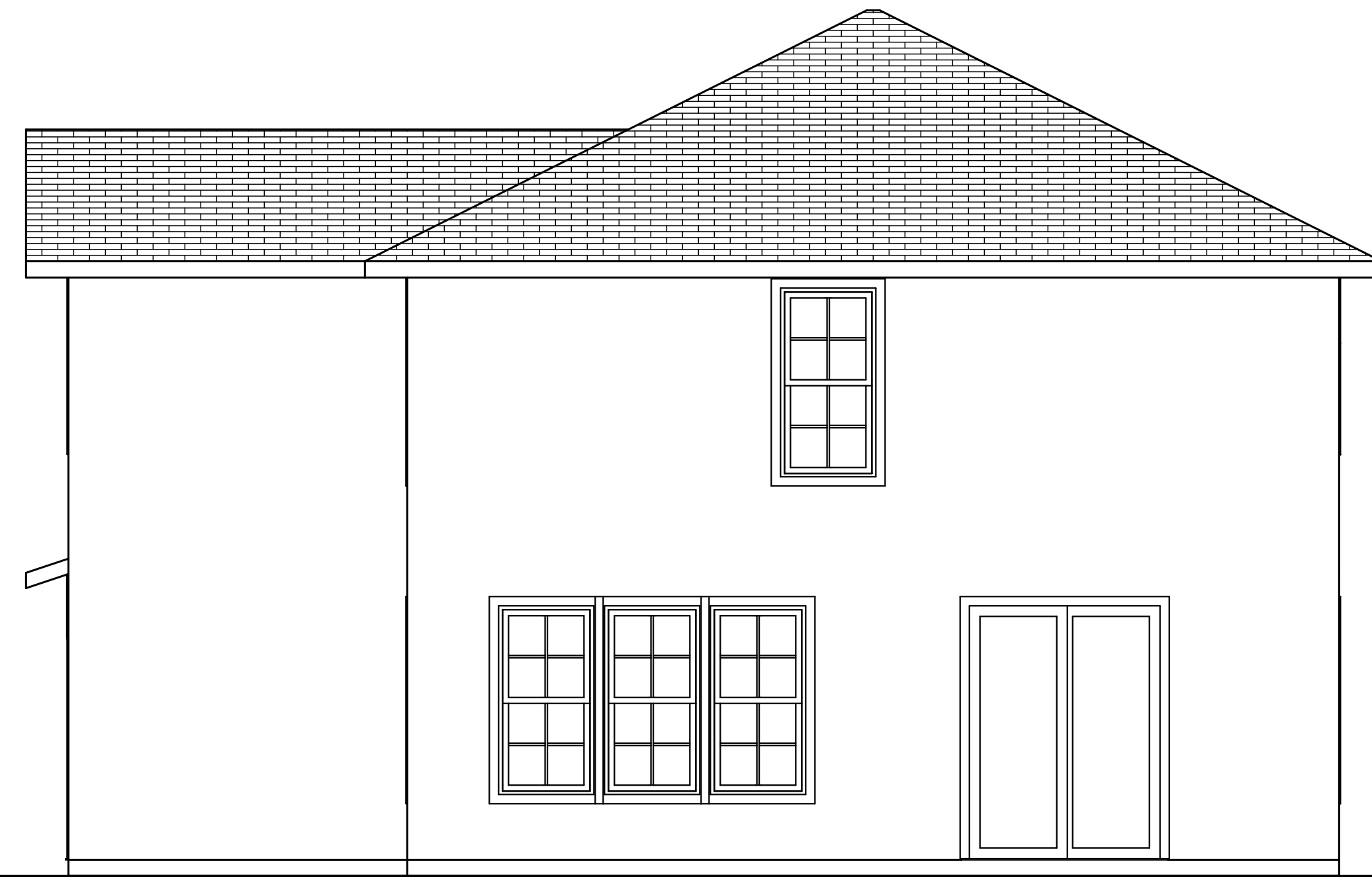
**A1.02**

PLAN 1



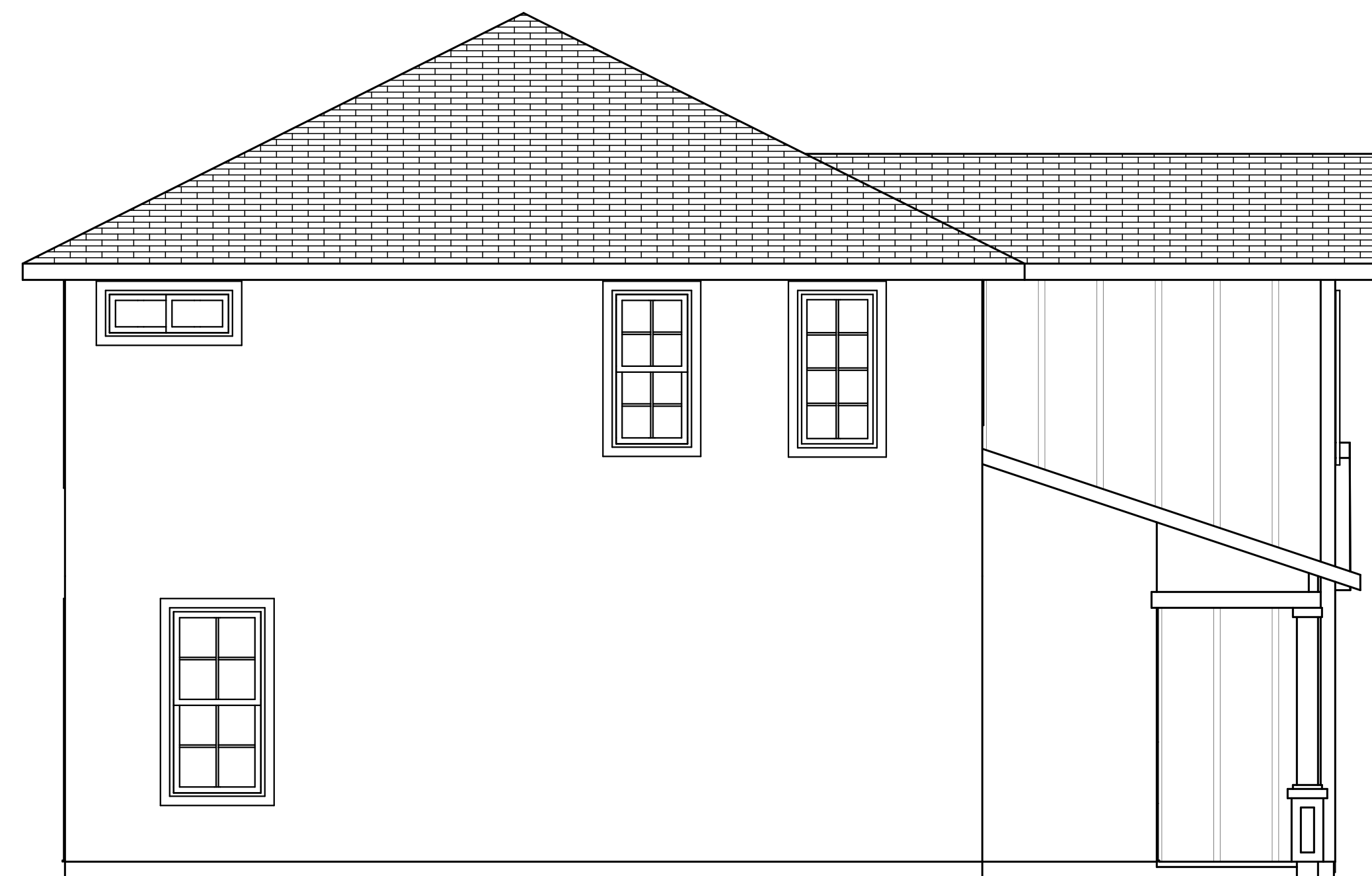
**RIGHT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"

4944 WINDPLAY DRIVE, #116  
EL DORADO HILLS, CA 95762  
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JOB NAME:  
**LINDA COMMONS  
CLUSTER HOMES**

**NEW FAZE  
DEVELOPMENT**  
1825 DEL PASO BLVD.  
SACRAMENTO, CA 95815

SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'B'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A1.03**

PLAN 1



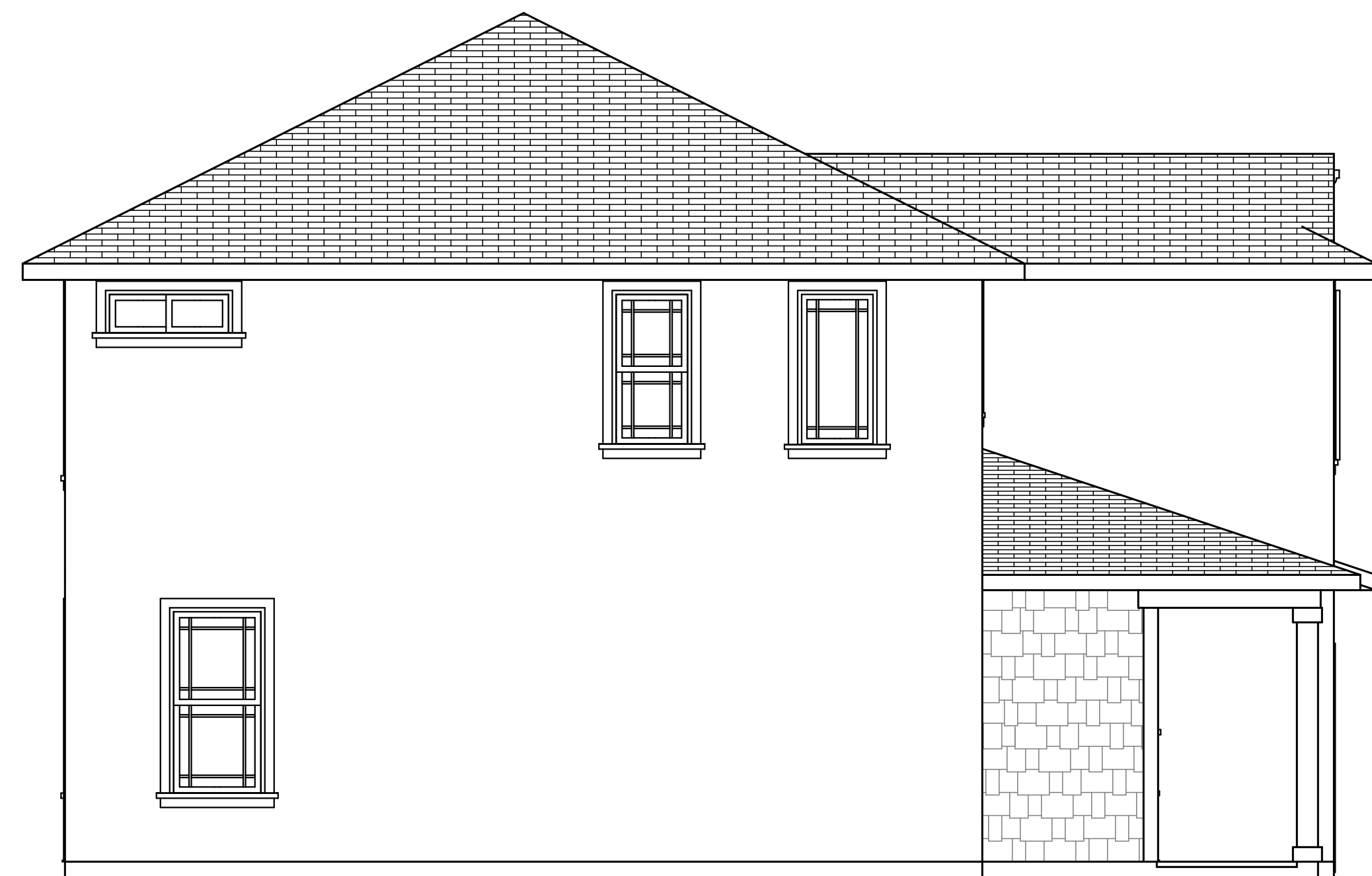
**RIGHT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"

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JOB NAME:  
**LINDA COMMONS  
CLUSTER HOMES**

**NEW FAZE  
DEVELOPMENT**  
1825 DEL PASO BLVD.  
SACRAMENTO, CA 95815

SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'C'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

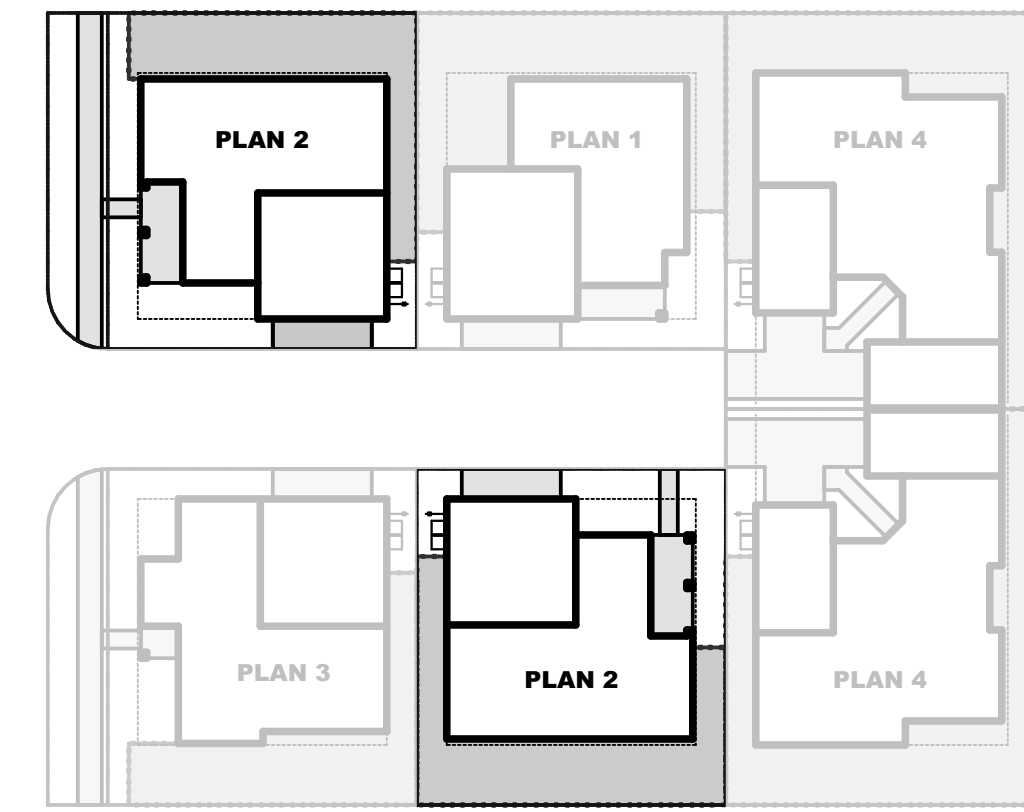
REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A1.04**

PLAN 1



**LEGEND**

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**LINDA COMMONS  
CLUSTER HOMES**

**NEW FAZE  
DEVELOPMENT**  
1825 DEL PASO BLVD.  
SACRAMENTO, CA 95815

SHEET CONTENT:  
**FLOOR PLANS**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

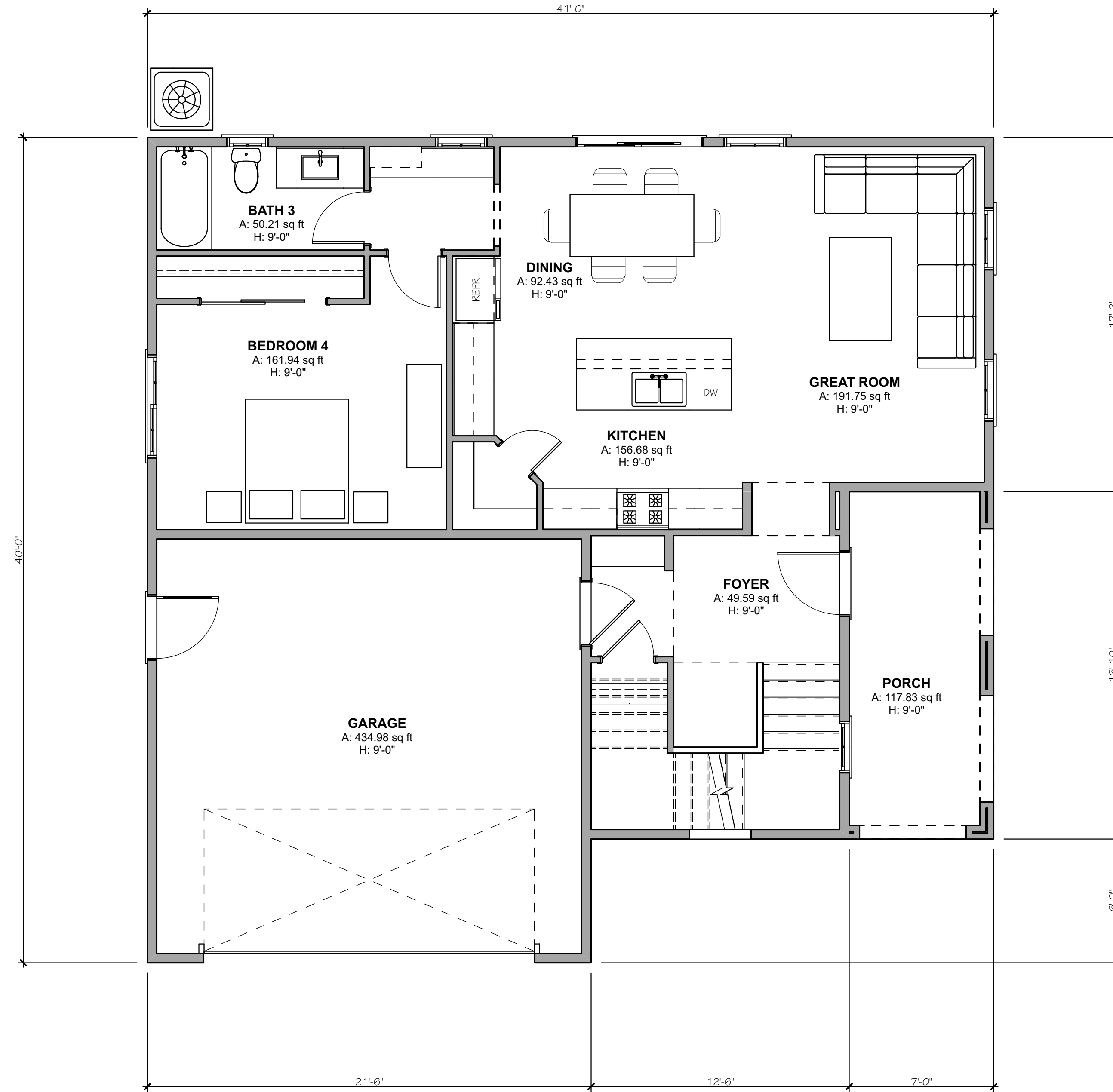
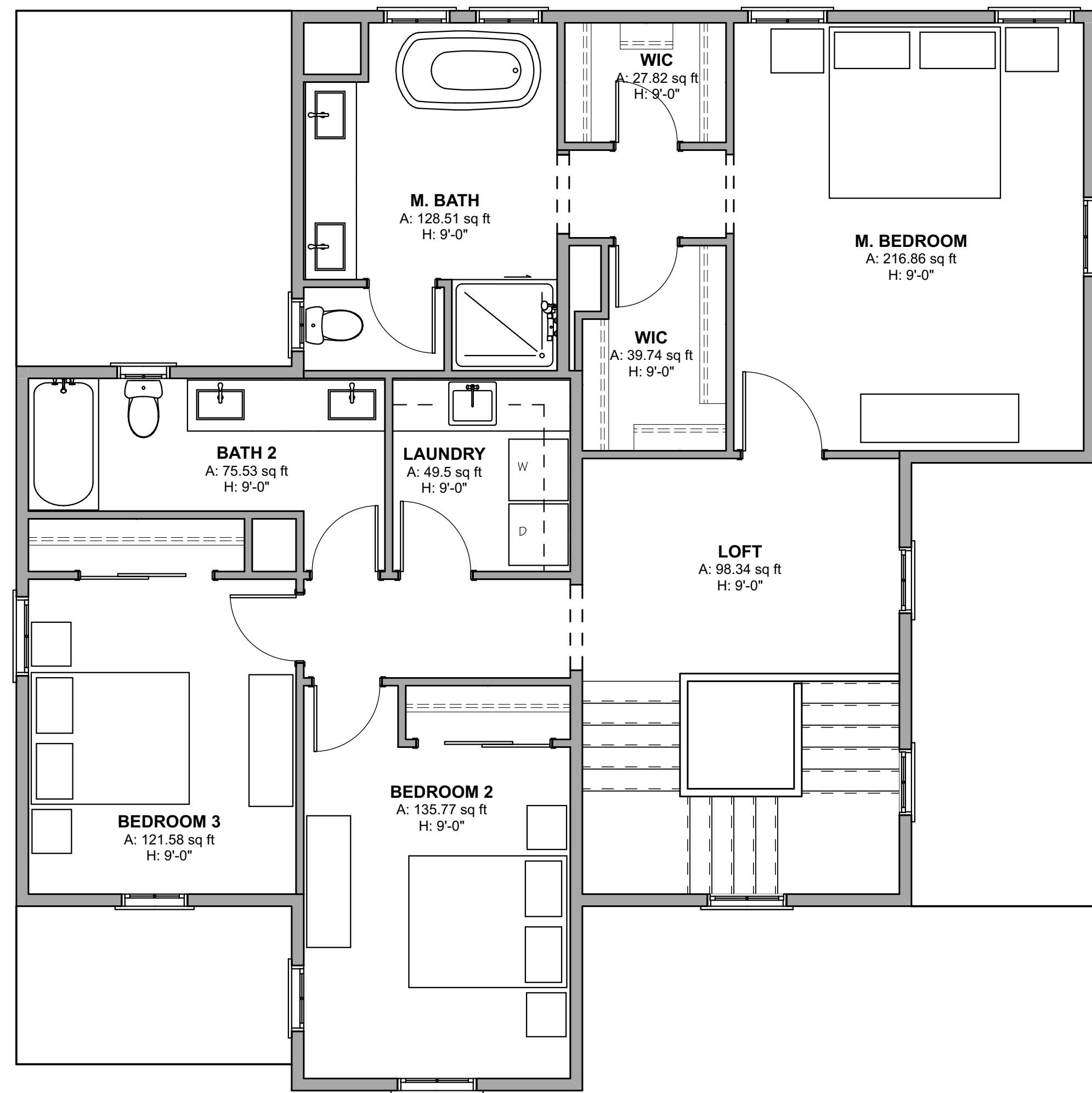
FILE: LINDA COMMONS

SHEET NO.:

**A2.01**

PLAN 2

SQUARE FOOTAGES:	
MAIN FLOOR	970.19
UPPER FLOOR	1,105.55
<b>TOTAL LIVING AREA</b>	<b>2,075.74 ft<sup>2</sup></b>
GARAGE	434.98
PORCH	117.83



**UPPER FLOOR PLAN**

SCALE: 1/4" = 1'-0"

**MAIN FLOOR PLAN**

SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"

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SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'A'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A2.02**

PLAN 2



**RIGHT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"

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SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'B'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A2.03**

PLAN 2



**RIGHT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"

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SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'C'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

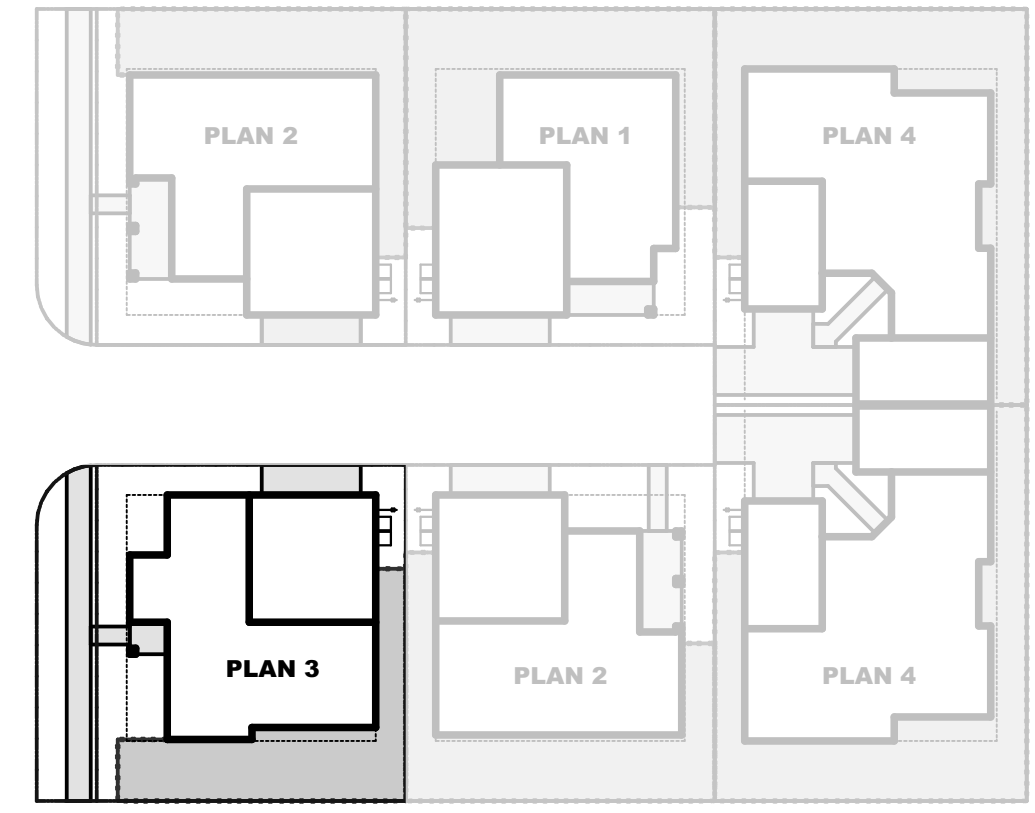
FILE: LINDA COMMONS

SHEET NO.:

**A2.04**

PLAN 2





**LEGEND**

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SHEET CONTENT:  
**FLOOR PLANS**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

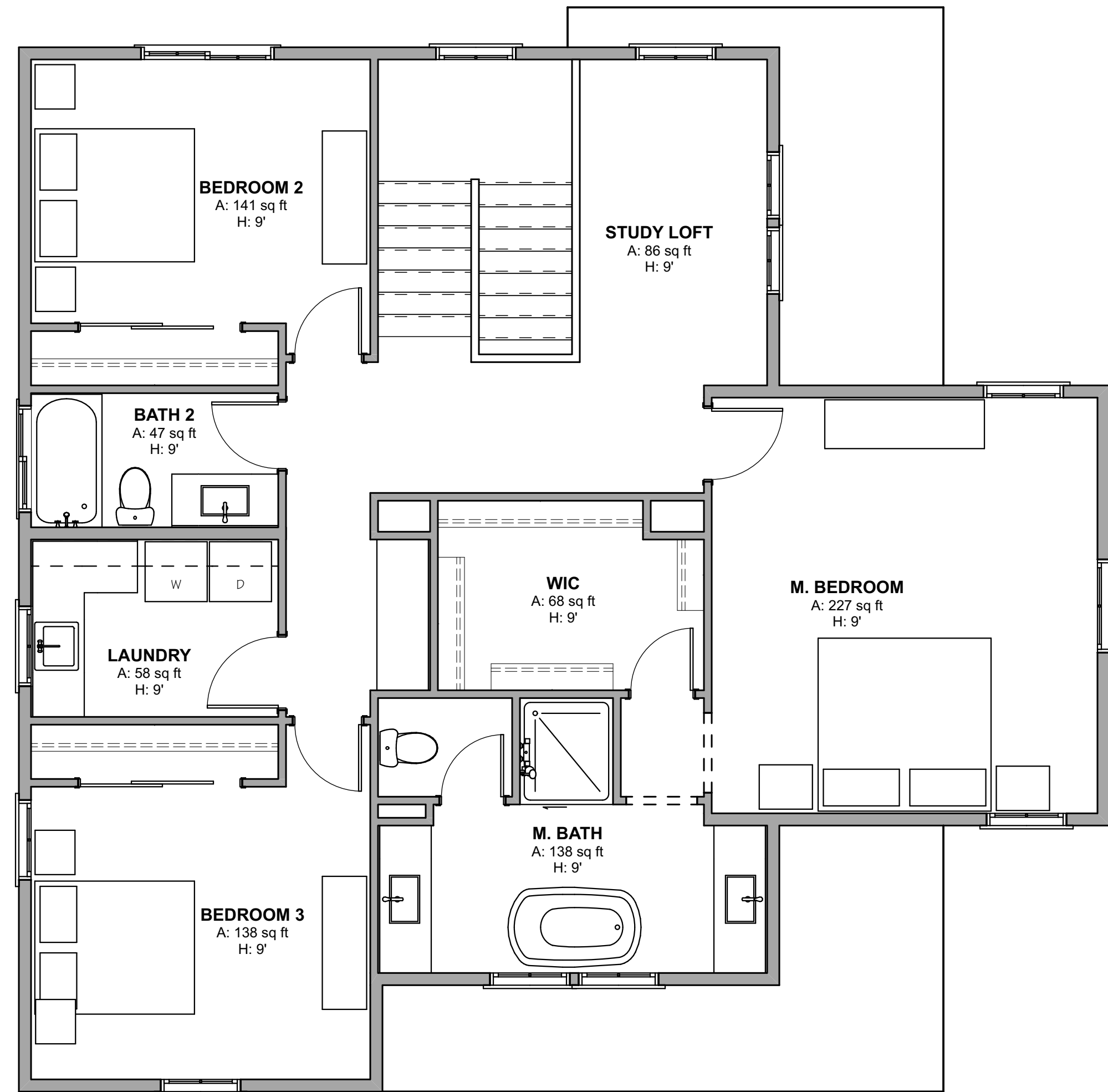
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FILE: LINDA COMMONS

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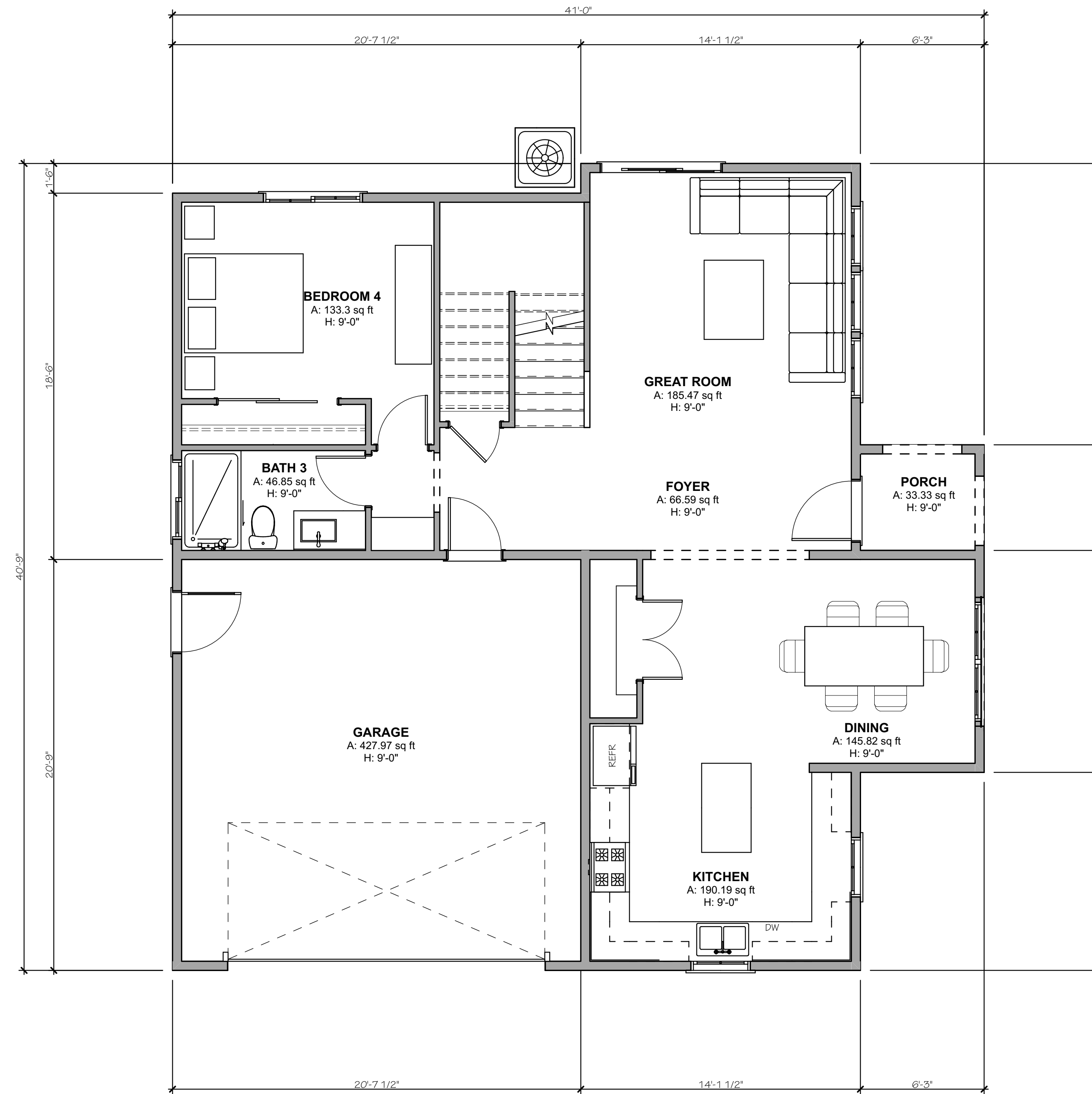
**A3.01**

PLAN 3



**UPPER FLOOR PLAN**

SCALE: 1/4" = 1'-0"



**MAIN FLOOR PLAN**

SCALE: 1/4" = 1'-0"

SQUARE FOOTAGES:	
MAIN FLOOR	1,027.21
UPPER FLOOR	1,185.68
<b>TOTAL LIVING AREA</b>	<b>2,212.89 ft<sup>2</sup></b>
GARAGE	427.97
PORCH	33.33



**RIGHT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"

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DEVELOPMENT**  
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SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'A'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A3.02**

PLAN 3



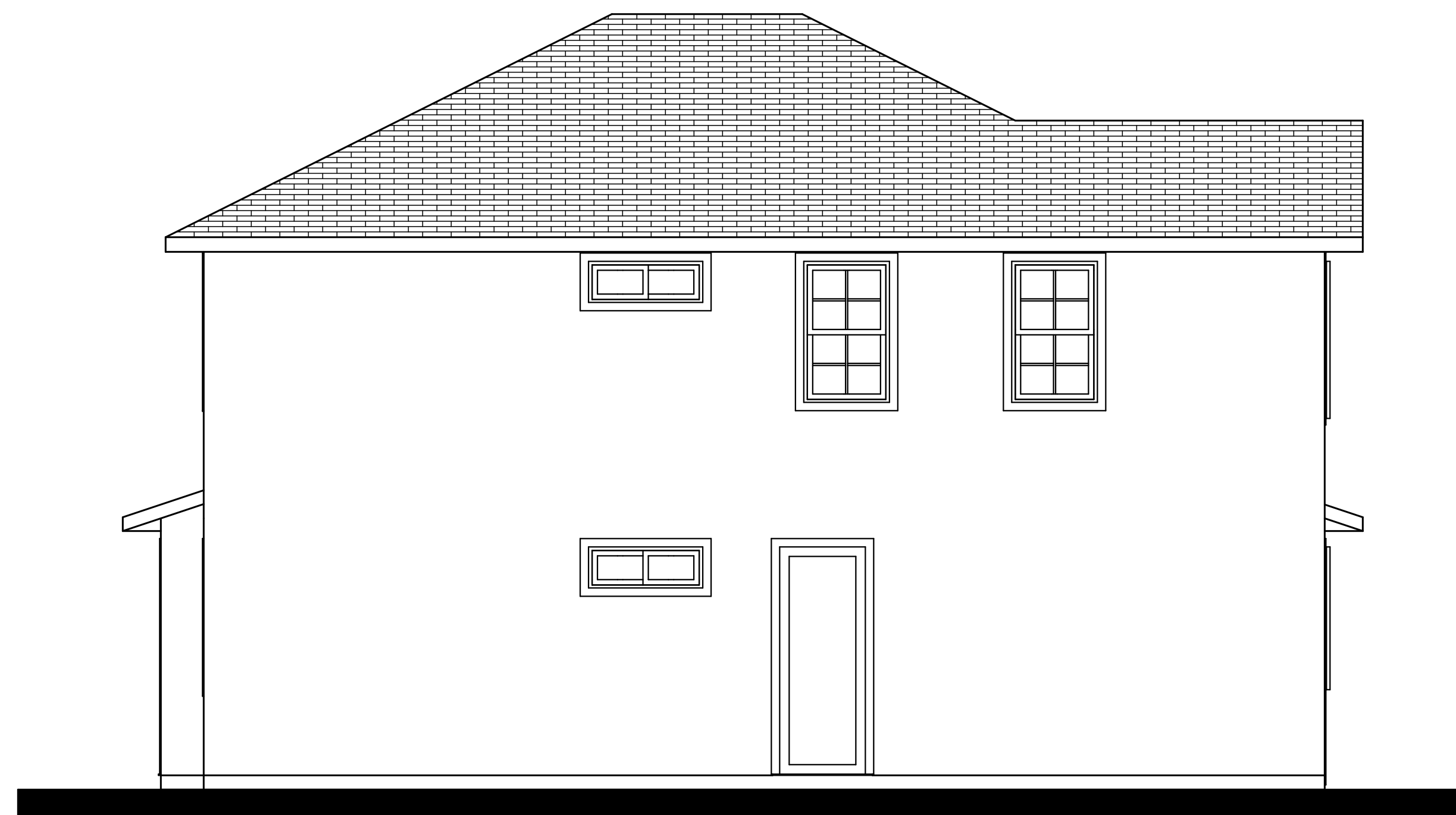
**RIGHT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"

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SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'B'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

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**A3.03**

PLAN 3

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DEVELOPMENT**  
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SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'C'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A3.04**

PLAN 3



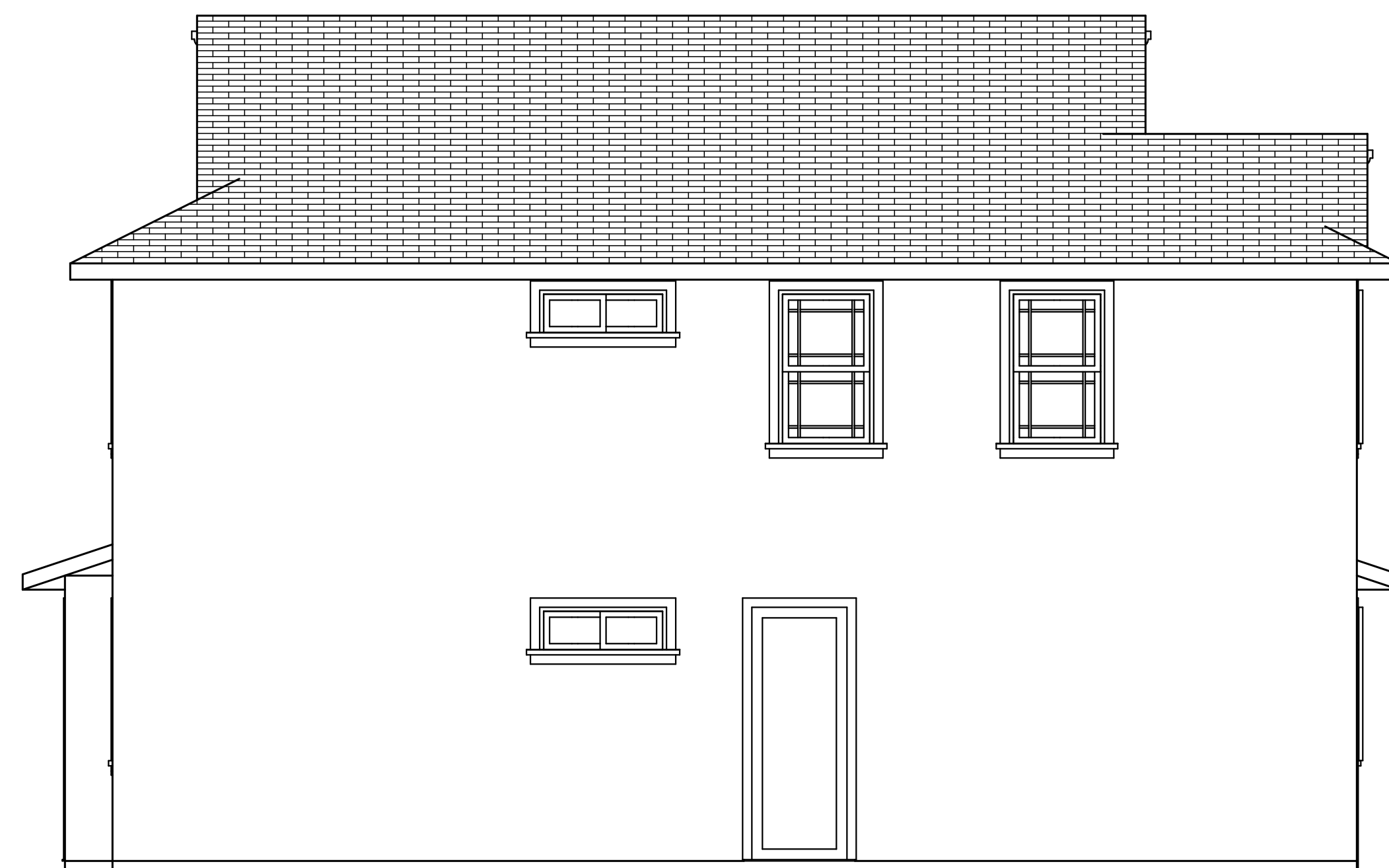
**RIGHT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



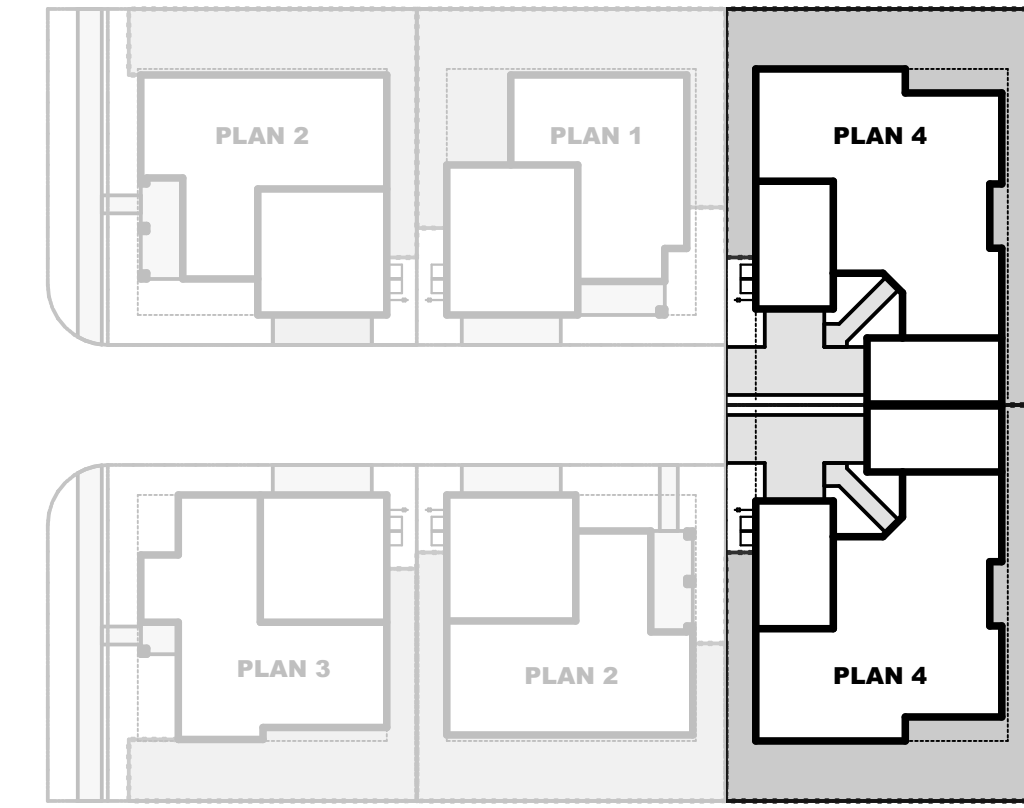
**LEFT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**LEGEND**

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DEVELOPMENT**  
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SHEET CONTENT:  
**FLOOR PLANS**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

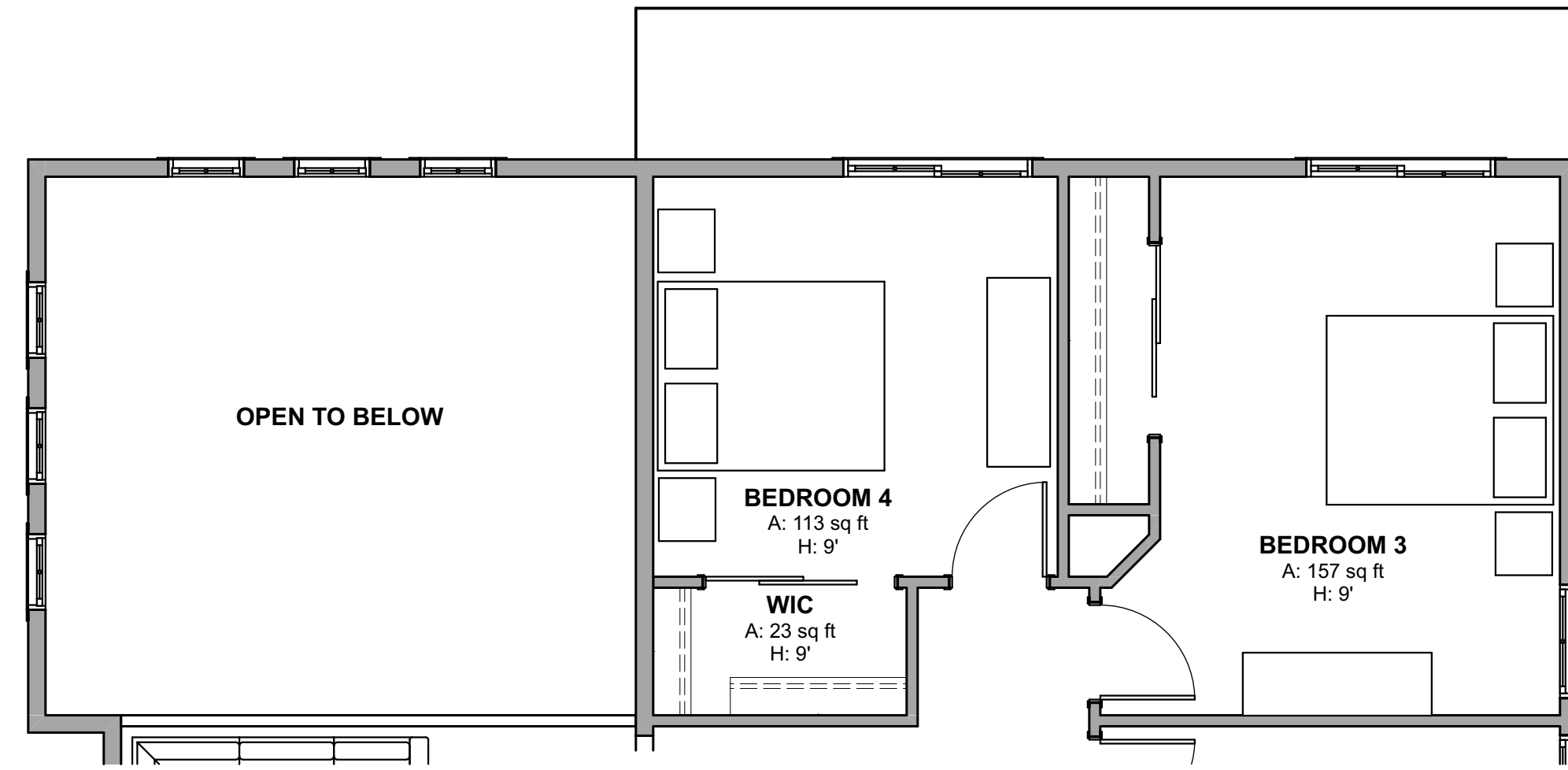
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FILE: LINDA COMMONS

SHEET NO.:

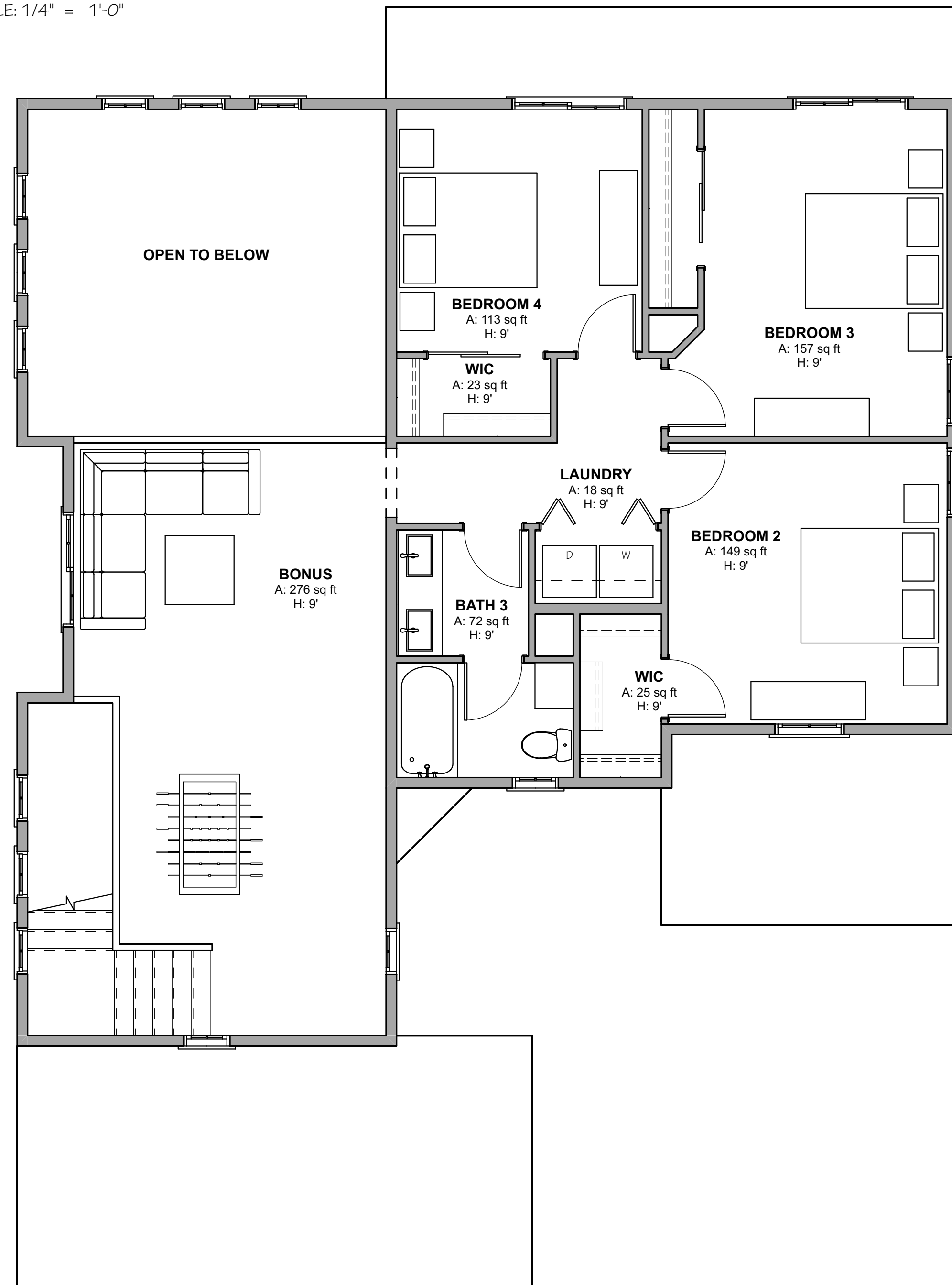
**A4.01**

PLAN 4



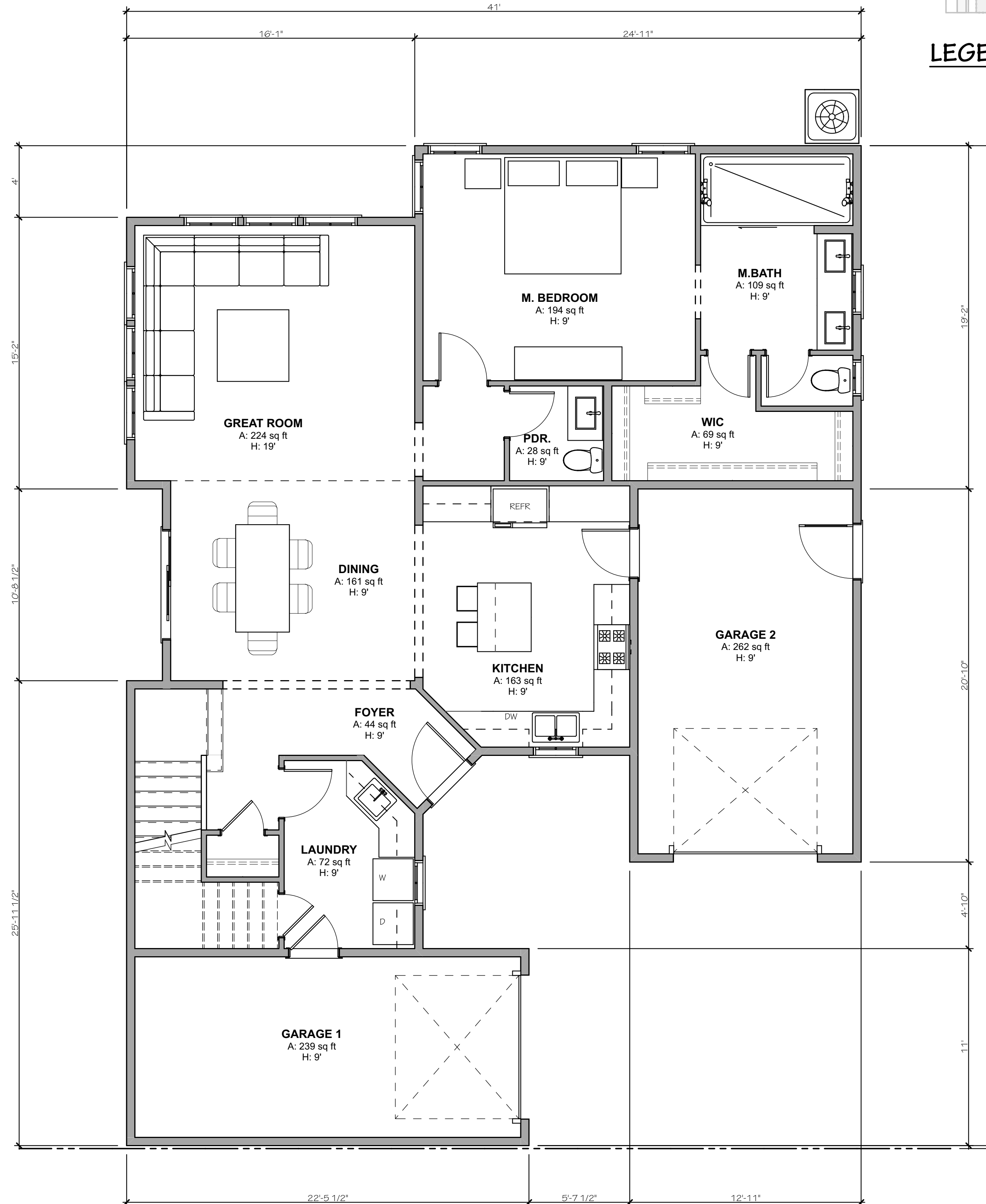
**SECOND MASTER OPTION**

SCALE: 1/4" = 1'-0"



**UPPER FLOOR PLAN**

SCALE: 1/4" = 1'-0"



**MAIN FLOOR PLAN**

SCALE: 1/4" = 1'-0"

SQUARE FOOTAGES:	
MAIN FLOOR	1,316.02
UPPER FLOOR	1,053.80
<b>TOTAL LIVING AREA</b>	<b>2,369.82 ft<sup>2</sup></b>
GARAGE 1	239.46
GARAGE 2	262.28
SECOND MASTER OPTION	+237.48

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DEVELOPMENT**  
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SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'A'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A4.02**

PLAN 4



**RIGHT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"

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SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'B'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

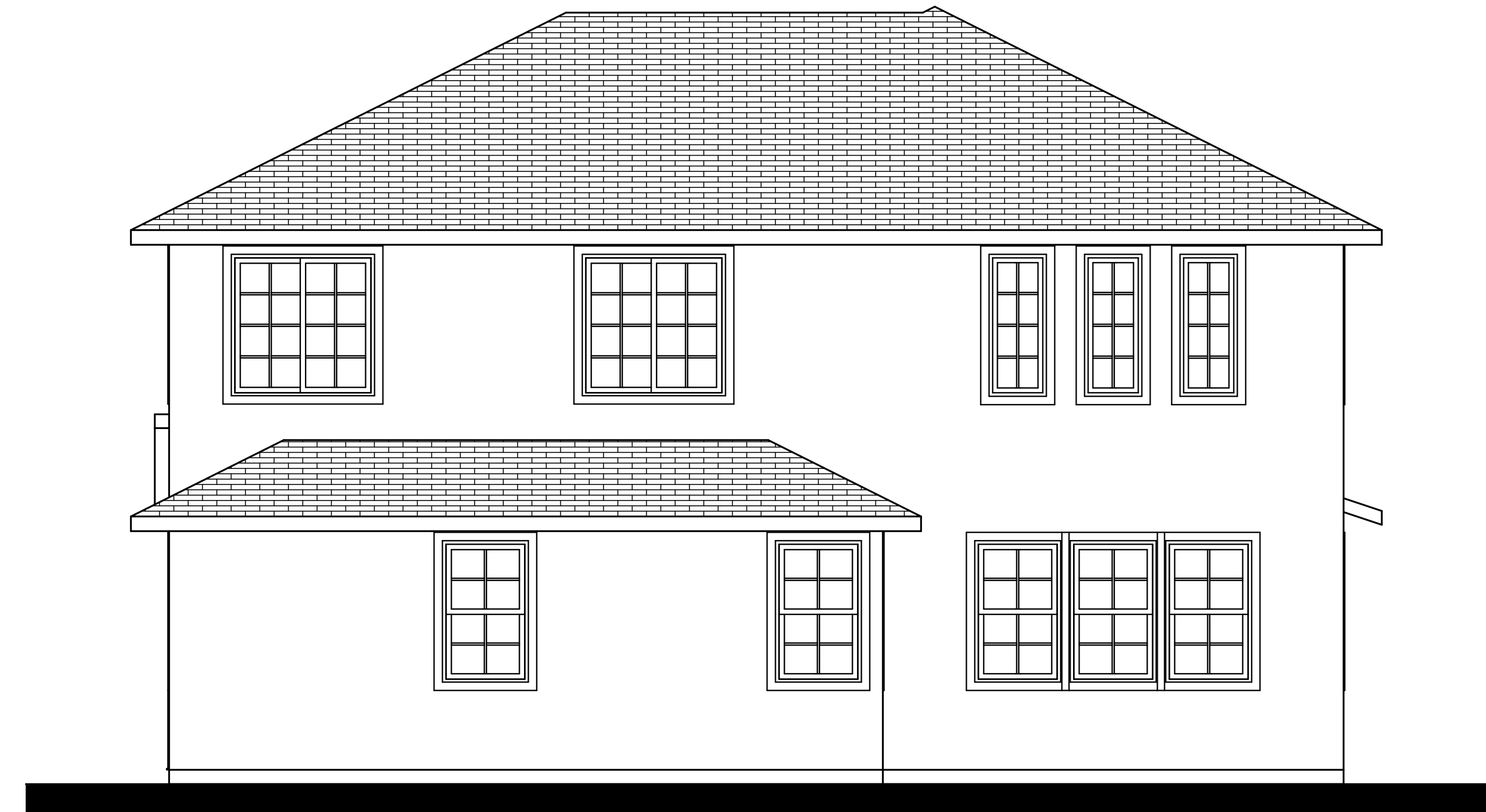
**A4.03**

PLAN 4



**RIGHT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"

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SHEET CONTENT:

**EXTERIOR  
ELEVATIONS 'C'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A4.04**

PLAN 4



**RIGHT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



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SHEET CONTENT:  
**MAIN FLOOR  
PLAN**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

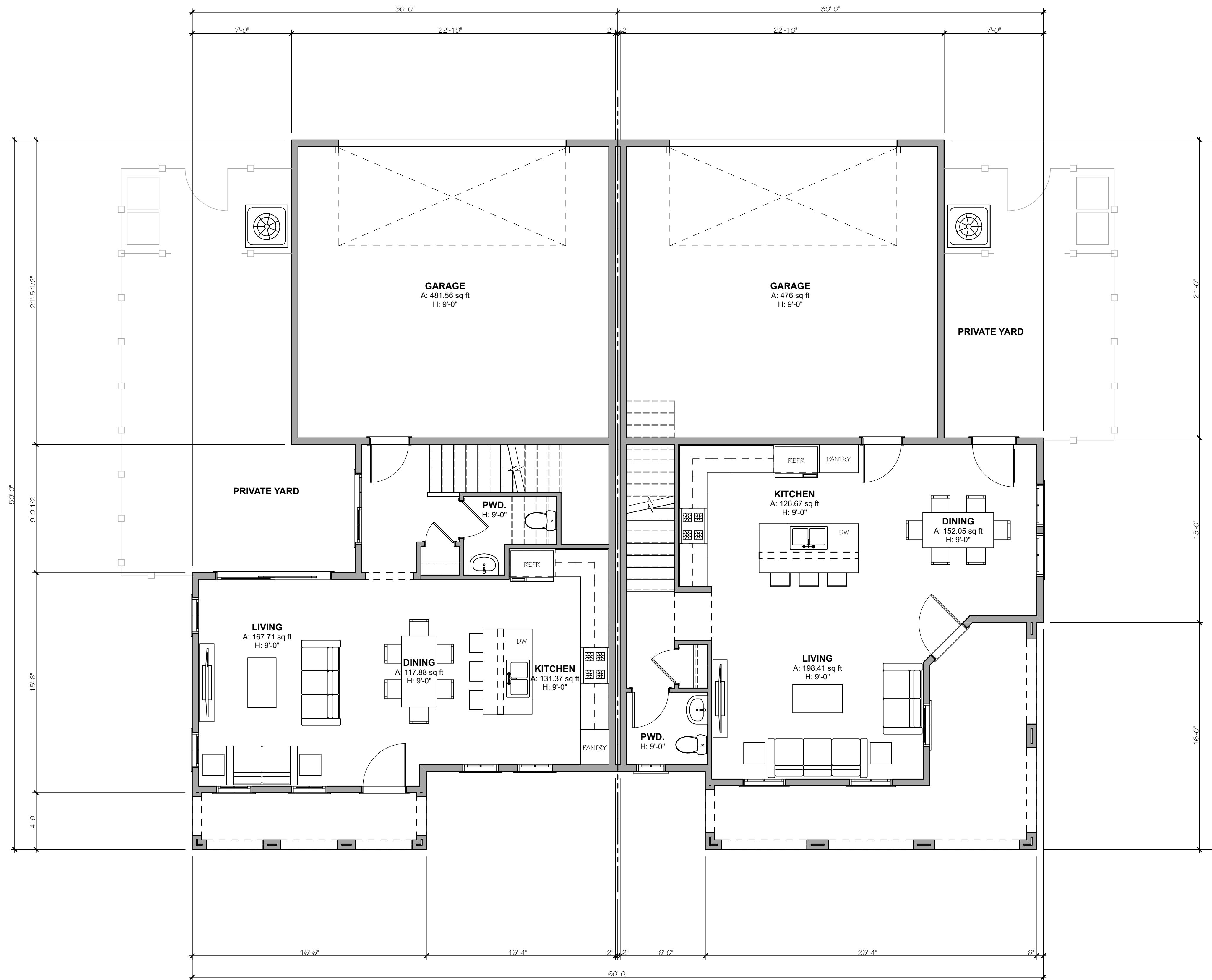
REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A5.01**

PLAN 1-2



**UNIT 1**  
1586 S.F.

**UNIT 2**  
1700 S.F.

**MAIN FLOOR PLAN**

SCALE: 1/4" = 1'-0"

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SHEET CONTENT:  
**UPPER FLOOR  
PLAN**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

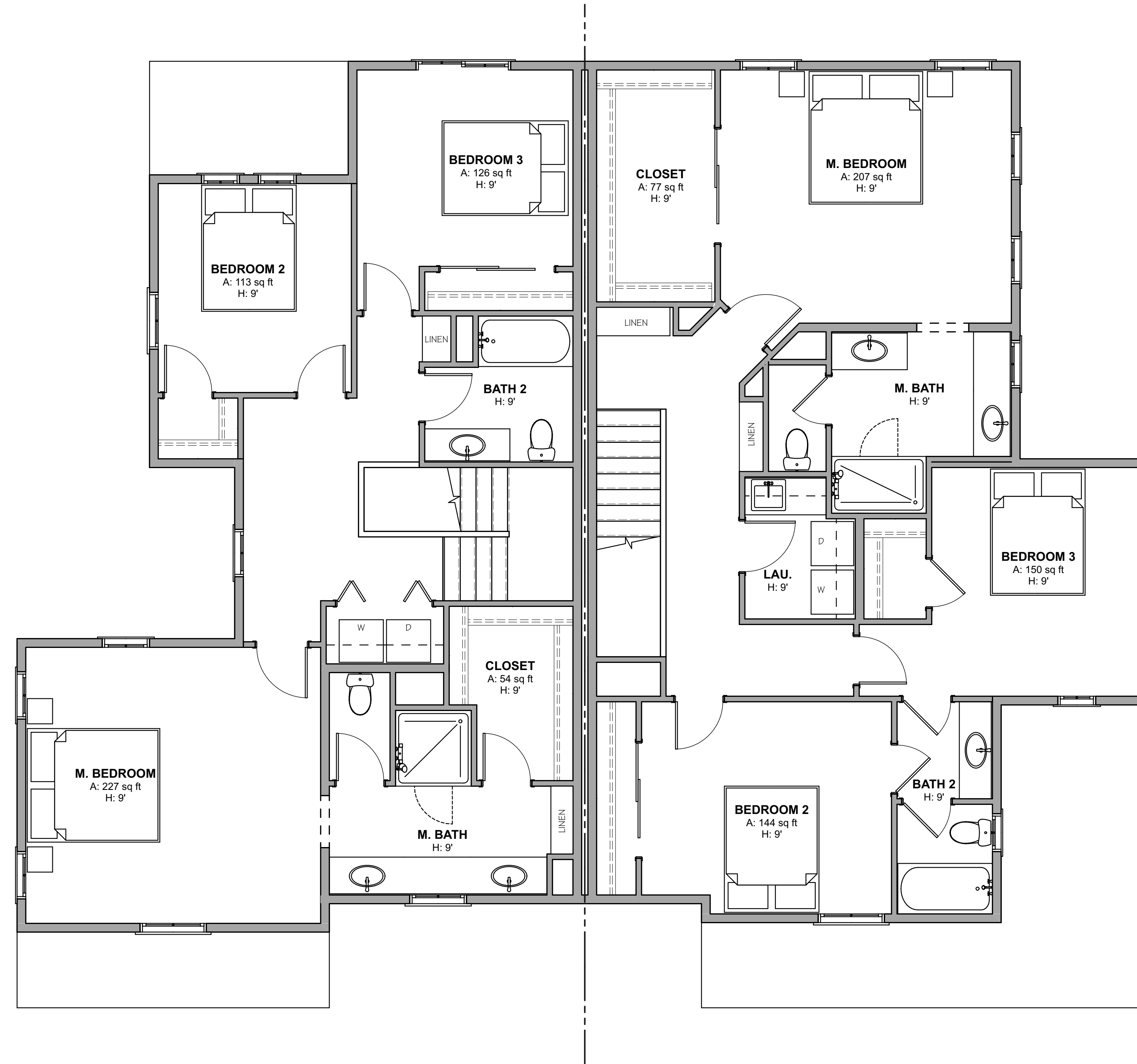
REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A5.02**

PLAN 1-2



**UNIT 1**  
1586 S.F.

**UNIT 2**  
1700 S.F.

**UPPER FLOOR PLAN**

SCALE: 1/4" = 1'-0"

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SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'A'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A5.03**

PLAN 1-2



**RIGHT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"

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DEVELOPMENT**  
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SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'B'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A5.04**

PLAN 1-2



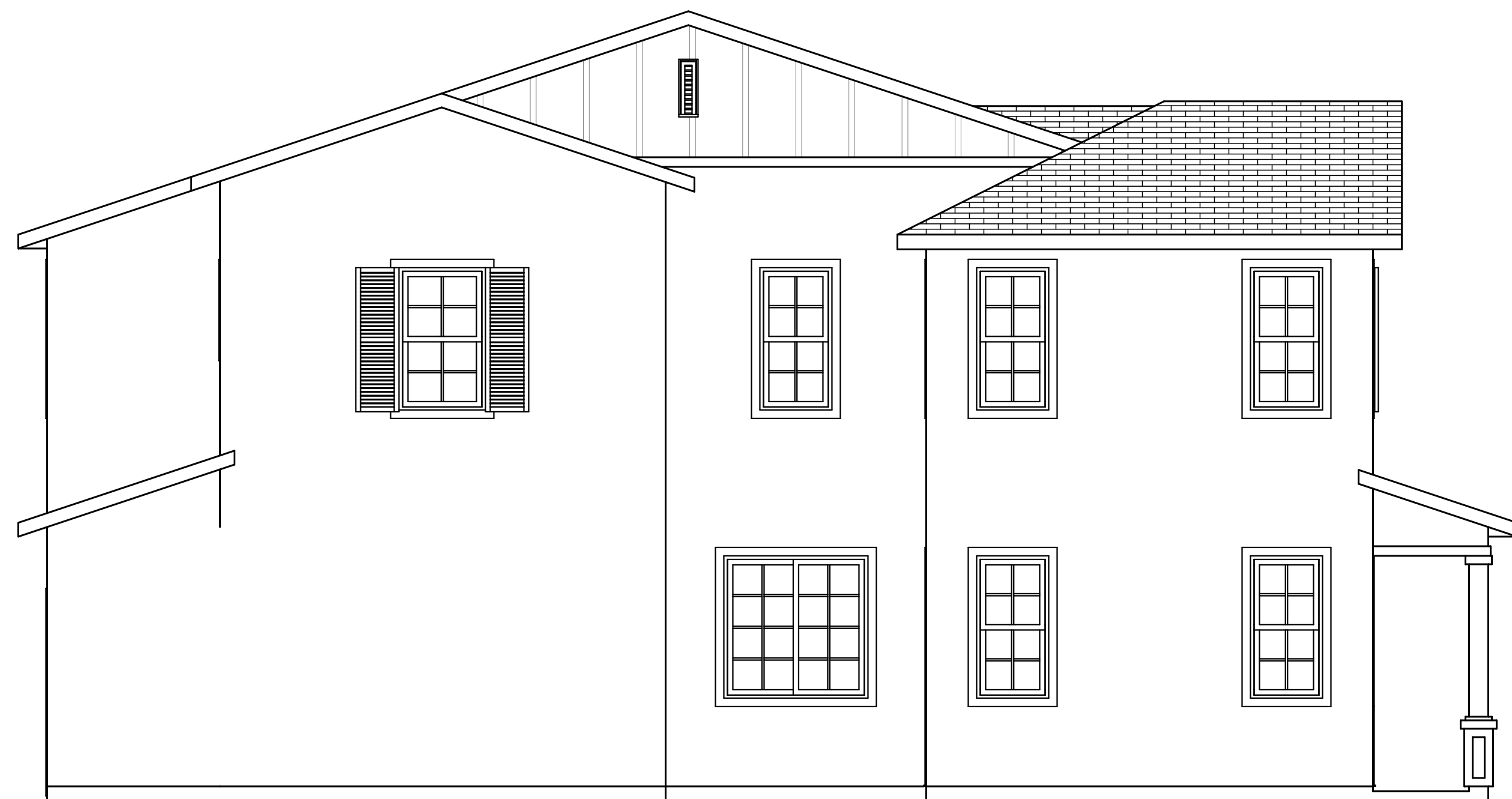
**RIGHT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"

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SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'C'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A5.05**

PLAN 1-2



**RIGHT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"

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SHEET CONTENT:  
**MAIN FLOOR  
PLAN**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

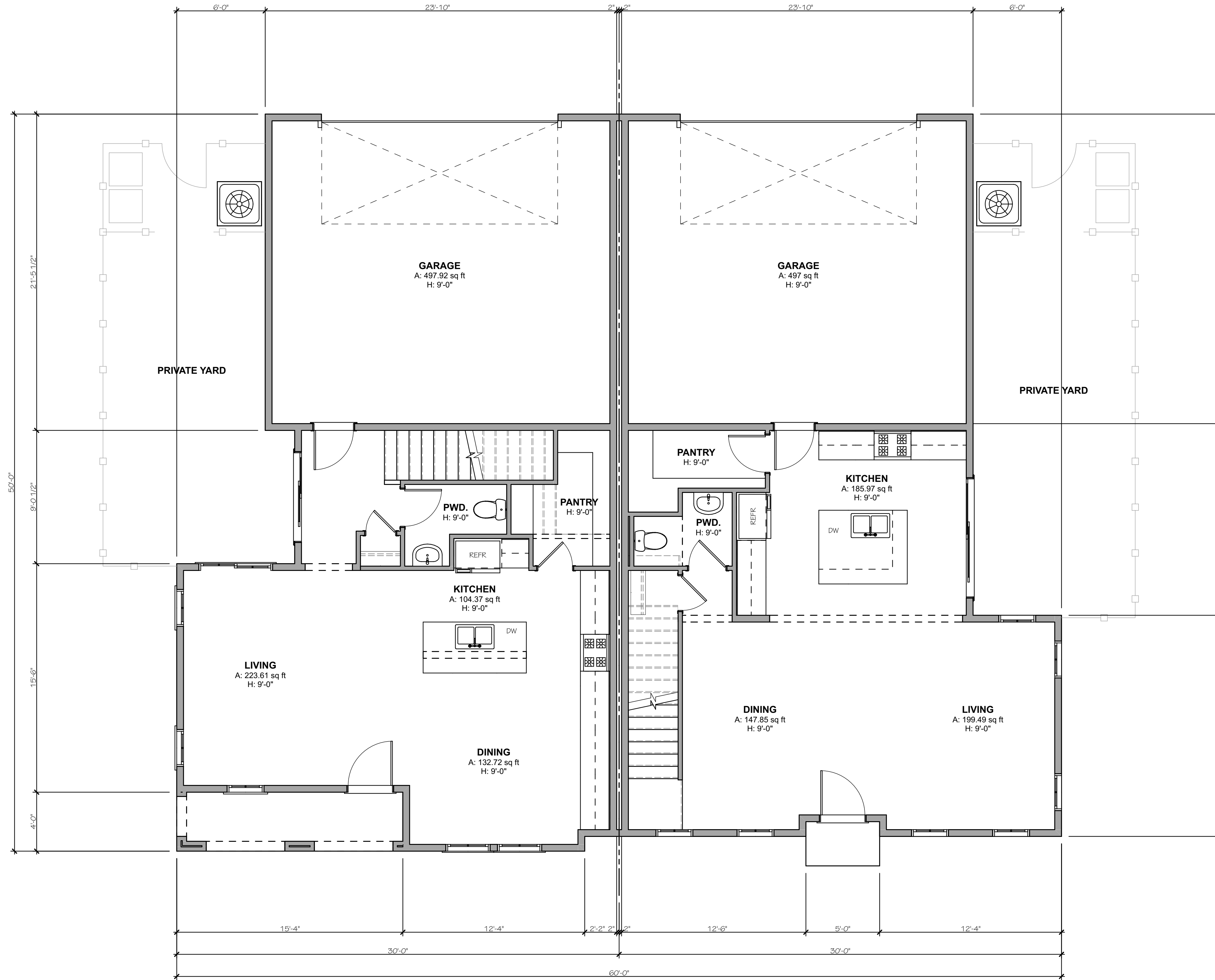
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SHEET NO.:

**A6.01**

PLAN 3-4



**UNIT 3**  
1886 S.F.

**UNIT 4**  
2006 S.F.

**MAIN FLOOR PLAN**

SCALE: 1/4" = 1'-0"

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SHEET CONTENT:  
**UPPER FLOOR  
PLAN**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

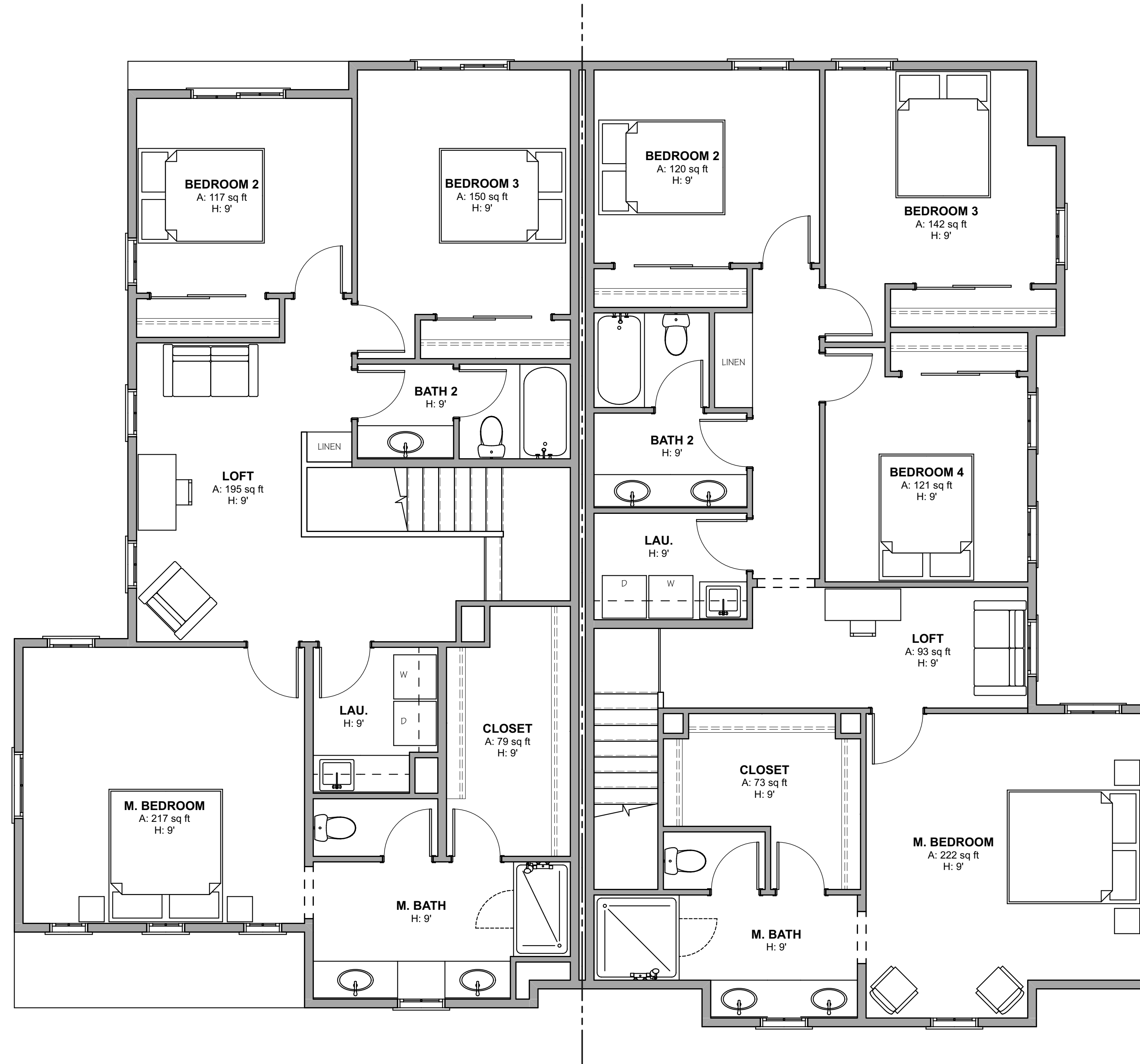
REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A6.02**

PLAN 3-4



**UNIT 3**  
1886 S.F.

**UNIT 4**  
2006 S.F.

**UPPER FLOOR PLAN**

SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'A'**

SCALE: 1/4" = 1'-0"

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SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'A'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A6.03**

PLAN 3-4



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SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'B'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A6.04**

PLAN 3-4



**RIGHT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



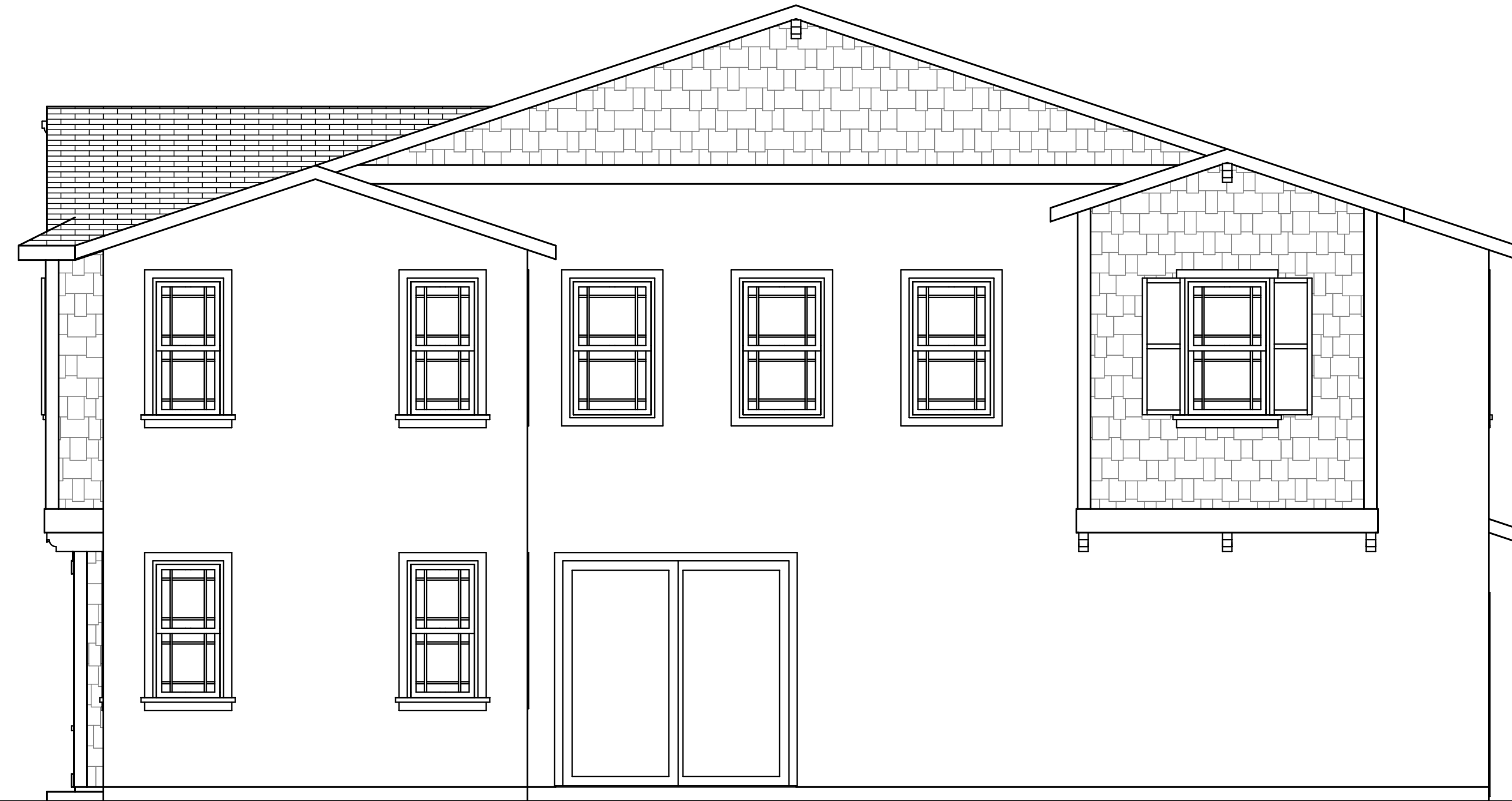
**LEFT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'B'**

SCALE: 1/4" = 1'-0"



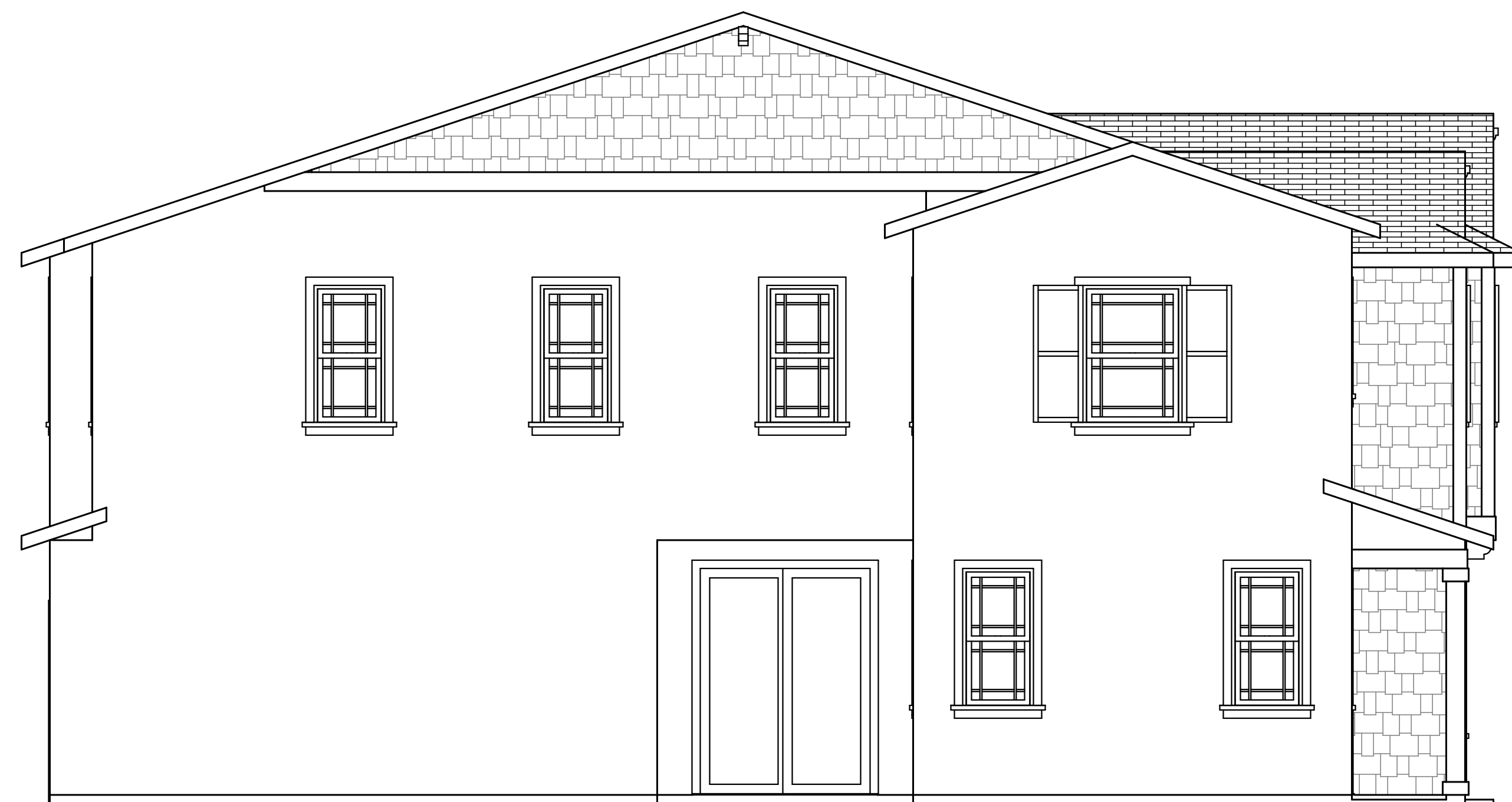
**RIGHT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**REAR ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'C'**

SCALE: 1/4" = 1'-0"

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DEVELOPMENT**  
1825 DEL PASO BLVD.  
SACRAMENTO, CA 95815

SHEET CONTENT:  
**EXTERIOR  
ELEVATIONS 'C'**

SCALE: 1/4" = 1'-0"

DATE: MARCH 07, 2022

REVISIONS:

FILE: LINDA COMMONS

SHEET NO.:

**A6.05**

PLAN 3-4





**LANDSCAPE LEGEND**

- ACCENT** TO 2'  
 LOW WATER USE  
 e.g. Eriogon korvekyonua / Santa Barbara Daisy  
 Lavandula angustifolia / Munstead / English Lavender  
 Muhlenbergia raiata / Nashville / Purple Nubly
- GROUND COVER / GRASSES** TO 3'  
 LOW WATER USE  
 e.g. Arcostaphylos edmunds / Cornet Sun / Little Star Manzanita  
 Muhlenbergia dubia / Pine Nubly  
 Phorosan / Bronze Baby / New Zealand Flax
- SCREENING SHRUB** TO 5'  
 LOW WATER USE  
 e.g. Carpentaria californica / Bush Anemone  
 Thuja communis / Purple  
 Nandina domestica / Heavenly Bamboo
- DETENTION BASIN**  
 LOW WATER USE  
 e.g. Carex divulsa / Berkeley Sedge  
 Festuca maritima / Maroccan Fescue  
 Muhlenbergia capillaris / Pink Nublygrass
- PRIVATE YARD**  
 To be landscaped by residence.
- OPEN SPACE / EASEMENT**  
 By others.

**TREE LEGEND**

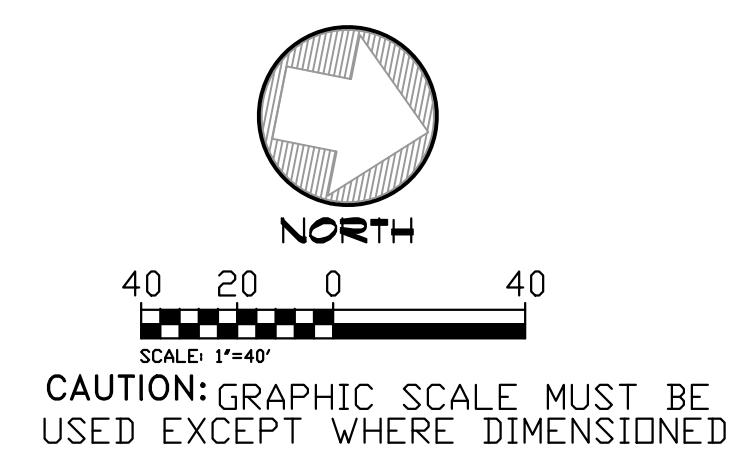
- ACCENT TREE** 12'-15'  
 LOW TO MODERATE WATER USE  
 e.g. Lagerstroemia 'Muskoage' / Grape Myrtle  
 Malus 'Sugar Tyne' / Flovering Crabapple
- STREET TREE** 20'-30'  
 LOW TO MODERATE WATER USE  
 e.g. Acer x freemanii / Scarlet Sentinel / Red Maple  
 Geraera parviflora / Australian Willow
- SHADE TREE** 20'-50'  
 LOW TO MODERATE WATER USE  
 e.g. Pistacia chinensis / Keith Davey / Seedless Chinese Potache  
 Quercus ilex / Holly Oak

**AMENITIES LEGEND**

- E** ADULT EXERCISE STATIONS
- D** DOG PARK WITH FENCE & GATES
- P** PICNIC AREA
- T** TOT LOT

**MATERIALS LEGEND**

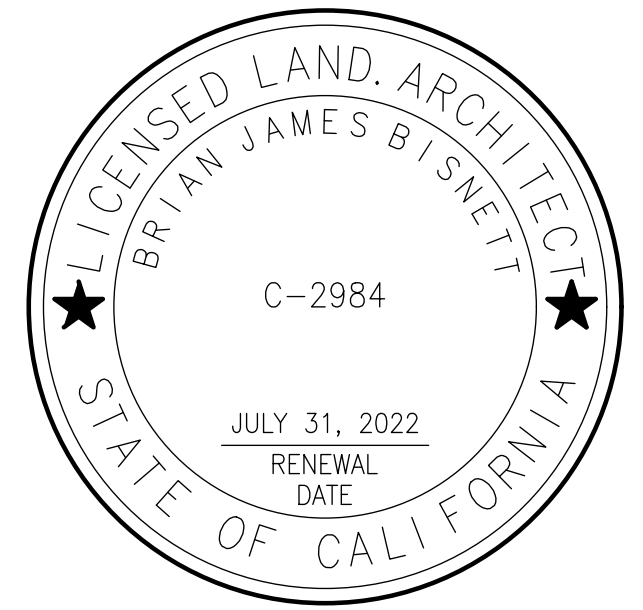
- ASPHALT
- CONCRETE PAVING
- DECOMPOSED GRANITE (8,586 S.F.)
- PLAY AREA (811 S.F.)
- 5' x 8' PICNIC TABLE (typ.)
- 2' x 6' BENCH (typ.)
- 2' x 3 GRILL (typ.)



ARCHITECT:



4944 Windplay Drive, #116  
 El Dorado Hills, CA 95762  
 PH: 916-804-9300



LANDSCAPE ARCHITECT:



16046 Bear Court  
 Grass Valley, CA 95949  
 530.277.9733  
 bda@bisnettdesign.com

Landscape Architecture & Environmental Planning

JOB NAME:

**LINDA COMMONS**

1637 Hammonton Smartsville Road,  
 Marysville, CA 95901-6935

CONTRACTOR:



Dalshey Chatman  
 Project Coordinator

NEW FAZE DEVELOPMENT  
 1825 Del Paso Blvd, Sacramento, CA 95815  
 (916) 929-6402 #112, dalshey@newfaze.com

DRAWINGS PREPARED FOR:

**LINDA COMMONS**

**MIXED USE  
 DEVELOPMENT**

**MARYSVILLE, CA**

APN: 020-080-012-000

**REVISIONS**

NO.	DESCRIPTION	DATE
1	REV 1.0 : Re-submittal Proposal	3/22/2022
2	REV 2.0 :	4/06/2022
3	REV 3.0 :	5/22/2022

SHEET TITLE:

**PROPOSED  
 LANDSCAPE  
 PLAN**

DATE: 6/3/2022

SHEET NO.

PROJ#: 112-011

SCALE: 1" = 40'

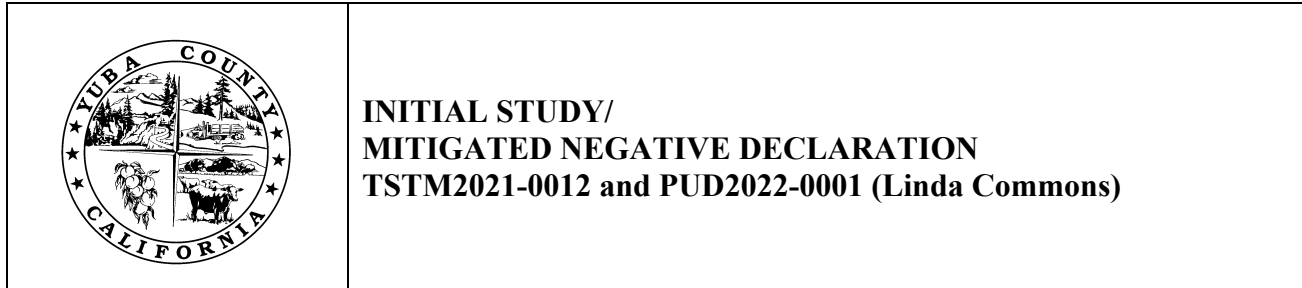
DRAWN BY: M.M.

CHECKED BY: B.B.





**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**



<b>Project Title:</b>	Tentative Subdivision Tract Map TSTM 2021-0012 and Planned Unit Development PUD2022-0001 (Linda Commons)
<b>Lead Agency Name and Address:</b>	County of Yuba Planning Department 915 8 <sup>th</sup> Street, Suite 123 Marysville, CA 95901
<b>Project Location:</b>	Assessor's Parcel Numbers : 019-260-058 & 089
<b>Applicant/Owner</b>	Linda Commons LLC Attn: Charlie Tiwana 1825 Del Paso Blvd., Sacramento, CA 95815
<b>General Plan Designation(s):</b>	Valley Neighborhood
<b>Zoning:</b>	"RM" Medium Density Residential
<b>Contact Person:</b>	Ciara Fisher, Planner III
<b>Phone Number:</b>	(530) 749-5470
<b>Date Prepared</b>	October 2022

**Project Description**

The project consists of a tentative subdivision tract map that would create 134 residential lots on 14 acres, a park on 1 acre, and an open space area on 2 acres, and roadway improvements on 3 acres for a total area of 20 acres. The project also includes a Planned Unit Development to deviate from the minimum front, side, and rear setbacks and the minimum parking requirements listed in Development Code Section 11.07.030 for Medium Density Residential "RM". Specifically, there will be 82 detached homes and 52 duet homes that will share a common wall. The project site is located at 1687 Hammonton Smartsville Road, approximately 0.16 miles north of the North Beale Road and Hammonton Smartsville intersection in the Linda Community (APN: 020-080-012). The 2030 General Plan designates the land use as Valley Neighborhood and the zoning is "RM" Medium Density Residential. The Linda Commons Subdivision proposes 134 residences on roughly 14-acres for a density of 9 dwelling units per acre. The "RM" zoning allows a density on the site of 6 to 17 units per care.

The property is currently undeveloped and vacant. Access is proposed on Hammonton Smartsville Road. There are three new internal streets proposed that will meet the 48 foot residential road width requirements. Access to the individual units will be from 20 foot wide

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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alleyways off the internal streets. There are 24 access alleyways proposed throughout the subdivision. All roads will be required to be built to County Urban Local Road standards as a Condition of Approval of the map.

All proposed parcels will be required to connect to Linda County Water District (LCWD) for water and sewer services. The property is not currently within the jurisdiction of LCWD and will therefore be required to be annexed into the LCWD prior to Final Map recordation. The Linda Fire Protection District will provide fire protection services.

**Environmental Setting**

The project area involves approximately 20 acres of land located immediately adjacent to the west side of Hammonton Smartville Road, and immediately north of Hammonton- Smartville Road, a short distance south of the Linda Levee, within the community of Linda, Yuba County, California. Lands affected are located within a portion of the New Helvetia Land Grant within Township 15 North, Range 4 East, as shown on the USGS Yuba City, California, 7.5' Series quadrangle.

The project area consists of northern Sacramento Valley lands located approximately 1.25- miles southeast of the Yuba River, within a basin that receives winter storm runoff from a significant watershed. The basin is formed in deep sediments of the Sacramento Valley, which in turn has been uplifted along its eastern margin where it interfaces with the lower foothills of the Sierra Nevada, and along its western margin where it interfaces with the Coast Range.

Topography within the project vicinity is flat with an elevation averaging approximately 69-feet above sea level. The region is characterized by a Mediterranean climate, with cool, rainy winters and hot, dry summers. The average annual temperature for the project area ranges from 51-75°F, with the hottest temperatures occurring in July, reaching on average a maximum of 94°F. The average yearly rainfall totals for the area are approximately 19.37 inches, with the maximum annual precipitation occurring in January. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

- Regional Water Quality Control Board (for grading over 1 acre in size)
- Yuba County Building Department (building, electrical and plumbing permits)
- Yuba County Public Works Department (roadways and other public improvements)
- Yuba County Environmental Health Department (well and septic improvements)
- Feather River Air Quality Management District (fugitive dust control plan)

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

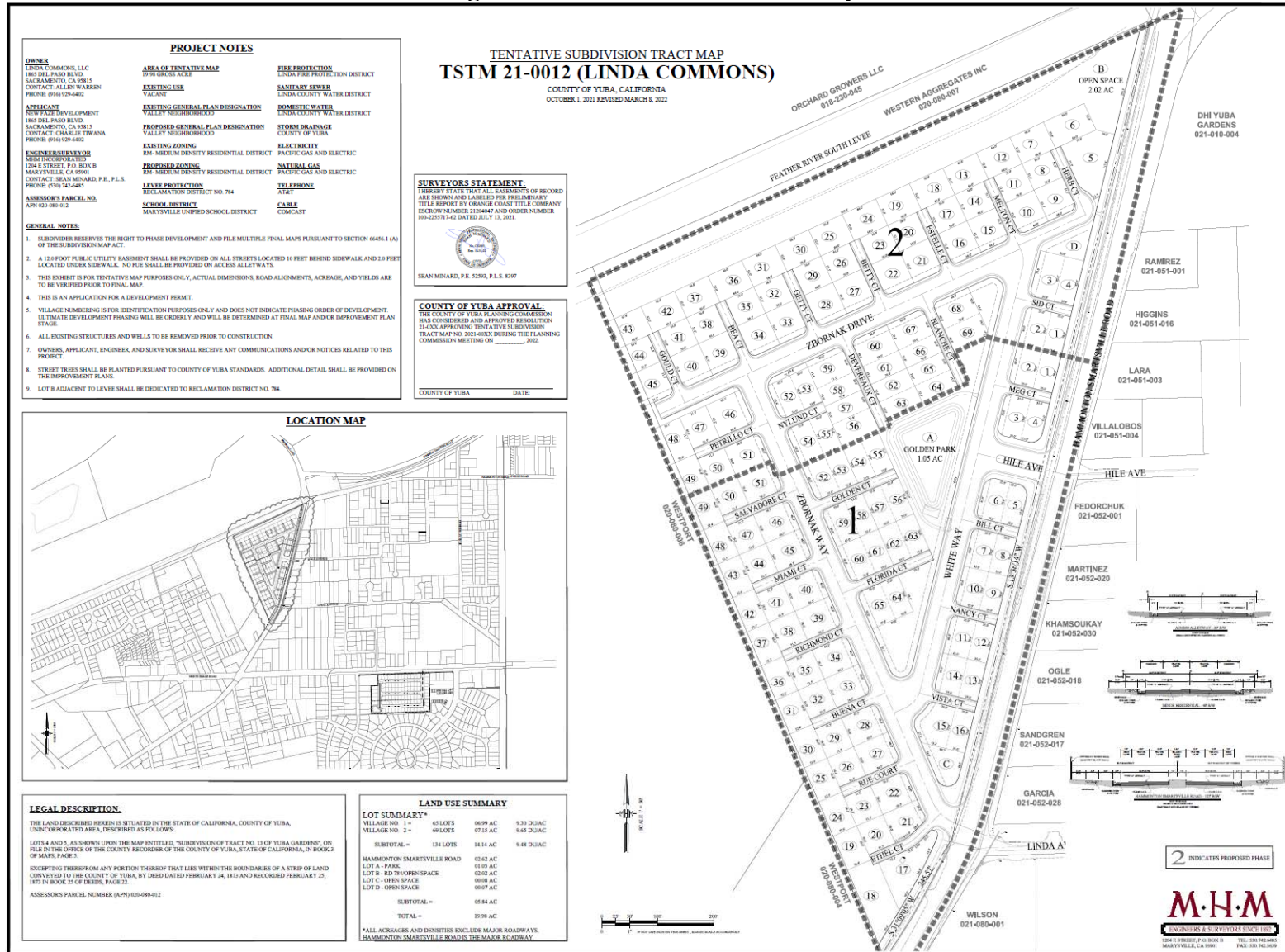
Figure 1: Project Aerial





INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Figure 2: Tentative Subdivision Map





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**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**


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**Environmental Factors Potentially Affected:**

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages:

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Aesthetics              | <input type="checkbox"/> Agriculture & Forestry Resources | <input checked="" type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources    | <input checked="" type="checkbox"/> Cultural Resources    | <input type="checkbox"/> Energy  |
| <input type="checkbox"/> Geology/Soils                      | <input type="checkbox"/> Greenhouse Gas Emissions         | <input type="checkbox"/> Hazards & Hazardous Materials                 |
| <input checked="" 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/Traffic           | <input checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Service Systems          | <input type="checkbox"/> Wildfire                         | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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



\_\_\_\_\_  
Planner's Signature  
Ciara Fisher, Planner III

10/7/2022

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Signature  
Charlie Tiwana

\_\_\_\_\_  
Date

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**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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**PURPOSE OF THIS INITIAL STUDY**

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the Tentative Subdivision Tract Map TSTM 2021-0012 and Planned Unit Development PUD2022-0001 (Linda Commons), as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of a Mitigated Negative Declaration.

**EVALUATION OF ENVIRONMENTAL IMPACTS**

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced.
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, development code). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

<b>I. AESTHETICS</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) There are no officially designated scenic vistas within or near the project site, so there is no impact on a scenic vista. Therefore, there will be ***no impact***.

b) The project area consists mainly of single family homes and apartments to the south. The project site is located on an old walnut orchard with no prominent views to or from adjacent residences, public roadways, or officially recognized scenic vistas. View sheds are primarily within the boundaries of the project; impacts to scenic resources and vistas would not be affected resulting in ***less than significant impact***.

c) It is acknowledged that aesthetic impacts are subjective and may be perceived differently by various affected individuals. Nonetheless, given the urbanized environment in which the project is proposed, it is concluded that the project would not substantially degrade the visual character or quality of the project site or vicinity. A ***less than significant impact*** will result.

d) Outdoor lighting is proposed in conjunction with the residential use. The General Plan directs new development to minimize light and glare through application of several measures, including careful siting of illumination on a parcel, screening or shielding of light at the source, use of vegetative screening, use of low intensity lighting, lighting controlled by timing devices or motion-activated lighting. To implement this policy, mitigation measure 1.1 is recommended for the project:

**Mitigation Measure 1.1 Exterior Lighting**

All exterior lighting shall be directed downwards and away from adjacent properties and rights of way. Lighting shall be shielded such that the element is not directly visible, and lighting shall not spill across property lines.

Implementation of the above mitigation measure would ensure that potential impacts from outdoor lighting would be reduced to a ***less than significant level with mitigation incorporated***.

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**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**


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**II. AGRICULTURE AND FORESTRY RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) The Yuba County Important Farmland Map from 2016, prepared by the Department of Conservation's Farmland Mapping and Monitoring Program, classifies the project site as "Grazing Land" which is defined as land on which the existing vegetation is suited to the grazing of livestock. Common examples include historically used graze land and low density rural developments, such as the proposed project. Moreover, there will be no conversion of any protected agricultural lands such a Prime Farmland or Statewide Importance. Therefore, ***no impact*** to agricultural lands is anticipated.

b) The property will be zoned Medium Density Residential "RM", which allows for a variety residential uses. In addition, there is no Williamson Act contract for the subject property. The project would result in ***no impact*** to Williamson Act contracts or existing agricultural uses.

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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c) & d) The project will not involve any changes to the existing environment which could result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use as the property is not zoned for agricultural or forest land. The project would result in ***no impact***.

e) The project will not involve any changes to the existing environment which could result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use as the property is not zoned for agricultural or forest land. The project would result in ***no impact***.

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**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**


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**III. AIR QUALITY**

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

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) In 2018, an update to the 2010 Air Quality Attainment Plan was prepared for the Northern Sacramento Valley Air Basin (NSVAB), which includes Yuba County. The plan proposes rules and regulations that would limit the amount of ozone emissions, in accordance with the 1994 State Implementation Plan (SIP) for ozone. The 2018 update summarizes the feasible control measure adoption status of each air district in the NSVAB, including the Feather River Air Quality Management District (FRAQMD). The 2018 update was adopted by the FRAQMD, and development proposed by the project would be required to comply with its provisions. The 2018 Plan is available here: <https://www.fraqmd.org/california-air-quality-plans>.

The Air Quality Attainment Plan also deals with emissions from mobile sources, primarily motor vehicles with internal combustion engines. Data in the Plan, which was incorporated in the SIP, are based on the most currently available growth and control data. The project would be consistent with this data. As is stated in the guidelines of FRAQMD, projects are considered to have a significant impact on air quality if they reach emission levels of at least 25 pounds per day of reactive organic gases (ROG), 25 pounds per day of nitrogen oxides (NOx), and/or 80 pounds per day for PM10. FRAQMD has established a significance threshold of 130 single-family homes, which is the number estimated to generate emissions of 25 pounds per day of ROG and 25 pounds per day of NOx. It is expected that motor vehicle traffic, the main source of ozone precursor emissions, generated by this 57 lot residential development would not substantially add to the ozone levels to the extent that attainment of the objectives of the Air Quality Attainment



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**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**


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Plan would not be achieved. Therefore, impacts to air quality plans would be *less than significant*.

b) The California Air Resources Board provides information on the attainment status of counties regarding ambient air quality standards for certain pollutants, as established by the federal and/or state government. As of 2019, Yuba County was re-designated as non-attainment-transitional status for state and national (one and eight hour) air quality standards for ozone, and state standards for particulate matter less than 10 microns in diameter (PM10). The County is in attainment or unclassified status for all other pollutants for which standards have been established.

Under the guidelines of FRAQMD, projects are considered to have a significant impact on air quality if they reach emission levels of at least 25 pounds per day of reactive organic gases (ROG), 25 pounds per day of nitrogen oxides (NOx), and/or 80 pounds per day for PM10. ROG and NOx are ingredients for ozone. Also, FRAQMD has established a significance threshold of 130 single-family homes and 160 apartment/low rise dwelling units, which is the number estimated to generate emissions of 25 pounds per day of ROG and 25 pounds per day of NOx. For PM10, it is estimated by FRAQMD that 4,000 homes must be built in order to reach the 80 pounds per day threshold. The proposed subdivision proposed 134 units of a combination of single family residences and duet homes (that will share a wall) and is, therefore, below the FRAQMD thresholds. Specifically, 82 detached homes and 52 duet homes. However, FRAQMD does recommend the following construction phase Standard Mitigation Measures for projects that do not exceed district operational standards:

**Mitigation Measure 3.1 FRAQMD**

1. Implement FRAQMD Fugitive Dust Plan
2. Shall adhere to District Rule 3.16, which states that the developer or contractor is required to control dust emissions from earth moving activities, handling, or storage activity from leaving the project site.
3. Implement FRAQMD standard construction phase mitigation measures.  
(<https://www.fraqmd.org/ceqa-planning>)

**Mitigation Measure 3.2 FRAQMD Best Available Mitigation Measures (BAMMs)**

1. All grading operations on a project should be suspended when winds exceed 20 miles per hour or when winds carry dust beyond the property line despite implementation of all feasible dust control measures.
2. Construction sites shall be watered as directed by the Department of Public Works (DPW) or FRAQMD and as necessary to prevent fugitive dust violations.
3. An operational water truck should be available at all times. Apply water to control dust as needed to prevent visible emissions violations and offsite dust impacts.
4. Onsite dirt piles or other stockpiled PM should be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce wind-blown dust emissions. Incorporate the use of approved non-toxic soil stabilizers according to manufacturer's specifications to all inactive construction areas.

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**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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5. All transfer processes involving a free fall of soil or other PM shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.
6. Apply approved chemical soil stabilizers according to the manufacturer's specifications, to all- inactive construction areas (previously graded areas that remain inactive for 96 hours) including unpaved roads and employee/equipment parking areas.
7. To prevent track-out, wheel washers should be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectible remove soil buildup on tires and tracks to prevent/diminish track-out.
8. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.
9. Provide temporary traffic control as needed during all phases of construction to improve traffic flow, as deemed appropriate by the DPW and/or Caltrans and to reduce vehicle dust emissions. An effective measure is to enforce vehicle traffic speeds at or below 15 miles per hour.
10. Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less and reduce unnecessary vehicle traffic by restricting access. Provide appropriate training, onsite enforcement, and signage.
11. Reestablish ground cover on the construction site as soon as possible and prior to final occupancy, through seeding and watering.
12. Disposal by Burning: Open burning is yet another source of fugitive gas and particulate emissions and shall be prohibited at the project site. No open burning or vegetation waste (natural plant growth wastes) or other legal or illegal burn materials (trash, demolition debris, et. al.) may be conducted at the project site. Vegetative wastes should be chipped or delivered to waste or energy facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials offsite for disposal by open burning.

These mitigation measures are to be incorporated as part of the project to reduce dust emissions associated with construction of the project and implementation of these mitigation measures would reduce project impacts on air quality standards would be *less than significant with mitigation*.

c) The proposed subdivision is located in an area of residential development with an allowable density of 6-17 dwelling unit per parcel. As mentioned previously, the addition of 134 single family residence is not expected to generate pollutant concentrations at a sufficient level to be noticed by any nearby rural residence nor affect any nearby schools. It is probable that any pollutants generated as a result of proposed future development would dissipate before it reached any sensitive receptors. Therefore, impacts to sensitive receptors would be *less than significant*.

d) Development proposed by the project is not expected to create objectionable odors. The project does not propose activities that generate odors, such as an industrial plant or an agricultural operation. Therefore, there would be *no impact* related to odors.

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**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**


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<b>IV. BIOLOGICAL RESOURCES</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) & b) Marcus H. Bole & Associates prepared a Biological Resource Assessment for the project and below are the results of the study.

During the time period June 3 to July 3, 2021, a CEQA & NEPA-level Biological Assessment and Wetland Determination was conducted on a ±20-acre property (Action Area) of agricultural land (remnant walnut orchard) located at 1687 Hammonton Smartsville Road, Community of Linda, Yuba County, California. The Action Area is defined as one Yuba County Assessor's Parcel Number: APN 020-080-012. The Action Area is located on the U.S. Geological survey (USGS) Yuba City 7.5-minute topographic quadrangle, Township 15 North, Range 4 East, New Helvetia Land Grant. The center of the Action Area is approximately

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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39.1327326N, -121.5537585W. The terrain elevation within the Action Area is uniformly level at 69 feet above mean sea level (msl). Currently the Action Area consists of remnant walnut trees, non-native grasslands and agricultural maintenance buildings. The site is bounded on the north and west by agricultural properties and to the east and south by residential properties.

**METHODOLOGY**

Field surveys of biological resources included a reconnaissance-level inventory of plants and wildlife observed in the Action Area, habitat assessments for special status species, and a determination of wetland habitats within the Action Area. Biological and botanical surveys were conducted based on the California Department of Fish and Wildlife's (CDFW) Natural Diversity Database (CNDDDB, March 2021), the United States Fish & Wildlife Service's (USFWS) IPaC Resource List, and the California Native Plant Society's (CNPS) list of rare and endangered plants. All species lists were derived from the United States Geological Survey (USGS) Yuba City 7.5 minute quadrangle, and Yuba County. Based on the results of the species lists, appropriate biological and botanical surveys were conducted. Species habitat surveys were conducted during March 2021, by Marcus H. Bole & Associates (MHBA) senior wildlife biologist Marcus H. Bole. The species habitat surveys were conducted by walking all areas of the Action Area (and surrounding 500 foot buffer) and evaluating potential habitat for special- status species based on vegetation composition and structure, presence of predatory species, microclimate and available resources (e.g. prey items, nesting burrows, etc.). A general botanical survey and habitat evaluation for rare plant botanical species was conducted during March, 2021 by MHBA's senior botanist Charlene J. Bole. The general botanical survey and habitat evaluation for rare plant botanical species was conducted by walking all areas of the Action Area while taking inventory of general botanical species and searching for special-status plant species and their habitats. A determination of Waters of the U.S. was also conducted on March 15, 2021 by Marcus H. Bole and was conducted under the guidelines of the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (2008).

**SETTING**

Regionally, the Action Area is located with the western portion of Yuba County, within the Community of Linda. The Action Area is located within the Sacramento Valley, the northern half of the Great Central Valley of California, within flat valley bottomland where elevation averages approximately 60 feet above sea level. Mean annual precipitation is approximately 12 to 35 inches. Mean annual temperature ranges from 40 to 98 degrees Fahrenheit. The vegetative community descriptions and nomenclature described in this section generally follow the classification of "agriculture land – orchard crops". The major hydrological feature near the Action Area is the Yuba River, approximately one and one-half miles to the north of the Action Area.

## RESULTS

### Description of the Existing Biological and Physical Conditions

The Action Area is located in the northern portion of the Community of Linda, Yuba County, California. The following describes the biological and physical conditions within the property and within the surrounding area.

#### Action Area

The Action Area is a 20-acre parcel of agricultural land currently in remnant (non-commercial) walnut trees. Immediately adjacent to the west and north are agricultural properties. Single and multi-family residential properties are located to the east and south of the Action Area. Commercial and light industrial properties are located approximately ½ mile to the south of the Action Area.

#### Physical & Biological Conditions

Vegetation within the Action Area consists of a mix of remnant walnut trees with non-native ruderal grasses and forbs.

#### Remnant Walnut Trees and Non-Native Ruderal Grasses and Forbs

The Action Area has been in agricultural production (orchards) for over eighty years. The area however, currently is remnant walnut trees no long in commercial production. As such, the area has reverted to supporting marginally productive walnut trees, and various ruderal non-native grasses and forbs. Ruderal grasses and forbs are generally found throughout the Action Area and are characteristic of former agricultural lands throughout the Yuba County area. Ruderal grasses and forbs typically occur on soils consisting of fine-textured loams or clays that are somewhat poorly drained. This vegetation type is dominated by grasses including wild oats (*Avena fatua*), yellow star-thistle (*Centaurea solstitialis*), and weedy annuals and perennial forbs, primarily of Mediterranean origin, that have replaced native grasses as a result of past agricultural practices. Within the Action Area a sparse weedy flora is present consisting of wild oats, yellow-star thistle, filaree (*Erodium cicutarium*), field bindweed (*Convolvulus arvensis*), fiddle dock (*Rumex pulcher*), medusahead (*Taeniatherum caput-medusae*), Mediterranean barley (*Hordeum marinum*), radish (*Raphanus sativus*), Italian ryegrass (*Lolium multiflorum*), and trefoil (*Lotus corniculatus*) among others.

Native and introduced wildlife species are tolerant of human activities in former agricultural habitats. Such areas provide marginal habitat for local wildlife species. Common birds such as the house finch (*Carpodacus mexicanus*), black phoebe (*Sayornis nigricans*), American robin (*Turdus migratorius*), and mourning dove (*Zenaida macroura*) were observed in the Action Area. Mammals such as raccoon (*Procyon lotor*), skunk (*Mephitis mephitis*), jackrabbit (*Lepus californicus*), and house mouse (*Mus musculus*) are common in ruderal grassland environments. Due to the fact that the remnant orchard trees are no long subject to harvest activities (tree

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shaking), they currently support several raptor nests (observed to be those of the red-tailed hawk [*Buteo jamaicensis*]).

### Regional Species and Habitats of Concern

The following table is a list of species that have the potential to occur within the Action Area and is composed of special-status species within the Yuba City 7.5 minute quadrangle, and Yuba County. Species lists reviewed, and which are incorporated in the following table, including the CDFW, USFWS, and CNDDDB species list for the Yuba County area. Species that have the potential to occur within the Action Area are based on an evaluation of suitable habitat to support these species, CNDDDB occurrences within a five mile radius of the Action Area and observations made during biological surveys. Not all species listed within the following table have the potential to occur within the Action Area based on unsuitable habitat and/or lack of recorded observations within a five mile radius of the Action Area.

**Table 1: Evaluation of Listed and Proposed Species Potentially Occurring or Known to Occur in the Cal Sierra Limited LP Project Action Area**

Common Name (Scientific Name)	Status Fed/State / CNPS	General Habitat Description	Habitat Present/ Habitat Absent	Rationale
<b>INVERTEBRATES</b>				
<b>Conservancy fairy shrimp</b> ( <i>Branchinecta conservatio</i> )	FE/_/_	Moderately turbid, deep, cool-water vernal pool.	A/HA	There are no vernal pools within the Action Area. <b>No Effect.</b>
<b>Valley elderberry longhorn beetle</b> ( <i>Desmocerus californicus dimorphus</i> )	FT/_/_	Blue elderberry shrubs usually associated with riparian areas.	A/HA	There are no elderberry shrubs within the Action Area, or within 1,000 feet of the Action Area. <b>No Effect.</b>
<b>Vernal pool fairy shrimp</b> ( <i>Branchinecta lynchi</i> )	FT/_/_	Moderately turbid, deep, cool-water vernal pool.	A/HA	There are no vernal pools within the Action Area. <b>No Effect.</b>
<b>Vernal pool tadpole shrimp</b> ( <i>Lepidurus packardi</i> )	FE/_/_	Vernal pools, swales, and ephemeral freshwater habitat.	A/HA	There are no vernal pools within the Action Area. <b>No Effect.</b>
<b>California linderiella</b> ( <i>Linderiella occidentalis</i> )	_/_/_	Seasonal pools in unplowed grasslands with old alluvial soils underlain by hardpan or in sandstone depressions.	A/HA	There are no seasonal pools within the Action Area. <b>No Effect.</b>

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Common Name (Scientific Name)	Status Fed/State / CNPS	General Habitat Description	Habitat Present/ Habitat Absent	Rationale
<b>FISH</b>				
<b>Central Valley spring-run Chinook salmon</b> ( <i>Oncorhynchus tshawytscha</i> )	FT/ST/_	Sacramento River and its tributaries.	A/HA	The Sacramento River is not part of this project. <b>No Effect.</b>
<b>Central Valley steelhead</b> ( <i>Oncorhynchus mykiss</i> )	FT/_/_	Sacramento and San Joaquin Rivers and their tributaries.	A/HA	The Sacramento River is not part of this project. <b>No Effect.</b>
<b>BIRDS</b>				
<b>Swainson's hawk</b> ( <i>Buteo swainsoni</i> )	_/ST/_	Open grasslands, meadows, or marshes for foraging, dense-topped trees for nesting and perching.	A/HP	Onsite remnant walnut trees support several raptor nests, observed to be those of the red-tailed hawk ( <i>Buteo jamaicensis</i> ). However, the nests could also support the Swainson's hawk. Preconstruction nesting raptors surveys will be required. <b>May Affect, Not Likely to Adversely Affect.</b>
<b>Tri-colored black bird</b> ( <i>Agelaius tricolor</i> )	_/ST/_	Marshes and swamps, agricultural irrigation ditches, blackberry brambles and grasslands	A/HA	There is no suitable habitat for this species in the Action Area. None were observed during the habitat survey. <b>No Effect.</b>
<b>Western yellow-billed cuckoo</b> ( <i>Coccyzus americanus occidentalis</i> )	FT/SE/_	Open woodlands, riparian areas, orchards and moist, overgrown thickets	A/HA	There is no suitable habitat for this species in the Action Area. None were observed during the habitat survey. <b>No Effect.</b>
<b>Bank swallow</b> ( <i>Riparia riparia</i> )	_/ST/_	Requires vertical banks/cliffs with fine textured/sandy soils near streams, rivers, lakes, ocean to dig nesting holes.	A/HA	There is no suitable habitat for this species in the Action Area. None were observed during the habitat survey. <b>No Effect.</b>
<b>PLANTS</b>				
<b>Ferris' milk-vetch</b> ( <i>Astragalus tener</i> var. <i>ferrisiae</i> )	_/_/1B.1	Meadows and seeps, valley and foothill grassland. Subalkaline flats, usually seen in dry, adobe soils.	A/HA	There is no suitable habitat for this species in the Action Area. None were observed during the habitat survey. <b>No Effect.</b>
<b>Veiny monardella</b> ( <i>Monardella venosa</i> )	_/_/1B.1	Valley and Foothill Grassland, Cismontane Woodland. In heavy clay soils; mostly with grassland associates.	A/HA	There is no suitable habitat for this species in the Action Area. None were observed during the habitat survey. <b>No Effect.</b>
<b>Recurved larkspur</b> ( <i>Delphinium recurvatum</i> )	_/_/1B.2	On alkaline soils; often in valley saltbush or valley chenopod scrub.	A/HA	There is no suitable habitat for this species in the Action Area. None were observed during the habitat survey. <b>No Effect.</b>



## INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

<b>Common Name</b> <i>(Scientific Name)</i>	<b>Status</b> Fed/State / CNPS	<b>General Habitat</b> <b>Description</b>	<b>Habitat</b> <b>Present/</b> <b>Habitat</b> <b>Absent</b>	<b>Rationale</b>
<b>Hartweg's golden sunburst</b> <i>(Pseudobahia bahifolia)</i>	T/T/1B.1	Valley and Foothill Grassland, Cismontane Woodland. Clay soils, often acidic. Predominately on northern slopes of knolls, but also along shady creeks or near vernal pools.	A/HA	There is no suitable habitat for this species in the Action Area. None were observed during the habitat survey. <b>No Effect.</b>

## CODE DESIGNATIONS

<b>FE</b> = Federally-listed Endangered	<b>A</b> = Species Absent
<b>FT</b> = Federally-listed Threatened	<b>P</b> = Species Present
<b>FC</b> = Federal Candidate Species	<b>HA</b> = Habitat Absent
<b>BCC</b> = Federal Bird of Conservation Concern	<b>HP</b> = Habitat Present
<b>MBTA</b> = Protected by the federal Migratory Bird Treaty Act	<b>CH</b> = Critical Habitat
<b>SE</b> = State-listed Endangered	<b>MH</b> = Marginal Habitat
<b>ST</b> = State-listed Threatened	<b>CNPS 1B</b> = Rare or Endangered in California or elsewhere
<b>SR</b> = State-listed Rare	<b>CNPS 2</b> = Rare or Endangered in California, more common elsewhere
<b>SSC</b> = State Species of Special Concern	<b>CNPS 3</b> = More information is needed
<b>S1</b> = State Critically Imperiled	<b>CNPS 4</b> = Plants with limited distribution
<b>S2</b> = State Imperiled	<b>0.1</b> = Seriously Threatened
<b>S3</b> = State Vulnerable	<b>0.2</b> = Fairly Threatened
<b>S4</b> = State Apparently Secure	<b>0.3</b> = Not very Threatened
<b>SSC</b> = CDFW Species of Special Concern	
<b>FP</b> = CDFW Fully Protected Species	



## **Listed and Migratory Birds**

Nesting birds are protected under the MBTA (16 USC 703) and the CFWC (3503). The MBTA (16 USC §703) prohibits the killing of migratory birds or the destruction of their occupied nests and eggs except in accordance with regulations prescribed by the USFWS. The bird species covered by the MBTA includes nearly all of those that breed in North America, excluding introduced (i.e. exotic) species (50 Code of Federal Regulations §10.13). Activities that involve the removal of vegetation including trees, shrubs, grasses, and forbs or ground disturbance has the potential to affect bird species protected by the MBTA. The CFWC (§3503.5) states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes (hawks, eagles, and falcons) or Strigiformes (all owls except barn owls) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto”. Take includes the disturbance of an active nest resulting in the abandonment or loss of young. The CFWC (§3503) also states that “it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto”.

## **Survey Results**

During the migratory bird and raptor survey conducted during June, there were several observed nests within the Action Area. None of the nests were active, several observed to be remnant or abandoned. No migratory avian species were observed within the project area.

## **Mitigation Measure 4.1 Raptor Survey**

Based on suitable nesting habitat elements and historical CNDDDB records within a ¼ mile radius of the project area there is potential nesting habitat for migratory birds and raptor species on and within 500 feet of the project area. Preconstruction nesting raptor surveys will be required. If the remnant walnut trees will be removed, trees with stick nests must be evaluated for the presence of nesting activities. If no nesting activity is observed by a qualified biologist, then the tree can be removed.

**Table 2: Impacts and Recommended Avoidance/Minimization Measures**

<b>Target Species/ Communities</b>	<b>Impacts</b>	<b>Avoidance/ Minimization Measures</b>
<b>Natural Communities</b>	<b>None</b>	<b>There are no natural communities within the Action Area. The entire Action Area consists of remnant walnut trees and disturbed ruderal grasses and forbs.</b>
<b>Special Status Plant Species</b>	<b>None</b>	<b>Plant surveys were conducted in during the normal spring blooming cycle for all special plants of concern. No special status plant species were observed within the Action Area.</b>
<b>Special Status Wildlife Species</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>If site preparation (or tree removal) occurs within the spring bird nesting season (March 15 - August 30), a preconstruction survey shall be conducted by a qualified professional within 15 days prior to construction (or tree removal). If active nests (with eggs or living young) are found within the Action Area, or within 1,320 feet of the Action Area, no activity shall be permitted that might disturb or remove the active nests until the young birds are able to leave the nest and forage on their own. Buffer zones shall be determined on a case by case basis in consultation with a CDFW approved biologist.</b>

## **RESULTS: PERMITS AND TECHNICAL STUDIES FOR SPECIAL LAWS OR CONDITIONS**

### **Federal Endangered Species Act Consultation Summary**

The USFWS was contacted during June 2021 for a list of endangered, threatened, sensitive and rare species, and their habitats within the Action Area. The list was derived from special-status species that occur or have the potential to occur within the USGS Yuba City 7.5" Quadrangle and Yuba County. The list was referenced to determine appropriate biological and botanical surveys and potential species occurrence within the Action Area.

### **Federal Fisheries and Essential Fish Habitat Consultation Summary**

Essential fish habitat (EFH) means those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity (*Magnuson-Stevens Fishery Conservation and Management Act (MSA) §3*). There is no habitat within the Action Area that provides "waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity," or special-status fish species managed under a fishery council (i.e. chinook and Coho). Therefore there is no EFH or the need for federal fisheries consultation.

### **California Endangered Species Act Consultation Summary**

The CDFW was consulted during June 2021 for a list of endangered, threatened, sensitive and rare species, and their habitats within the Action Area. The list was derived from special-status species that occur or have the potential to occur within the USGS Yuba City 7.5" Quadrangle and Yuba County. The list was referenced to determine appropriate biological and botanical surveys and potential species occurrence within the Action Area.

### **Wetlands and Others Water Coordination Summary**

MHBA conducted a determination of Waters of the U.S. within the Action Area. Surveys were conducted during June and July 2021 by MHBA's Marcus H. Bole. The surveys involved an examination of botanical resources, soils, hydrological features, and determination of wetland characteristics based on the *United States Army Corps of Engineers Wetlands Delineation Manual* (1987); *the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (2008); *the U.S. Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook* (2007); *the U.S. Army Corps of Engineers Ordinary High Flows and the Stage-Discharge Relationship in the Arid West Region* (2011); and *the U.S. Army Corps of Engineers Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (2008).

### **Determination of Waters of the United States**

The intent of this determination is to identify wetlands and "Other Waters of the United States" that are present within the Action Area that could fall under the regulatory jurisdiction of the U. S. Army Corps of Engineers (Corps) pursuant to Section 404 of the Clean Water Act. The *1987 Corps of Engineers Wetlands Delineation Manual* identifies several methodologies and combinations of methodologies that can be utilized in making jurisdictional determinations.

Marcus H. Bole & Associates has employed the Routine On-Site Determination methodology for this study (as supplemented by the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region*, dated September 2008). The Routine On-Site Determination method uses a three-parameter approach (vegetation, soils and hydrology) to identify and delineate the boundaries of jurisdictional wetlands. To be considered a wetland, all three positive wetland parameters must be present. These parameters include (1) a dominance of wetland vegetation, (2) a presence of hydric soils, and (3) hydrologic conditions that result in periods of inundation or saturation on the surface from flooding or ponding. Further description of these parameters is provided below:

- 1) **Vegetation.** Wetland vegetation includes those plants that possess physiological traits that allow them to grow and persist in soils subject to inundation and anaerobic soil conditions. Plant species are classified according to their probability of being associated with wetlands. Obligate (OBL) wetland plant species almost always occur in wetlands (more than 99 percent of the time), facultative wetland (FACW) plant species occur in wetlands most of the time (67 to 99 percent), and facultative (FAC) plant species have about an equal chance (33 to 66 percent) of occurring in wetlands as in uplands. For this study, vegetation was considered to meet the vegetation criteria if more than 50% of the vegetative cover was FAC or wetter. No wetland plant species were identified within the Action Area.
- 2) **Hydric Soils.** Hydric soils are saturated, flooded, or ponded in the upper stratum long enough during the growing season to develop anaerobic conditions and favor the growth of wetland plants. Hydric soils include gleyed soils (soils with gray colors), or usually display indicators such as low chroma values, redoximorphic features, iron, or manganese concretions, or a combination of these indicators. Low chroma values are generally defined as having a value of 2 or less using the Munsell Soil Notations (Munsell, 1994). For this study a soil was considered to meet the hydric soil criteria for color if it had a chroma value of one or a chroma of two with redoximorphic features, or if the soil exhibited iron or manganese concretions. Redoximorphic features (commonly referred to as mottles) are areas in the soils that have brighter (higher chroma) or grayer (lower chroma) colors than the soil matrix. Redoximorphic features are the result of the oxidation and reduction process that occurs under anaerobic conditions. Iron and manganese concretions form during the oxidation-reduction process, when iron and manganese in suspension are sometimes segregated as oxides into concretions or soft masses. These accumulations are usually black or dark brown. Concretions 2 mm in diameter occurring within 7.5 cm of the surface are evidence that the soil is saturated for long periods near the surface. Onsite soils were identified as San Joaquin loam, 0 to 1% slopes. These are not “hydric” soils and no indication of hydric soil conditions were observed within or near the Action Area.
- 3) **Hydrology.** Wetlands by definition are seasonally inundated or saturated at or near the surface. In order for an area to have wetland hydrology, it has to be inundated or saturated for 5% of the growing season (approximately 12 days) (USDA, 1967). Indicators include visual soil saturation, flooding, watermarks, drainage patterns, encrusted sediment and plant deposits, cryptogammic lichens, and algal mats. There are no natural hydrological features within or near the Action Area.

## CONCLUSIONS AND RECOMMENDATIONS

According to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) guidelines, a project is normally considered to have a significant impact on wildlife if it will interfere substantially with the movement of any resident or migratory fish or wildlife species; or substantially diminishes habitat quantity or quality for dependent wildlife and plant species. Impacts to special status species and their associated habitats are also considered significant if the impact would reduce or adversely modify a habitat of recognized value to a sensitive wildlife species or to an individual of such species. This guideline applies even to those species not formally listed as threatened, rare or endangered by the California Department of Fish & Wildlife and the United States Fish and Wildlife Service. The project will result in a **less than significant impact with mitigation incorporated** (preconstruction nesting raptor surveys), and will, therefore, not result in impacts to resident or migratory wildlife, special status plant or wildlife species, or any associated protected habitat.

### c) Wetland Determination Results

Using the methodologies described in the *1987 Wetland Delineation Manual*, Marcus H. Bole & Associates found no evidence of seasonal or perennial wetland habitats within the Action Area, therefore the impact is ***less than significant***.

a) Essential fish habitat (EFH) means those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity (Magnuson-Stevens Fishery Conservation and Management Act (MSA) §3). There is no habitat within the Project Area that provides "waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity," or special-status fish species managed under a fishery council (i.e chinook and coho). Therefore there is no EFH or the need for federal fisheries consultation and there is a ***less than significant impact***.

e) There would be no conflicts with General Plan policies regarding Mitigation of biological resources. The County has no ordinances explicitly protecting biological resources. Therefore, there is ***no impact***.

f) No habitat conservation plans or similar plans currently apply to the project site. Both Yuba and Sutter Counties recently ended participation in a joint Yuba-Sutter Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP). The project site was not located within the proposed boundaries of the former plan and no conservation strategies have been proposed to date which would be in conflict with the project. Therefore, there is ***no impact***.

V. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

a) – d) A Cultural Resource Study which included a pedestrian field survey was conducted for the project by Sean Michael Jensen, M.A. from Genesis Society in July, 2021. Here is a summary of the study and proposed mitigation measures:

### Project Background

This report details the results of a cultural resources inventory survey involving creation of a residential subdivision, involving approximately 20-acres of land located immediately adjacent to the west side of Hammonton Smartsville Road, and immediately north of Hammonton-Smartsville Road, a short distance south of the Linda Levee, within the community of Linda, Yuba County, California.

The proponent proposes to create a residential subdivision, which will include grading and land recontouring, as well as construction of new residential structures and buildings, construction of access roads, placement of buried utilities, and general landscaping.

Since the project will involve physical disturbance to ground surface and sub-surface components in conjunction with residential subdivision, it has the potential to impact cultural resources that may be located within the area of potential effects (APE). In this case, the APE would consist of the circa 17.9-acre land area within which the residential subdivision will be undertaken. Evaluation of the project's potential to impact cultural resources must be undertaken in conformity with Yuba County rules and regulations, and in compliance with requirements of the California Environmental Quality Act of 1970, Public Resources Code, Section 21000, et seq. (CEQA), and The California CEQA Environmental Quality Act Guidelines, California Administrative Code, Section 15000 et seq. (Guidelines as amended).

### Scope of Work

Compliance with CEQA (and County rules and regulations) requires completion of projects in conformity with the amended (October 1998) Guidelines, including in particular Section



15064.5. Based on these rules, regulations and Guidelines, the following specific tasks were considered an adequate and appropriate Scope of Work for the present archaeological survey:

- Conduct a records search at the North Central Information Center of the California Historical Resources Information System and consult with the Native American Heritage Commission. The goals of the records search and consultation are to determine (a) the extent and distribution of previous archaeological surveys, (b) the locations of known archaeological sites and any previously recorded archaeological districts, and (c) the relationships between known sites and environmental variables. This step is designed to ensure that, during subsequent field survey work, all significant/eligible cultural resources are discovered, correctly identified, fully documented, and properly interpreted.
- Conduct a pedestrian survey of the APE in order to record and evaluate any previously unidentified cultural resources. Based on map review, a complete coverage, intensive survey was considered appropriate, given the presence of moderate archaeological sensitivity within the property. The purpose of the pedestrian survey is to ensure that any previously identified sites are re-located and evaluated in relation to the present project/undertaking. For any previously undocumented sites discovered, the field survey would include formally recording these resources on State of California DPR-523 Forms.
- Upon completion of the records search and pedestrian survey, prepare a Final Report that identifies project effects and recommends appropriate mitigation measures for sites that might be affected by the undertaking and that are considered significant or potentially significant per CEQA, and/or eligible or potentially eligible for inclusion on the National Register of Historic Places.

The remainder of the present document constitutes the Final Report for this project, detailing the results of the records search, consultation and pedestrian survey and providing recommendations for treatment of significant/eligible archaeological and historic sites. All field survey work followed guidelines provided by the Office of Historic Preservation (Sacramento) and conforms to accepted professional standards.

## **Location**

The project area involves approximately 20-acres of land located immediately adjacent to the west side of Hammonton Smartsville Road, and immediately north of Hammonton- Smartsville Road, a short distance south of the Linda Levee, within the community of Linda, Yuba County, California. Lands affected are located within a portion of the New Helvetia Land Grant within Township 15 North, Range 4 East, as shown on the USGS Yuba City, California, 7.5' Series quadrangle.

## **Environment**

The project area consists of northern Sacramento Valley lands located approximately 1.25- miles southeast of the Yuba River, within a basin that receives winter storm runoff from a significant watershed. The basin is formed in deep sediments of the Sacramento Valley, which in turn has been uplifted along its eastern margin where it interfaces with the lower foothills of the Sierra Nevada, and along its western margin where it interfaces with the Coast Range.

Topography within the APE is flat with an elevation averaging approximately 69-feet above sea level. The region is characterized by a Mediterranean climate, with cool, rainy winters and hot, dry summers. The average annual temperature for the project area ranges from 51-75°F, with the hottest temperatures occurring in July, reaching on average a maximum of 94°F. The average yearly rainfall totals for the area are approximately 19.37 inches, with the maximum annual precipitation occurring in January.

The region once supported a variety of flora and fauna taxa which have been subsequently replaced with domesticated plants and a slimmer variety of animals, including marsh birds, ducks, geese, raptors, reptiles, amphibians and small mammals.

In view of the substantial surface water sources throughout this area, prehistoric use and occupation was generally intensive, but the population was not randomly distributed. Clearly, the most intensively occupied land areas were at elevated locations along the river systems and along the Valley/Foothill interface.

### **Prehistory**

The earliest residents in the Great Central Valley are represented by the Fluted Point and Western Pluvial Lakes Traditions, which date from about 11,500 to 7,500 years ago (Moratto 2004). Within portions of the Central Valley of California, fluted projectile points have been found at Tracy Lake (Heizer 1938) and around the margins of Buena Vista Lake in Kern County. Similar materials have been found to the north, at Samwel Cave near Shasta Lake and near McCloud and Big Springs in Siskiyou County. These early peoples are thought to have subsisted using a combination of generalized hunting and lacustrine exploitation (Moratto 2004).

These early cultural assemblages were followed by an increase in Native population density after about 7,500 years ago. One of the most securely dated of these assemblages in north-central California is from the Squaw Creek Site located north of Redding. Here, a charcoal-based C-14 date suggests extensive Native American presence around 6,500 years ago, or 4,500 B.C. Most of the artifactual material dating to this time period has counterparts further south, around Borax (Clear) Lake to the west, and the Farmington Area in a Valley setting east of Stockton. Important artifact types from this time period include large wide-stemmed projectile points and manos and metates.

In the Northern Sacramento Valley in the general vicinity of the project area, aboriginal populations continued to expand between 6,500 and 4,500 years ago. Early Penutian-speaking arrivals in this area may be represented by the archaeological complex known in the literature as the “Windmill” or “Early Horizon.” These sites date to about 4,000-5,000 years ago, with the connection to Penutian-speaking peoples suggested on the basis of extended burials, large leaf-shaped and stemmed projectile points similar to points of the Stemmed Point Tradition in the Plateau and portions of the Great Basin, large villages established along major waterways, and elaborate material culture with a wide range of ornamental and other non-utilitarian artifact types being present (Ragir 1972). The continuation of this pattern through the “Middle Horizon”, or from about 1,000 B.C. to A.D. 300, has also been documented at riverine sites within the Sacramento Valley, including several sites along the Feather River, within the general project vicinity.

Sometime around AD 200-300, the Valley may have experienced another wave of Penutian immigration. Arriving ultimately from southern Oregon and the Columbia and Modoc Plateau region and proceeding down the major drainage systems (including the Feather, Yuba and American Rivers and of course the Sacramento River), these Penutian-speaking arrivals may have displaced the earlier populations, including remnant Hokan-speaking peoples still resident within the Valley. Presumably introduced by these last Penutian-speaking peoples to arrive were more extensive use of bulbs and other plant foods, animal and fishing products more intensively processed with mortars and pestles, and perhaps the bow and arrow and associated small stemmed- and corner-notched projectile points.

### **Ethnography**

The project area is located within territory claimed by the Nisenan (Wilson and Towne 1978), and close to the Patwin (Johnson 1978), to the west, at the time of initial contact with European/American culture (circa AD 1850), and also close to the border shared with the Konkow to the north (Riddell 1978; Dixon 1905). The Nisenan were also referred to as Southern Maidu.

The Nisenan, Patwin and Konkow were Penutian speakers (Shipley 1978), for whom the basic social unit was the family, although the village may also have functioned as a social, political and economic unit. Villages were usually located near water sources, with major villages inhabited mainly in the winter as it was necessary to relocate into the hills and higher elevation zones to establish temporary camps during food gathering seasons (i.e., spring, summer and fall). Villages typically consisted of a scattering of bark houses, numbering from four or five to several dozen in larger villages, each house containing a single family of from three to seven people.

As with all northern California Indian groups, economic life for these Penutian-speaking groups revolved around hunting, fishing and the collecting of plant foods. Deer were an important meat source and were hunted by individuals by stalking or snaring, or by groups in community drives. Salmon runs, and other food resources available along the Feather and Yuba Rivers, also contributed significantly to local economies. While much of the fish protein was consumed immediately, a significant percentage, particularly during the fall salmon run, was prepared for storage and consumed during winter months (Broughton 1988). Acorns represented one of the most important vegetal foods and were particularly abundant within the Valley Oak Woodlands, which dominated lands located along the margins of the major rivers, including the Sacramento River, the Feather River, the Yuba River and the Bear River, all located within the general project vicinity.

Relations between Euro-Americans and Native Americans in the northern Sacramento Valley followed the course of interaction documented in most other parts of North America, but with particularly devastating consequences for the Sacramento Valley Indians. John Work's fur trapping expedition through the region in 1832-33 resulted in the introduction of several communicable diseases, the results of which were devastating to Native culture and society (Maloney 1945; Cook 1955, 1976).

## Historic Context

Recorded history in the project area begins with the attempts of Spanish colonists to explore parts of California beyond the coastal zone. Gabriel Moraga's expedition was undertaken in 1806, with additional incursions occurring through the late 1830's and 1840's, including John Work's fur trapping expedition through central California in 1832-33, one of the best documented of the early forays into the Great Central Valley. Work's expedition introduced several communicable diseases to the Native inhabitants that turned out to be devastating to Nisenan culture and society (Work 1945; Cook 1976).

Additional major incursion by European American populations followed John Sutter's petition for and award of the New Helvetia Land Grant colony in 1839, with the Grant defining much of present-day Sacramento. Operating initially from Sutter's Fort, the Swiss emigrant planted wheat and raised cattle and horses, and employed many local Nisenan people on his Hock Farm on the west side of the Feather River, approximately eight miles southwest of the present project area. The establishment of this farm set a precedent for farming in Yuba City and Sutter County.

Discovery of gold in 1848 at Coloma resulted in the influx of thousands of fortune seekers into California and the Sacramento area, ultimately destroying Sutter's hopes for a northern agrarian empire. The embarcadero became a trading center instead, with supplies from San Francisco sold to miners departing for the foothills east of Sacramento and elsewhere in the Sierra Nevada.

By 1849, Sutter's son had assumed title to New Helvetia, and began a systematic survey of the extensive land grant, resulting eventually in a network of straight 80-foot wide streets and 20-foot wide alleys within Sacramento. Proximity to the American and Sacramento Rivers prompted levee construction as early as 1850.

The city of Marysville lies at the confluence of the Yuba and Feather Rivers in Yuba County on a portion of John Sutter's 1841 land grant. Sutter leased part of his land to Theodor Cordua, who built a rancho on the north bank of the Yuba River. In 1848, Cordua sold a half interest in the land to a former employee of his, Charles Covillaud, and later sold his remaining interest to Michael Nye and William Foster. Covillaud's partners in the land grant soon changed so that by 1849 four men, Covillaud, Jose Manuel Ramirez, John Simpson, and Theodore Sicard had become Covillaud and Company. In 1850, town lots were mapped out, parcels sold, and the name of Marysville chosen for the new town in honor of Mary Murphy, the wife of Charles Covillaud and a survivor of the Donner Party. Marysville became the Yuba County seat in 1850, and was incorporated the following year.

The position of Marysville at the confluence of the Feather and Yuba Rivers, and its relative proximity to San Francisco, Sacramento, and the gold mines of the Sierras, made the location a hub in the newly burgeoning economy.

The population grew steadily, reaching around 4,000 by 1900. As the population grew during these last decades of the 19th century, so too did the demand for various commodities and services. Consequently, a diverse number of businesses sprang up throughout the City.

As elsewhere in California, many of the Valley communities were purposefully created and funded by the railroads, with one of the objectives being to provide necessary services for the

system itself (water, fuel), and another being to benefit from housing construction spurred by the extension of the railroad. Several towns both north and south of Marysville represent such communities whose early growth was directly related to the railroad and to the benefits to local agriculture and ranching (both sheep and cattle) which accompanied expansion of the market created by the extension of long-haul freight into the Valley. Both the Western Pacific and the Southern Pacific Railroad lines passed through the northern portion of the City in, enhancing commercial freight service in the region.

In addition to the availability of freight service, the Northern Electric Railroad provided passenger service across the Feather River. In 1909, the Northern Electric Railroad had constructed a steel truss bridge alongside a covered wagon bridge connecting Marysville and Yuba City. The construction of a passenger and railroad link between the Cities of Marysville and Yuba City was crucial to the overall growth and development of both cities.

As Marysville continued to grow into the 20th century, the city developed further northeast away from the confluence of the two rivers. The land area immediately surrounding the APE has been subjected to agricultural development throughout the 20th century, while greater residential and commercial development, first following the end of World War II, and more intensively into the 21st century is evident throughout the region.

Episodic flooding and limited navigation along the Feather River initially limited the magnitude of settlement in the area, and the mid-19th century decades witnessed multiple efforts to reduce the threat of flood within the river's floodplain. On May 31, 1861, the California State legislature passed AB54 which was intended to promote organization of "swampland districts" which would be instrumental in developing flood protection facilities. Structural and jurisdictional limitations resulted in piecemeal levees being erected, which resulted in the program's failure.

Five years later, in 1868, the Green Act was passed which further complicated the matter of flood protection as levees were constructed, not in accordance with the topographical and hydrological setting in mind, but rather based on board-elected districts which "acquired" swamplands for the purposes of reclamation, and ultimately conversion to private property.

After the devastating floods of the early 1860s, it soon became clear that a new levee system was needed to protect the city from flooding. A continuous levee around the city was constructed, but again the system could not withstand the flooding of the following winter. Construction and development of the levees continued throughout the 1860s and 1870s. The winter of 1874-1875 brought particularly heavy flooding to the city, and again the city strove to build a levee system that would protect it. A Board of Levee Commissioners was formed to oversee the levee system. A new levee was built around the city, which incorporated portions of the existing levee. The new levee was built with a wider crown and base and was increased in height. During the construction in 1875, a major source of the flooding was addressed. Winter flooding continued to plague the city in 1904, 1907, 1909, and 1937, with contemporary flooding destroying numerous buildings and businesses again in 1955, 1986 and 1997. These last two flood episodes resulted in direct damage to the 17th Street storm water pump discharge pipeline, and following each of these catastrophic floods, segments of the discharge pipe were replaced.

## RECORDS SEARCH and SOURCES CONSULTED

Several types of information were considered relevant to evaluating the types of archaeological sites and site distribution that might be encountered within the project area. The information evaluated prior to conducting the pedestrian survey includes data maintained by the North Central Information Center, and available published and unpublished documents relevant to regional prehistory, ethnography, and early historic developments.

### Records at North Central Information Center

The official Yuba County archaeological records were examined on June 30, 2021 (I.C. File # YUB-21-27. This search documented the following existing conditions for a 0.25-mile radius centered on the APE:

- According to the Information Center's records, one cultural resources have been documented within the APE. Four (4) cultural resources (P-58-1620, P-58-3056, P-58-3057, P-58-3058) have been documented within the 0.25-mile search radius, but outside of the present APE.
- According to the Information Center, none of the present APE have been subjected to previous archaeological investigation. Ten (10) investigations have been conducted within the 0.25-mile search radius. All ten (10) of these investigations are summarized as follows:

NCIC#	Date	Author(s)
002497	1976	Storm
006963	2006	Jensen
007922	1990	Bouey
009423	2008	Grant
010542	2010	HDR and DTA
012325	2015	Kaptain
012325A	2015	Nayyar
012325B	2015	Jordan and Smith
012325C	2015	Vallaire and Kaptain
012325D	2015	Kaptain

### Other Sources Consulted

In addition to examining the archaeological site and survey records of Yuba County maintained at the North Central Information Center, the following sources were also included in the search conducted at the Information Center, or were evaluated separately:

- The National Register of Historic Places (1986, Supplements).
- The California Register of Historical Resources.
- The California Inventory of Historic Resources (State of California 1976).

- The California Historical Landmarks (State of California 1996).
- The California Points of Historical Interest (May 1992 and updates).
- The Historic Property Data File (OHP 2012).
- 1860 GLO Plat, T15N, R4E.
- 1911 USGS Yuba City quadrangle (1:31,680 scale).
- 1952 USGS Yuba City 7.5' quadrangle.
- NETR topographic maps (1911, 1934, 1954, 1959, 1966, 1975, 1983, 2012, 2015, 2018).
- NETR Aerials (1947, 1998, 2005, 2009, 2010, 2012, 2014, 2016).
- Existing published and unpublished documents relevant to prehistory, ethnography, and early historic developments in the vicinity. These sources, reviewed below, provided a general environmental and cultural context by means of which to assess likely site types and distribution patterns for the project area.

## **CULTURAL RESOURCES SURVEY and CULTURAL INVENTORY**

### **Survey Strategy and Field Work**

All of the APE was subjected to intensive pedestrian survey by means of walking parallel transects spaced at 30-meter intervals.

In searching for cultural resources, the surveyor considered the results of background research and was alert for any unusual contours, soil changes, distinctive vegetation patterns, exotic materials, artifacts, feature or feature remnants and other possible markers of cultural sites.

Fieldwork was undertaken on July 10, 2021 by Principal Investigator, Sean Michael Jensen, M.A. Mr. Jensen is a professional archaeologist, historian and architectural historian, with 35 years of experience in archaeology, architectural history and history, who meets the professional requirements of the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (Federal Register, Vol. 48, No. 190), as demonstrated in his listing on the California Historical Resources Information System list of qualified archaeologists, architectural historians and historians. No special problems were encountered and all survey objectives were satisfactorily achieved.

### **General Field Observations**

Fieldwork identified the following general conditions within the project area. All of the present APE has been impacted directly by a series of intensive disturbances, including past episodic flooding and subsequent agricultural activities. The entire property was subjected to walnut orchard cultivation for nearly 70 years, having been abandoned to such use for approximately one decade.

Examination of the USGS quadrangles, NETR topographic maps and historic aerials, confirmed that a building once existed within the southeastern portion of the property. This building appears on the 1947 aerial, but does not appear on any other topographic or aerial images. No buildings appear on the 1966, or earlier, topographic maps. A building does appear within the southeastern portion of the property as "new" (purple coloration) on the 1975 topographic map. This latter building appears to represent either the standing shop buildings that are located within this portion of the property, or the residence that was totally consumed by fire during the spring of 2021.



All of these various activities have contributed to substantial disturbance of both the surface and subsurface soils within the APE, and consequently, reduce the probability of discovering intact subsurface cultural materials which may have once been present within the APE.

### **Prehistoric Resources**

No evidence of prehistoric activity or occupation was observed during the present pedestrian survey. The absence of such resources may be explained, at least in part, by the historic through contemporary disturbances to the entire APE. As previously noted, the entire APE has been subjected to intensive agricultural development (including deep ripping of soils to a depth in excess of 3-feet), and episodic flooding.

### **Historic Resources**

No historic-era sites were observed within the present APE. The absence of such resources is best explained by the degree of disturbance to which all of the APE has been subjected.

### **ELIGIBILITY RECOMMENDATIONS**

Sites identified within the project area were to be evaluated for significance in relation to CEQA significance criteria. Historical resources per CEQA are defined as buildings, sites, structures, objects, or districts, each of which may have historical, architectural, archaeological, cultural, or scientific significance. CEQA requires that, if a project results in an effect that may cause a substantial adverse change in the significance of a historical resource, alternative plans or mitigation measures must be considered; however, only significant historical resources need to be addressed. Therefore, before developing mitigation measures, the significance of cultural resources must be determined in relation to criteria presented in PRC 15064.5, which defines a historically significant resource (one eligible for listing in the California Register of Historical Resources, per PRC SS5024.1) as an archaeological site which possess one or more of the following attributes or qualities:

- 1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- 2) Is associated with the lives of persons important in our past.
- 3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- 4) Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, CEQA further distinguishes between archaeological sites that meet the definition of a significant historical resource as described above (for the purpose of determining effects), and "unique archaeological resources." An archaeological resource is considered "unique" (Section 21083.2(g)) when the resource not merely adds to the current body of knowledge, but when there is a high probability that the resource also:

- Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.

- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

## PROJECT EFFECTS

A project may have a significant impact or adverse effect on significant historical resources/unique archaeological resources if the project will or could result in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance or values of the historic resource would be materially impaired. Actions that would materially impair a cultural resource are actions that would alter or diminish those attributes of a site that qualify the site for inclusion in the California Register of Historical Resources.

Based on the specific findings detailed above under *Cultural Resources Survey and Cultural Inventory*, no significant historical resources/unique archaeological resources are present within the project area and no significant historical resources/unique archaeological resources will be affected by the undertaking, as presently proposed.

## NATIVE AMERICAN CONSULTATION

Consultation was undertaken with the Native American Heritage Commission (NAHC) re. sacred land listings for the property. An information request letter was delivered to the NAHC on June 28, 2021. The NAHC response is pending.

## PROJECT SUMMARY

This report details the results of a cultural resources inventory survey involving creation of a residential subdivision, involving approximately 17.9-acres of land located immediately adjacent to the west side of Hammonton Smartsville Road, and immediately north of Hammonton-Smartsville Road, a short distance south of the Linda Levee, within the community of Linda, Yuba County, California.

The proponent proposes to create a residential subdivision, which will include grading and land recontouring, as well as construction of new residential structures and buildings, construction of access roads, placement of buried utilities, and general landscaping.

Existing records at the North Central Information Center document that none of the present APE had been subjected to previous archaeological investigation, and that no historic properties have been documented within the APE. As well, the present effort included an intensive-level pedestrian survey. No prehistoric or historic-era cultural resources were identified during the pedestrian survey.

Consultation was undertaken with the Native American Heritage Commission (NAHC) re. sacred land listings for the property. An information request letter was delivered to the NAHC on June 28, 2021. The NAHC response is pending.

The probability of encountering buried archaeological sites within the APE is low. This conclusion is derived in part from the observed soil matrices which have been subjected to a high degree of disturbance associated with past agricultural cultivation activities. Evidence of ground disturbance assisted in determining whether or not subsurface resources were present within the APE. Overall, the soil types present and contemporary disturbance would warrant a finding of low probability for encountering buried archaeological sites.

Based on the absence of significant historical resources/unique archaeological resources within the APE, archaeological clearance is recommended for the project/undertaking as presently proposed. For these reasons, cultural resources in the project area are *less than significant with the following mitigation measures:*

#### **Mitigation Measure 5.1 Inadvertent Discovery Of Human Remains**

Consultation in the event of inadvertent discovery of human remains: In the event that human remains are inadvertently encountered during trenching or other ground-disturbing activity or at any time subsequently, State law shall be followed, which includes but is not limited to immediately contacting the County Coroner's office upon any discovery of human remains.

#### **Mitigation Measure 5.2 Inadvertent Discovery Of Cultural Material**

Consultation in the event of inadvertent discovery of cultural material: The present evaluation and recommendations are based on the findings of an inventory-level surface survey only. There is always the possibility that important unidentified cultural materials could be encountered on or below the surface during the course of future development activities. This possibility is particularly relevant considering the constraints generally to archaeological field survey, and particularly where past ground disturbance activities (e.g., road grading, livestock grazing, etc.) have partially obscured historic ground surface visibility, as in the present case. In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately.

VI. ENERGY	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION/CONCLUSION/MITIGATION:**

a) The proposed project would consist of the development of 134 new residential lots. Project related construction would comply with all local, state and federal requirements for control of air pollutant emissions and reduction of greenhouse gas emissions. The proposed households would not result in a significant environmental impact due to compliance with Title 24 that will reduce wasteful, inefficient or unnecessary consumption of energy resources. Therefore, the project creates a *less than significant impact*.

b) While the project will introduce 134 new homes and increase energy consumption, compliance with Title 24, Green Building Code, will ensure that all project energy efficiency requirements are net resulting in *less than significant impacts*.

VII. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Expose people or structures to 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? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Section 1803.5.3 to 1808.6 of the 2010 California Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

a) (i-iii) According to the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist, Division of Mines and Geology Special Publication 42, Yuba County is not one of the cities or counties affected by Earthquake Fault Zones, as of August 16, 2007. Therefore, strong seismic ground shaking and seismic-related ground failure, including liquefaction is not an anticipated side effect of development in the area. A ***less than significant impact*** from earthquakes is anticipated.

(iv) The Yuba County General Plan identifies the area as one that has a low risk for landslides, and states that grading ordinances, adopted by Yuba County and based on Appendix J of the 2013 California Building Code, serve as effective measures for dealing with landslide exposure. Hazards associated with potential seismic and landslide result in a ***less than significant impact***.

b) c) and d) According to Exhibit 4.6-4 Soil Erosion Hazard, of the 2030 General Plan EIR, the project site has a slight potential for soil erosion hazards. Exhibit 4.6-5 Shrink/Swell Potential indicates that the project site also contains expansive soils with a low shrink/swell potential. Should application be made for a building permit, Yuba County Building Department staff will determine appropriate building foundation systems for all proposed structures, in accordance with the requirements of the Uniform Building Code. The Building Official may require additional soils testing, if necessary; and will result in a ***less than significant impact***.

e) The project site is surrounded by residential properties and will be used for residential purposes. The project is near the Linda County Water District (LCWD) and is required to be annexed into their district to connect the property to public water and sewer prior to Final Map recordation. Through implementation of the County Environmental Health Department conditions of approval and connections to LCWD, the project would result in a ***less than significant impact*** to wastewater.

<b>VIII. GREENHOUSE GAS EMISSIONS</b>	Potentially Significant Impact	Less Significant Than With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) Global Warming is a public health and environmental concern around the world. As global concentrations of atmospheric greenhouse gases increase, global temperatures increase, weather extremes increase, and air pollution concentrations increase. The predominant opinion within the scientific community is that global warming is currently occurring, and that it is being caused and/or accelerated by human activities, primarily the generation of “greenhouse gases” (GHG).

In 2006, the California State Legislature adopted AB32, the California Global Warming Solutions Act of 2006, which aims to reduce greenhouse gas emissions in California. Greenhouse gases, as defined under AB 32, include carbon dioxide, methane, nitrous oxide, hydro fluorocarbons, per fluorocarbons, and sulfur hexafluoride. AB 32 requires the California Air Resources Board (ARB), the State agency charged with regulating statewide air quality, to adopt rules and regulations that would achieve greenhouse gas emissions equivalent to statewide levels in 1990 by 2020.

In 2008, the California Air Resources Board (CARB) adopted the Scoping Plan for AB32. The Scoping Plan identifies specific measures to reduce GHG emissions to 1990 levels by 2020, and requires ARB and other state agencies to develop and enforce regulations and other initiatives for reducing GHGs. The Scoping Plan also recommends, but does not require, an emissions reduction goal for local governments of 15% below “current” emissions to be achieved by 2020 (per Scoping Plan current is a point in time between 2005 and 2008). The Scoping Plan also recognized that Senate Bill 375 Sustainable Communities and Climate Protection Act of 2008 (SB 375) is the main action required to obtain the necessary reductions from the land use and transportation sectors in order to achieve the 2020 emissions reduction goals of AB 32.

SB 375 complements AB 32 by reducing GHG emission reductions from the State’s transportation sector through land use planning strategies with the goal of more economic and environmentally sustainable (i.e., fewer vehicle miles travelled) communities. SB 375 requires that the ARB establish GHG emission reduction targets for 2020 and 2035 for each of the state’s 18 metropolitan planning organizations (MPO). Each MPO must then prepare a plan called a Sustainable Communities Strategy (SCS) that demonstrates how the region will meet its SB 375 GHG reduction target through integrated land use, housing, and transportation planning.



The Sacramento Area Council of Governments (SACOG), the MPO for Yuba County, adopted an SCS for the entire SACOG region as part of the 2035 Metropolitan Transportation Plan (MTP) on April 19, 2012. The GHG reduction target for the SACOG area is 7 percent per capita by 2020 and 16 percent per capita by 2035 using 2055 levels as the baseline. Further information regarding SACOG's MTP/SCS and climate change can be found at <http://www.sacog.org/2035/>.

While AB32 and SB375 target specific types of emissions from specific sectors, and ARBs Scoping Plan outlines a set of actions designed to reduce overall GHG emissions it does not provide a GHG significance threshold for individual projects. Air districts around the state have begun articulating region-specific emissions reduction targets to identify the level at which a project may have the potential to conflict with statewide efforts to reduce GHG emissions (establish thresholds). To date, the Feather River Air Quality Management District (FRAQMD) has not adopted a significance threshold for analyzing project generated emissions from plans or development projects or a methodology for analyzing impacts. Rather FRAQMD recommends that local agencies utilize information from the California Air Pollution Control Officers Association (CAPCOA), Attorney General's Office, Cool California, or the California Natural Resource Agency websites when developing GHG evaluations through CEQA.

GHGs are emitted as a result of activities in residential buildings when electricity and natural gas are used as energy sources. New California buildings must be designed to meet the building energy efficiency standards of Title 24, also known as the California Building Standards Code. Title 24 Part 6 regulates energy uses including space heating and cooling, hot water heating, ventilation, and hard-wired lighting that are intended to help reduce energy consumption and therefore GHG emissions.

Based on the project description, the project would generate additional vehicle trips in conjunction with 134 additional single family residences. Although the project will have an impact on greenhouse gas emissions, the impact would be negligible. The impact related to greenhouse gas emissions would result in *less than significant*.

b) The project is consistent with the Air Quality & Climate Change policies within the Public Health & Safety Section of the 2030 General Plan therefore, the project has *no impact* with any applicable plan, policy or regulation.

IX. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

a), b) and c) There would be no routine transport, use, or disposal of hazardous materials or the release of hazardous materials into the environment related to this residential project. The closest school site is Linda Elementary School, which is approximately 0.4 miles east from the project site – therefore, more than a ¼ miles away. This project would not produce or create significant hazardous material, therefore, *impacts would be less than significant*. Moreover, the project site

is currently zoned residential uses that would not introduce a new hazardous use that has not already been evaluated in the 2030 Yuba County General Plan.

d) The project site is not located on a site included on a list of hazardous materials sites compiled pursuant to [Government Code Section 65962.5](#). The site has historically been used for agricultural/ranching activities and is currently vacant. Therefore, the project would not create a significant hazard to the public or the environment and there would be *no impact* to the environment from hazardous materials.

e) and f) The project site is not located within the scope of an airport land use plan, within two miles of a public airport or public use airport, or within the vicinity of a private airstrip. The project would have *no impact* on public or private airstrips.

g) There are three new roads within the proposed subdivision: Zbornak Drive, Zbornak Way, and White Way and 24 access alleyways. These new roads and associated road improvements would not interfere with the existing road system. Since there would be no major physical interference to the existing road system, there would be *a less than significant impact* with an emergency response or evacuation plan.

h) The project is not located in a high wildlife fire hazard severity zone as reported by the Cal Fire 2008 Fire Hazard Severity Zones map. The property is within the jurisdiction of the Linda Fire Department, who will respond to fire emergencies within the project site. For this reason, the impact would be *less than significant*.

X. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) The project would not require the use of septic tanks, as it would require any new residences built by the project to connect to public sanitary sewer services. As a result, the project would not violate water quality standards or waste discharge requirements with regards to sewage disposal. There would be a *less than significant impact*.

b) The Linda County Water District (LCWD) would provide water to all 134 homes. The applicant would be required to annex into LCWD with LAFCO and submit "Will Serve" letters to the Public Works Department prior to recordation of the final map. The impact would be *less than significant*.

c) i) The project will result in the disturbance of approximately 19.98 acres of vacant land. The project will result in a total of 134 single-family residences and a park along with accompanying streets, driveways, and open space. The project will involve the grading of the entire site.

The project site is within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB), which develops and enforces water quality objectives and implementation plans that safeguard the quality of water resources in its region. Prior to construction of a project greater than one acre, the RWQCB requires a project applicant to file for a National Pollution Discharge Elimination System (NPDES) General Permit. The General Permit process requires the project applicant to 1) notify the State, 2) prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), and 3) to monitor the effectiveness of the plan. Mitigation Measure 10.1 shall be incorporated to reduce any substantial siltation or erosion.

### **Mitigation Measure 10.1 National Pollution Discharge Elimination (NPDES) Permit**

Prior to the County's approval of a grading plan or site improvement plans, the project applicant shall obtain from the Central Valley Regional Water Quality Control Board a National Pollution Discharge Elimination (NPDES) Permit for the disturbance of over one acre. Further, approval of a General Construction Storm Water Permit (Order No. 99-08-DWQ) is required along with a Small Construction Storm Water Permit. The permitting process also requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared prior to construction activities. The SWPPP is used to identify potential construction pollutants that may be generated at the site including sediment, earthen material, chemicals, and building materials. The SWPPP also describes best management practices that will be employed to eliminate or reduce such pollutants from entering surface waters.

There would be a *less than significant impact with mitigation incorporated*.

ii-iv) The project would introduce impervious surfaces through the addition of 134 single-family residences and a park, and accompanying roads and driveways. This has the potential to generate higher run-off rates that could potentially cause flood either on or off site. For this reason, the applicants are proposing to dedicate 2 acres to RD-784 to accommodate the potential of any additional runoff from the project. Moreover, Mitigation Measure 10.2 is recommended to reduce any potential flooding on or off site to a less than significant level.

### **Mitigation Measure 10.2 Drainage Plan**

Prior to recordation of a Final Map, a plan for a permanent solution for drainage shall be submitted to and approved by Yuba County and the Public Works Division. The drainage and improvement plans shall provide details relative to drainage, piping, and swales. Further, the Drainage Plan shall specify how drainage waters shall be detained onsite and/or conveyed to the nearest natural or publicly maintained drainage channel or facility and shall provide that there shall be no increase in the peak flow runoff above existing conditions.

There would be a *less than significant impact with mitigation incorporated*.

- d) The project is not located within a 100-year flood plain, it is located within a 500-year flood plain. Yuba County is an inland area not subject to seiche or tsunami. Mudflow is not an identified issue at this location; therefore, there would result in a *less than significant impact* from flooding, mudflow, seiche, or tsunami.
- e) The project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan because Yuba County has not adopted a water quality control plan or sustainable groundwater management plan. There would be a *less than significant impact*.

XI. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation**

a) The project site is within an area of urban development within the Linda Community of unincorporated Yuba County. The proposed land division is not anticipated to create any physical division of an established community. Therefore, the development would result in **no impact** or division of an established community.

b) The project is currently zoned Medium Density Residential “RM”. The “RM” zone allows a density of 6-17 units per acre – the applicants are proposing approximately 9 units per acre (134 units/14.14 acres = 9.48 units per acre). Moreover, there is no habitat conservation plan or natural community conservation plan exists for or near the project site. Land use impacts are anticipated to have **no impact** on habitat or conservation plans.



<b>XII. MINERAL RESOURCES</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) and b) The project site is not known to contain any mineral resources that would be of value to the region or residents. Additionally, according to the Yuba County 2030 General Plan EIR, the project site is not delineated in an area identified to have surface mining activities or contain mineral resources. The project is expected to have *no impact* on mineral resources.

XIII. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) The creation of 134 single family residential lots would create a permanent increase in ambient noise levels in the project vicinity above currently existing levels. However, these permanent noise levels would be residential in nature and similar to those noises created from other surrounding residential uses.

The project would create temporary or periodic increases in ambient noise levels in the vicinity during construction. However, Article 3 of Chapter 8.20 of the Yuba County Ordinance Code governs construction related noise. It states, "It shall be unlawful for any person within a residential zone, or within the radius of 500 feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures or projects or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance unless a permit has been duly obtained beforehand from the Director of the Community Development Department as set forth in Section 8.20.710 of this chapter. No permit shall be required to perform emergency work as defined in article 1 of this chapter." With the incorporated standard requirements impacts related to construction noise shall be *less than significant*.

b) The creation of 134 single family residential lots and their continued operation as single family homes would not expose persons to excessive noise levels or excessive groundborne vibration or groundborne noise levels in excess of standards established in the local general plan or noise ordinance. There would be *no impact*.

c) As mentioned previously, the project site is not 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. Therefore would be ***no impact***.

XIV. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) The project will result in an increase in population in the immediate area as the project proposes the construction of 134 single-family residences where none currently exist. Based on 2.9 people per dwelling unit, this will result in a population increase of roughly 389 people within the project area. As discussed in Land Use and Planning Section, the property is zoned Medium Density Residential “RM”, which allows a density of 6-17 units per acre – the applicants are proposing approximately 9 units per acre (134 units/14.14 acres = 9.48 units per acre). Therefore, this project will result in a density that is planned for this property and the *impact would be less than significant*.

b) The project does not involve the removal of housing or the relocation of people who currently utilize the site and would cause *no impact* to individuals

XV. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>				
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:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) The project is located within the Linda Fire Department and new development is required to install fire hydrants and water main extensions, paid for by the individual developer. At the time building permits are issued, fire fees are paid on a per square footage basis. The fees are established by the District to offset the cost of providing additional fire suppression. The project will be conditioned to comply with all requirement of the Linda Fire Department. Based on the collection of fees, any impacts the project may have on Fire protection are expected to be less than significant. The increased fire protection capability of the Linda Fire Department will not cause significant environmental impacts. With the payment of fire fees and adherence to the requirements from the Yuba County Development Code and Fire Codes, impacts to fire protection would be *less than significant*.

b) The project area is located within unincorporated Yuba County and would be served by the Yuba County Sheriff’s Department. Increased property tax revenue and annual police protections assessment Countywide would support additional civic services including law enforcement. Impacts related to police protection would be *less than significant*.

c) Marysville Joint Unified School District (MJUSD) was consulted during early consultation of this project. MJUSD has not provided a comment letter, however prior correspondence received on similar projects has stated their facilities do not have the capacity to absorb the new students from the project and that new development proposals must mitigate the impacts proportional to the intensity of the development. In response, the Board adopted Resolution No. 2019-20/31, authorizing the County to levy a fee, charge, dedication, or other form of requirement against residential development projects for the purpose of funding the construction or reconstruction of school facilities. Specifically, the purpose of the fees is to finance the construction and reconstruction of school facilities in order to provide adequate school facilities for the students of the District. The resolution states that the maximum fee is \$4.08 per square feet for residential development.

For this reason, the proposed development will be paying its fair share of school fees to pay for the construction of new school facilities. With the incorporated standard requirement for school fees, impacts related to schools would be *less than significant*.

d) The project involves the construction of 134 single-family residences. Thus, it would generate an additional demand for parks and recreational facilities. The project will address the impacts from the increased usage through by constructing a 1.05 acre parkland and the payment of in-lieu fees. The dedication of parkland and/or the payment of in-lieu fees will ensure that parkland dedication for the proposed project is in compliance with the Yuba County standard of 5 acres per 1,000 population ( $0.005 \times 389 \text{ people} = 1.945 \text{ acres}$ ). Compliance with Yuba County parkland dedication requirement will ensure that substantial deterioration of recreational facilities would not occur. Because the payment of this fee would offset impacts to parks and recreational facilities, impacts would be *less than significant*.

e) In addition to the fees collected above for various services, the per-unit capital facility fees, collected at the time of the building permit issuance, would go toward the costs associated with general government, social services, library, and traffic. With the incorporated Development Code requirements, impacts on public facilities would be *less than significant*.

XV. RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) and b) The project would result in a small increase in the use of neighborhood and regional parks, and would create the need for additional recreational facilities. There is a 1.05 acre park proposed with this project. Yuba County Development Code Chapter 11.45.060 requires parkland dedication at a ratio of 5 acres per 1000 new residents (assuming 2.9 persons per household for single-family lots). Based on these calculations and the population count of 389, the total parkland dedication is 1.945 acres. The remaining parkland required for the project would be satisfied with in-lieu fees. This condition of project approval for this land division would ensure that in-lieu fees get paid to offset park needs. This requirement would ensure adequate neighborhood parks and funding for regional improvements are in place prior to parcel map recordation. With the incorporated standard requirements, impacts related to increases in park usage would result in a *less than significant impact*.

<b>XVII. TRANSPORTATION/TRAFFIC</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) The project is not located in an area where a plan, ordinance or policy measures the effectiveness for the performance of a circulation system. This includes evaluating all modes of transportation including mass transit and non-motorized travel. Therefore, the project will have ***no impact***.

b) A Vehicle Miles Traveled (VMT) Impact Analysis was conducted for the project by Kenneth Anderson from KD Anderson & Associates, Inc. in August, 2021. Here is a summary of the study:

**Level of Service and Vehicle Miles Traveled (VMT)**

Level of Service (LOS) has been used in the past in California Environmental Quality Act (CEQA) documents to identify the significance of a project's impact on traffic operating conditions. As noted in the California Governor's Office of Planning and Research (OPR) document *Technical Advisory on Evaluating Transportation Impacts in CEQA* (California Governor's Office of Planning and Research 2018),

“Senate Bill 743 (Steinberg, 2013), which was codified in Public Resources Code section 21099, required changes to the guidelines implementing CEQA (CEQA Guidelines) (Cal. Code Regs., Title 14, Div. 6, Ch. 3, § 15000 et seq.) regarding the analysis of transportation impacts. OPR has proposed, and the California Natural Resources Agency (Agency) has certified and adopted, changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. With the California Natural Resources Agency's certification and adoption of the changes to the CEQA Guidelines, automobile delay, as measured by “level of service” and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA. (Pub. Resources Code, § 21099, subd. (b)(3).)”



## **VMT Methods and Significance Criteria**

The OPR Technical Advisory provides general direction regarding the methods to be employed and significance criteria to evaluate VMT impacts, absent policies adopted by local agencies. The directive addresses several aspects of VMT impact analysis, and is organized as follows:

- **Screening Criteria:** Screening criteria are intended to quickly identify when a project should be expected to cause a less-than-significant VMT impact without conducting a detailed study.
- **Significance Thresholds:** Significance thresholds define what constitutes an acceptable level of VMT and what could be considered a significant level of VMT requiring mitigation.
- **Analysis Methodology:** These are the potential procedures and tools for producing VMT forecasts to use in the VMT impact assessment.
- **Mitigation:** Projects that are found to have a significant VMT impact based on the adopted significance thresholds are required to implement mitigation measures to reduce impacts to a less than significant level (or to the extent feasible).

**Screening Criteria.** Screening criteria can be used to quickly identify whether sufficient evidence exists to presume a project will have a less than significant VMT impact without conducting a detailed study. However, each project should be evaluated against the evidence supporting that screening criteria to determine if it applies. Projects meeting at least one of the criteria below can be presumed to have a less than significant VMT impact, absent substantial evidence that the project will lead to a significant impact.

- **Small Projects:** Defined as a project that generates 110 or fewer average daily vehicle trips.
- **Affordable Housing:** Defined as a project consisting of deed-restricted affordable housing.
- **Local Serving Retail:** Defined as retail uses of 50,000 square feet or less can be presumed to have a less than significant impact.
- **Projects in Low VMT-Generating Area:** Defined as a residential or office project that is in a VMT efficient area based on an available VMT Estimation Tool. The project must be consistent in size and land use type (i.e., density, mix of uses, transit accessibility, etc.) as the surrounding built environment.
- **Proximity to High Quality Transit.** The directive notes that employment and residential development located within ½ mile of a high-quality transit corridor offering 15 minute headways can be presumed to have a less than significant impact.

**Screenline Evaluation.** The extent to which the proposed project's VMT impacts can be presumed to be less than significant has been determined based on review of the OPR directive's screening criteria and general guidance.

The OPR *Small Project* criteria is not applicable to this project. Table 3 notes the Linda Commons project trip generation estimate.

<b>Land Use</b>	<b>Unit</b>	<b>Daily Trip Per Unit</b>	<b>Quantity</b>	<b>Daily Trips</b>
Single-family Residence	Dwelling unit (du)	9.44	134 du's	1,265

The project is projected to generate 1,265 daily vehicle trips. As the 110 ADT threshold for automobiles is exceeded, the project's VMT impacts cannot be presumed to be less than significant based on this criterion.

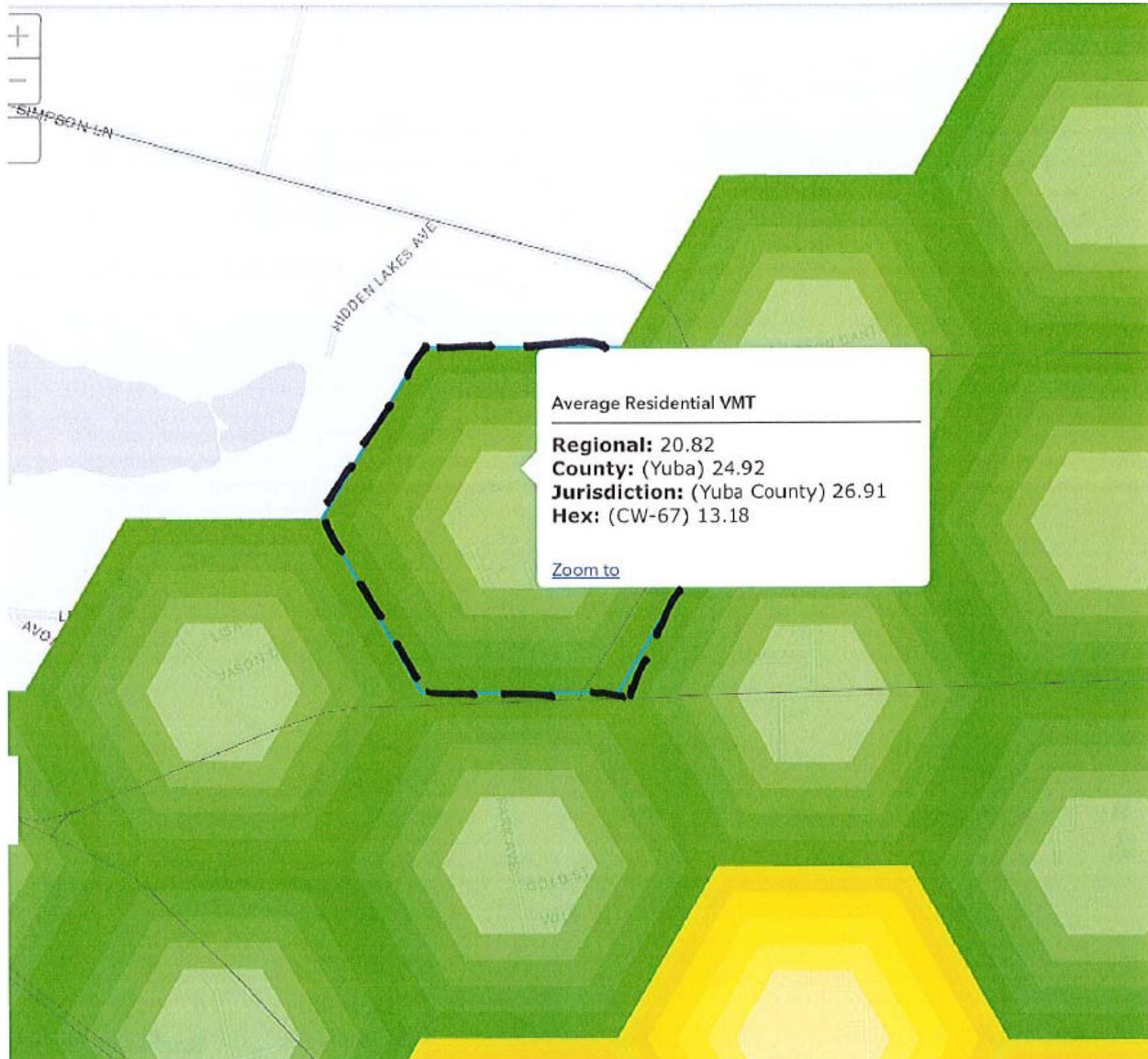
The OPR directive provides this explanation for a Presumption of Less Than Significant Impact for *Affordable Residential Development*.

Adding affordable housing to infill locations generally improves jobs-housing match, in turn shortening commutes and reducing VMT.<sup>24,25</sup> Further, "low-wage workers in particular would be more likely to choose a residential location close to their workplace, if one is available." In areas where existing jobs-housing match is closer to optimal, low income housing nevertheless generates less VMT than market-rate housing. Therefore, a project consisting of a high percentage of affordable housing may be a basis for the lead agency to find a less-than-significant impact on VMT. Evidence supports a presumption of less than significant impact for a 100 percent affordable residential development (or the residential component of a mixed-use development) in infill locations. Lead agencies may develop their own presumption of less than significant impact for residential projects (or residential portions of mixed use projects) containing a particular amount of affordable housing, based on local circumstances and evidence. Furthermore, a project which includes any affordable residential units may factor the effect of the affordability on VMT into the assessment of VMT generated by those units.

The proposed Linda Commons project is not designated an affordable housing development, and based on OPR guidance, its VMT impact cannot be presumed to be less than significant based on this screen line criteria.

The Sacramento Area Council of Governments (SACOG) has identified *Low VMT generating locations* within this region, including Yuba County. The Linda Commons project's location within SACOG region was determined (identified in Figure 4: Project Location Within SACOG Mapping), and the per capita VMT characteristics of the existing residences in this area of Yuba County was identified, as noted in Table 4. As shown, the Yuba County average per capita VMT rate for residences is 24.9 vehicles miles per day. The location primarily containing the Linda Commons project has a rate of 13.18. The OPR recommended goal for unincorporated Yuba County would be a 15% reduction from the countywide average, or 21.18. Thus, the project is located in a defined Low VMT generating region that meets the goal, and the project's impact can be presumed to be less than significant under this screen line criteria.

**Figure 4: Project Location Within SACOG Mapping**



<b>TABLE 4 PER CAPITA VMT CHARACTERISTICS</b>				
<i>SACOG Regional Average</i>	<i>Yuba County Average</i>	<i>15% reduction from Yuba County Average</i>	<i>Linda Commons Project Area</i>	<i>Reduction Greater than 15%?</i>
<i>20.82</i>	<i>24.92</i>	<i>21.18</i>	<i>13.18</i>	<i>yes</i>
<a href="https://sacog.maps.arcgis.com/apps/Compare/index.html?appid=ec67f920461b461f8e32c6a5c3dd85cf">https://sacog.maps.arcgis.com/apps/Compare/index.html?appid=ec67f920461b461f8e32c6a5c3dd85cf</a>				

**Proximity to High Quality Transit**, which requires service on 15 minute headways. This criteria is not applicable.

**VMT Conclusion**

The Linda Commons project is located within an area of Yuba County where residences generate per capita regional VMT at a rate that is less than 85% of the current countywide average. Thus development of the project will help Yuba County achieve the overall state goal for a 15% reduction in total regional VMT, and the project's impact is *less than significant*.

c) Hammonton Smartsville Road and Hile Road are existing roads that will provide access to the project site. Moreover, the new streets are laid out in a grid type pattern with all intersections at 90-degree angles to one another and are shown with at least a 200-foot separation from one another, meeting Yuba County's road standards. Hazards due to a design feature of the project would not be substantially increased as a result of this project and there would be *no impact*.

d) Emergency access to the project site would be via Hammonton Smartsville Road and Hile Road. In addition all of the streets within the subdivision will comply with all county street width standards. There are no cul-de-sacs that exceed the length requirement as set by the County. There are no features of the proposed subdivision that would result in inadequate emergency access. Therefore, the project will have *no impact*.

**XVIII. TRIBAL CULTURAL RESOURCES**

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) Please refer to Chapter V, Cultural Resources, for a summary of the study and findings made in the Cultural Resource Inventory Survey that was prepared by Sean Michael Jensen, M.A. from Genesis.

The study included a search of State data bases, including all records and documents available at the North Central Information Center, and intensive pedestrian survey, have resulted in identifying no tribal cultural resources (TCRs) and sites within the project property. Therefore, no additional treatment or mitigated action is recommended for any of the three sites and would create a *less than significant impact*.

b) Yuba County Planning Department requested AB-52 consultation with the United Auburn Indian Community (UAIC), due to their request for consultation on all discretionary projects within Yuba County. The UAIC was established in 1917 when the United States acquired land in trust for the Auburn Band near the City of Auburn and formally established the reservation, known as the Auburn Rancheria. In 1953, the United States Congress enacted the Rancheria Acts, authorizing the termination of federal trust responsibilities to a number of California Indian tribes including the Auburn Band. With the exception of a 2.8-parcel containing a tribal church and a park, the government sold the land comprising the Auburn Rancheria. The United States terminated federal recognition of the Auburn Band in 1967. Finally, in 1970, President Nixon declared the policy of termination a failure. In 1976, both the United States Senate and House of Representatives expressly repudiated this policy in favor of a new federal policy entitled Indian Self-Determination. In 1991, surviving members of the Auburn Band reorganized their tribal government as the United Auburn Indian Community (UAIC) and requested the United States to formally restore their federal recognition. In 1994, Congress passed the Auburn Indian Restoration Act, which restored the Tribe's federal recognition. The Act provided that the Tribe may acquire land in Placer County to establish a new reservation.

The UAIC responded to the Early Consultation request on December 7, 2021. Anna Starkey, with the UAIC, responded stating:

“We conducted a review of the location and did not identify any previously recorded cultural resources, areas of oral history, or sacred lands in or near the project area. We recommend UAIC’s standard unanticipated discoveries mitigation measure for this project.”

Staff also received comment from Creig Marcus with the Enterprise Rancheria Estom Yumeka Maidu on November 11, 2021, stating:

“This is in our aboriginal territory, however, our records search and discussions with tribal elders did not indicate the presence of any cultural resources. We do reserve the right for notification and consultation of any inadvertent discoveries as the project proceeds.”

As a result, the following mitigation measure was requested by the UAIC to address inadvertent discoveries of potential TCRs, archaeological, or cultural resources during a project’s ground disturbing activities. Therefore, in the event of the accidental discovery or recognition of tribal cultural resources in the project area the impact upon tribal cultural resources would be *less than significant impact with mitigation incorporated*.

#### **Mitigation Measure 18.1 Inadvertent Discoveries Of TCRs**

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

Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR’s to be appropriate or respectful and request that materials not be permanently curated, unless approved by the Tribe.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52, has been satisfied.

XIX. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) The project site is currently outside of any local water agency and will therefore be required to be annexed into the Linda County Water District (LCWD) prior to Final Map Recordation. The annexation process is completed with the YUBA Local Agency Formation Commission (LAFCo). Upon annexation, the project will receive water and wastewater service by LCWD and therefore will have a *less than significant impact*.

b) The construction of 134 homes will require the expansion of the water supplies provided by LCWD. As a result, the LCWD provided a “will-serve” letter for the applicants, indicating they will have an adequate water supply upon the expansion of their water facilities and will provide services to the project. Due to this, no significant impacts related to the adequacy of the water supply for the project were identified during the course of the project review. Since no major concerns have been expressed, any impact related to water supply is expected to be *less than significant*.

c) Upon annexation, LCWD will provide wastewater treatment. The project has been conditioned to ensure that the utility district will receive adequate funding from the project to provide for any needed future expansion of the wastewater treatment facilities. For this reason, there will be a *less than significant impact*.

d) & e) Upon annexation, LCWD will provide service to the 134 lots. Recyclable solid waste collected by LCWD is taken to a materials recovery facility on State Route 20, outside of the

City of Marysville, and all other waste is taken to a landfill on Ostrom Road. The Ostrom Road landfill has a capacity of 41,822,300 cubic yards, and has adequate capacity to serve the project site. The project will have a minimal effect on these facilities and the impact would be *less than significant*.



XX. WILDFIRE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including down slope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### DISCUSSION/CONCLUSION/MITIGATION:

a) Access to the project site will not be impacted by construction activities. Therefore, project related impacts to the adopted emergency response plan and emergency evacuation plan would be *less than significant*.

b) c) and d) The project is not located within a State Responsibility Area established by CalFire. All homes will be required to meet current Building Code requirements for sprinkler systems and other design features to reduce fire risk. Therefore, impacts by wildfire will be *less than significant*.

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

<b>Does the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

a) As discussed in the Biological Resources section, the proposed development will have a ***less than significant impact*** to habitat of a fish and a ***less than significant with mitigation*** for wildlife species. The site is void of any water sources and would not conflict with any local policies, ordinances or adopted Habitat Conservation Plans. However, the site does have potential for Raptors and mitigation measure **MM4.1** will reduce the impact to less than significant.

As discussed in the Cultural Resources and Tribal Cultural Resources section, construction could potentially impact cultural resources. Proposed mitigation measures in **MM5.1, MM5.2, and MM18.1**, would reduce the impact to ***less than significant with mitigation***.

b) The project site was already identified through the General Plan and Zoning Designation for residential development. Therefore, the project is considered to have a ***less than significant impact***, or cause cumulatively considerable effects.

c) The project is a 134-lot subdivision that is not expected to have any substantial adverse effect on humans. The project has the potential to create air quality impacts, primarily from the

generation of Pm 10. These effects are subject to standard mitigation measures as set forth by the Feather River Air Quality Management District addressed in **MM3.1 and MM3.2**. Due to the nature and size of the project, no substantial adverse effects on humans are expected as result of the project. Therefore, the project is considered to have *a less than significant impact with mitigation*.

## REFERENCES

1. Yuba County 2030 General Plan Environmental Impact Report, AECOM.
2. Yuba County 2030 General Plan, AECOM.
3. Yuba County Development Code 2015.
4. Yuba County Important Farmland Map 2012. California Department of Conservation.
5. Biological Assessment and Wetland Determination, Marcus H. Bole & Associates, July 2021.
6. Cultural Resource Inventory Survey, Genesis Society, July 2021.
7. Vehicle Miles Traveled (VMT) Impact Analysis, KD Anderson & Associates, Inc., August 2021

**MITIGATION MONITORING PLAN  
TSTM 2021-0012 AND PUD2022-0001 (LINDA COMMONS)**

<b>MM 1.1 Exterior Lighting</b>		
All exterior lighting shall be directed downwards and away from adjacent properties and rights of way. Lighting shall be shielded such that the element is not directly visible, and lighting shall not spill across property lines.		
<b>Timing/Implementation</b> <i>Prior to approval of Site Improvement and/or Master Plans.</i>	<b>Enforcement/Monitoring</b> Yuba County Planning and Public Works Department	
<b>Performance Criteria</b> Building Permit Review	<b>Verification Cost</b> N/A	
		<b>Date Complete</b> (If applicable)

**MITIGATION MONITORING PLAN  
TSTM 2021-0012 AND PUD2022-0001 (LINDA COMMONS)**

<b>MM 3.1 FRAQMD Fugitive Dust Control Plan</b>		
<ol style="list-style-type: none"> <li>1. Implement FRAQMD Fugitive Dust Plan</li> <li>2. Shall adhere to District Rule 3.16, which states that the developer or contractor is required to control dust emissions from earth moving activities, handling, or storage activity from leaving the project site.</li> <li>3. Implement FRAQMD standard construction phase mitigation measures. (<a href="https://www.fraqmd.org/ceqa-planning">https://www.fraqmd.org/ceqa-planning</a>)</li> </ol>		
<b>Timing/Implementation</b> <i>Upon start of construction activities.</i>	<b>Enforcement/Monitoring</b> Yuba County Public Works Department	
<b>Performance Criteria</b> Permit verification , or clearance documents, from FRAQMD	<b>Verification Cost</b> N/A	
		<b>Date Complete</b> (If applicable)

**MITIGATION MONITORING PLAN  
TSTM 2021-0012 AND PUD2022-0001 (LINDA COMMONS)**

<b>MM 3.2 FRAQMD Best Available Mitigation Measures (BAMMs)</b>		
<ol style="list-style-type: none"> <li>1. All grading operations on a project should be suspended when winds exceed 20 miles per hour or when winds carry dust beyond the property line despite implementation of all feasible dust control measures.</li> <li>2. Construction sites shall be watered as directed by the Department of Public Works (DPW) or FRAQMD and as necessary to prevent fugitive dust violations.</li> <li>3. An operational water truck should be available at all times. Apply water to control dust as needed to prevent visible emissions violations and offsite dust impacts.</li> <li>4. Onsite dirt piles or other stockpiled PM should be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce wind-blown dust emissions. Incorporate the use of approved non-toxic soil stabilizers according to manufacturer's specifications to all inactive construction areas.</li> <li>5. All transfer processes involving a free fall of soil or other PM shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.</li> <li>6. Apply approved chemical soil stabilizers according to the manufacturer's specifications, to all- inactive construction areas (previously graded areas that remain inactive for 96 hours) including unpaved roads and employee/equipment parking areas.</li> <li>7. To prevent track-out, wheel washers should be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectible remove soil buildup on tires and tracks to prevent/diminish track-out.</li> <li>8. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.</li> <li>9. Provide temporary traffic control as needed during all phases of construction to improve traffic flow, as deemed appropriate by the DPW and/or Caltrans and to reduce vehicle dust emissions. An effective measure is to enforce vehicle traffic speeds at or below 15 miles per hour.</li> <li>10. Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less and reduce unnecessary vehicle traffic by restricting access. Provide appropriate training, onsite enforcement, and signage.</li> <li>11. Reestablish ground cover on the construction site as soon as possible and prior to final occupancy, through seeding and watering.</li> <li>12. Disposal by Burning: Open burning is yet another source of fugitive gas and particulate emissions and shall be prohibited at the project site. No open burning or vegetation waste (natural plant growth wastes) or other legal or illegal burn materials (trash, demolition debris, et. al.) may be conducted at the project site. Vegetative wastes should be chipped or delivered to waste or energy facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials offsite for disposal by open burning.</li> </ol>		
<b>Timing/Implementation</b> <i>Upon start of construction activities.</i>	<b>Enforcement/Monitoring</b> Yuba County Public Works Department	
<b>Performance Criteria</b> Permit verification , or clearance documents, from FRAQMD	<b>Verification Cost</b> N/A	
		<b>Date Complete</b> (If applicable)

**MITIGATION MONITORING PLAN**  
**TSTM 2021-0012 AND PUD2022-0001 (LINDA COMMONS)**

<b>MM 4.1 Raptor Survey</b>		
Based on suitable nesting habitat elements and historical CNDDDB records within a ¼ mile radius of the project area there is potential nesting habitat for migratory birds and raptor species on and within 500 feet of the project area. Preconstruction nesting raptor surveys will be required. If the remnant walnut trees will be removed, trees with stick nests must be evaluated for the presence of nesting activities. If no nesting activity is observed by a qualified biologist, then the tree can be removed.		
<b>Timing/Implementation</b> <i>Upon start of project design and start of construction activities.</i>	<b>Enforcement/Monitoring</b> Yuba County Planning Department	
<b>Performance Criteria</b> N/A	<b>Verification Cost</b> N/A	
		<b>Date Complete</b> (If applicable)

**MITIGATION MONITORING PLAN  
TSTM 2021-0012 AND PUD2022-0001 (LINDA COMMONS)**

<b>MM 5.1 Inadvertent Discovery Of Human Remains</b>		
<p>Consultation in the event of inadvertent discovery of human remains: In the event that human remains are inadvertently encountered during trenching or other ground- disturbing activity or at any time subsequently, State law shall be followed, which includes but is not limited to immediately contacting the County Coroner's office upon any discovery of human remains.</p>		
<b>Timing/Implementation</b> <i>Prior to the start of, and during, construction activities.</i>	<b>Enforcement/Monitoring</b> Yuba County Planning Department	
<b>Performance Criteria</b> N/A	<b>Verification Cost</b> N/A	
		<b>Date Complete</b> (If applicable)



**MITIGATION MONITORING PLAN  
TSTM 2021-0012 AND PUD2022-0001 (LINDA COMMONS)**

<b>MM 5.2 Inadvertent Discovery of Cultural Material</b>		
<p>Consultation in the event of inadvertent discovery of cultural material: The present evaluation and recommendations are based on the findings of an inventory- level surface survey only. There is always the possibility that important unidentified cultural materials could be encountered on or below the surface during the course of future development activities. This possibility is particularly relevant considering the constraints generally to archaeological field survey, and particularly where past ground disturbance activities (e.g., road grading, livestock grazing, etc.) have partially obscured historic ground surface visibility, as in the present case. In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately.</p>		
<b>Timing/Implementation</b> <i>Prior to the start of, and during, construction activities.</i>	<b>Enforcement/Monitoring</b> Yuba County Planning Department	
<b>Performance Criteria</b> N/A	<b>Verification Cost</b> N/A	
		<b>Date Complete</b> (If applicable)

**MITIGATION MONITORING PLAN  
TSTM 2021-0012 AND PUD2022-0001 (LINDA COMMONS)**

<b>MM 10.1 National Pollution Discharge Elimination (NPDES) Permit</b>		
<p>Prior to the County's approval of a grading plan or site improvement plans, the project applicant shall obtain from the Central Valley Regional Water Quality Control Board a National Pollution Discharge Elimination (NPDES) Permit for the disturbance of over one acre. Further, approval of a General Construction Storm Water Permit (Order No. 99-08-DWQ) is required along with a Small Construction Storm Water Permit. The permitting process also requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared prior to construction activities. The SWPPP is used to identify potential construction pollutants that may be generated at the site including sediment, earthen material, chemicals, and building materials. The SWPPP also describes best management practices that will be employed to eliminate or reduce such pollutants from entering surface waters.</p>		
<b>Timing/Implementation</b> <i>Prior to the approval of a grading plan or site improvement plans.</i>	<b>Enforcement/Monitoring</b> Yuba County Public Works Department	
<b>Performance Criteria</b> N/A	<b>Verification Cost</b> N/A	
		<b>Date Complete</b> (If applicable)

**MITIGATION MONITORING PLAN  
TSTM 2021-0012 AND PUD2022-0001 (LINDA COMMONS)**

<b>MM 10.2      Drainage Plan</b>		
<p>Prior to recordation of a Final Map, a plan for a permanent solution for drainage shall be submitted to and approved by Yuba County and the Public Works Division. The drainage and improvement plans shall provide details relative to drainage, piping, and swales. Further, the Drainage Plan shall specify how drainage waters shall be detained onsite and/or conveyed to the nearest natural or publicly maintained drainage channel or facility and shall provide that there shall be no increase in the peak flow runoff above existing conditions.</p>		
<b>Timing/Implementation</b> <i>Prior to Recordation of Final Map.</i>	<b>Enforcement/Monitoring</b> Yuba County Public Works Department	
<b>Performance Criteria</b> N/A	<b>Verification Cost</b> N/A	
		<b>Date Complete</b> (If applicable)

**MITIGATION MONITORING PLAN  
TSTM 2021-0012 AND PUD2022-0001 (LINDA COMMONS)**

**MM 18.1 Inadvertent Discoveries Of TCRs**

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

Preservation in place is the preferred alternative under CEQA and UAIC protocols, and every effort must be made to preserve the resources in place, including through project redesign. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, returning objects to a location within the project area where they will not be subject to future impacts. The Tribe does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless approved by the Tribe.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a Tribal Cultural Resource may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52, has been satisfied.

**Timing/Implementation**

*Prior to the start of, and during, construction activities.*

**Enforcement/Monitoring**

Yuba County Planning Department

**Performance Criteria**

N/A

**Verification Cost**

N/A

**Date Complete** (If applicable)

**Fisher, Ciara**

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**From:** Mckee, Deborah@DOT <deborah.mckee@dot.ca.gov>  
**Sent:** Thursday, November 18, 2021 11:42 AM  
**To:** Fisher, Ciara  
**Subject:** Response TSTM2021-0012 - Linda Commons - 03-YUB-2021-00131

Good morning Ciara.

Thank you for submitting the TSTM2021-0012 - Linda Commons project to our office for our review. At this time, we do not have any comments.

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

Thank you,  
Deborah

*Deborah McKee*

Transportation Planning - North  
California Department of Transportation, District 3  
703 B Street | Marysville, CA 95901  
Cell: (530) 821-8411  
Monday-Thursday 7 AM – 4:30 PM, Friday 7 AM – 3:30 PM (Rotating day off)  
Email: [deborah.mckee@dot.ca.gov](mailto:deborah.mckee@dot.ca.gov)  
[www.dot.ca.gov/d3/](http://www.dot.ca.gov/d3/)

**For real-time highway conditions:** <http://quickmap.dot.ca.gov/>



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**From:** Fisher, Ciara <cfisher@CO.YUBA.CA.US>  
**Sent:** Tuesday, November 2, 2021 3:02 PM  
**To:** Benedict, Christopher <cbenedict@CO.YUBA.CA.US>; Johnston, Nick <njohnston@CO.YUBA.CA.US>; Strang, Jeremy <JStrang@CO.YUBA.CA.US>; Burns, Danny <dburns@CO.YUBA.CA.US>; PGE Plan Review <PGEPlanReview@pge.com>  
**Cc:** Perkins, Kevin <kperkins@CO.YUBA.CA.US>; Hochstrasser, Margaret <mhochstrasser@CO.YUBA.CA.US>; Peterson, Daniel <dpeterson@CO.YUBA.CA.US>; Kaiser, Pam <pkaiser@yubacounty.onmicrosoft.com>; Lee, Mike G. <mlee@co.yuba.ca.us>; Downs, Rachel <rdowns@CO.YUBA.CA.US>; Stone, John <jstone@CO.YUBA.CA.US>; Hensley, Paige <phensley@CO.YUBA.CA.US>  
**Subject:** TSTM2021-0012 - Linda Commons

**EXTERNAL EMAIL.** Links/attachments may not be safe.

Hello everyone,

The Yuba County Planning Department received the following application:

## Tribal Cultural Resources Unanticipated Discoveries

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The following mitigation measure<sup>1</sup> is intended to address the evaluation and treatment of inadvertent/unanticipated discoveries of potential tribal cultural resources (TCRs), archaeological, or cultural resources during a project's ground disturbing activities.

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

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

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB52, have been satisfied.



<sup>1</sup> Proposed Mitigation Measure includes suggested template language to assist lead CEQA agencies, and their consultants, in understanding the Tribe's policies and expectations. All measures are subject to periodic review and change by the consulting Tribe to reflect best practices and to be worded on a project scope and site specific basis.

**Fisher, Ciara**

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**From:** Creig Marcus <creigm@enterpriserancheria.org>  
**Sent:** Wednesday, November 10, 2021 12:53 PM  
**To:** Fisher, Ciara  
**Subject:** TSTM2021-0012- Linda Commons

Dear Ciara,

Thank you for the notification. This is in our aboriginal territory, however, our records search and discussions with tribal elders did not indicate the presence of any cultural resources. We do reserve the right for notification and consultation of any inadvertent discoveries as the project proceeds.

Thanks,  
Creig Marcus  
Tribal Administrator  
Enterprise Rancheria Estom Yumeka Maidu  
2133 Monte Vista Ave  
Oroville, CA 95993  
(530) 532-9214

**Fisher, Ciara**

---

**From:** Javier Rios <jrios@lindawater.com>  
**Sent:** Tuesday, November 1, 2022 4:33 PM  
**To:** Fisher, Ciara  
**Subject:** Re: TSTM2021-0012 & PUD2022-0001 - Linda Commons

Keep the same conditions

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**From:** Fisher, Ciara <cfisher@CO.YUBA.CA.US>  
**Sent:** Tuesday, November 1, 2022 4:15:24 PM  
**To:** Javier Rios <jrios@lindawater.com>  
**Subject:** RE: TSTM2021-0012 & PUD2022-0001 - Linda Commons

Sorry for the delay in response. Attached are draft Conditions of Approval (COAs) for the Goldfields Ranch Subdivision – which is similar to this project in the fact that it had to be annexed into LCWD.

We usually add conditions that you would want, such as:

- Owner shall submit a copy of the final map to the Linda County Water District (LCWD) for review to determine conformance with the LCWD requirements. Before the final map can be filed with the Yuba County Recorder, a letter or email from the Linda County Water District is to be submitted to the County Surveyor which states that the LCWS requirements have been met and that any public service easements as may be shown on the final map are satisfactory and that there are no objections to filing the final map.
- Owner shall connect parcel(s) 1-499 to Linda County Water District for water and sewer services and facilities prior to building permit final inspection for occupancy.
- Owner shall submit to Environmental Health a "Will Serve" letter from Linda County Water District for water and sewer services and facilities for parcel(s) 1-499.
- Prior to Final Map recordation, the project area shall be annexed into the Linda County Water District (LCWD).


If there is something that we are missing, that you would like us to add, we can do so.

Thanks,

*Ciara Fisher*

Planner III  
County of Yuba

Office: 530-749-5463 | Cell: 530-812-6082

 Please consider the environment before printing this email

---

**From:** Javier Rios <jrios@lindawater.com>  
**Sent:** Thursday, October 27, 2022 10:51 AM  
**To:** Fisher, Ciara <cfisher@CO.YUBA.CA.US>  
**Subject:** RE: TSTM2021-0012 & PUD2022-0001 - Linda Commons

Ciara – You are correct. This property is not within the District’s service area. Can you please clarify for me what you mean by conditions of approval for the map or provide an example of one.



Thanks,  
Javier Rios

---

**From:** Fisher, Ciara <[cfisher@CO.YUBA.CA.US](mailto:cfisher@CO.YUBA.CA.US)>  
**Sent:** Wednesday, October 26, 2022 5:33 PM  
**To:** Brian Davis <[bdavis@lindawater.com](mailto:bdavis@lindawater.com)>; Javier Rios <[jrios@lindawater.com](mailto:jrios@lindawater.com)>  
**Subject:** FW: TSTM2021-0012 & PUD2022-0001 - Linda Commons

Hi Brian and Javier,

At your earliest convenience, can you please let me know if this property is within the LCWD boundaries? Our records indicate that it is not and it would, therefore, need to be annexed into your district. Also, please let me know if you have any conditions of approval for the map that you would like me to add prior to hearing.

I will follow up Friday if I don't hear from you.

Thanks,

*Ciara Fisher*

Planner III  
County of Yuba  
Office: 530-749-5463 | Cell: 530-812-6082

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---

**From:** Fisher, Ciara  
**Sent:** Friday, October 7, 2022 2:09 PM  
**To:** Benedict, Christopher <[cbenedict@CO.YUBA.CA.US](mailto:cbenedict@CO.YUBA.CA.US)>; Building <[Building@CO.YUBA.CA.US](mailto:Building@CO.YUBA.CA.US)>; Strang, Jeremy <[JStrang@CO.YUBA.CA.US](mailto:JStrang@CO.YUBA.CA.US)>; Surveying <[surveying@CO.YUBA.CA.US](mailto:surveying@CO.YUBA.CA.US)>  
**Cc:** planning <[planning@CO.YUBA.CA.US](mailto:planning@CO.YUBA.CA.US)>; Peterson, Daniel <[dpeterson@CO.YUBA.CA.US](mailto:dpeterson@CO.YUBA.CA.US)>; Hensley, Paige <[phensley@CO.YUBA.CA.US](mailto:phensley@CO.YUBA.CA.US)>  
**Subject:** TSTM2021-0012 & PUD2022-0001 - Linda Commons


Good afternoon,

Please review the attached Draft Initial Study/MND for the Linda Commons Tentative Subdivision Tract Map and Planned Unit Development (TSTM2021-0012 & PUD2022-0001). The project is scheduled for the November 16<sup>th</sup> Planning Commission meeting. Please let me know if you have any comments or recommendations for the environmental document by **October 28<sup>th</sup>**.

Thanks,

*Ciara Fisher*

Planner III  
County of Yuba  
Office: 530-749-5463 | Cell: 530-812-6082

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# Marysville Joint Unified School District

1919 B Street • Marysville, CA 95901

(530) 741-6000 • Fax (530) 742-0573



## Board of Trustees

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October 21, 2022

County of Yuba  
Planning Department  
Kevin Perkins, Planning Director  
915 8th Street, Suite 123  
Marysville, California 95901

Re: Development Impacts of Linda Commons

Dear Mr. Perkins:

## District Administration

Fal Asrani, Ed.D.  
*Superintendent*

Jennifer Passaglia  
*Assistant Superintendent  
Business Services*

Jay Trujillo  
*Assistant Superintendent  
Educational Services*

Gabe Simon, Ed.D.  
*Assistant Superintendent  
Personnel Services*

Bryan Williams  
*Chief Technology Officer*

This letter is in regards to the Linda Commons housing development ("Project") proposed by the Linda Commons LLC ("Developer"). The Marysville Joint Unified School District ("District") proposes an educational meeting with the Developer to discuss the Project, its impacts to the District, the nature of the District's funding sources and obligations, and how the parties can work together for cooperative solutions. The District has mapped the development and as of now, the development will be served by Linda Elementary School, Yuba Gardens Intermediate School, and Lindhurst High School. All three of these school sites are already projected to increase in enrollment in the coming years, so any additional student generation impact is of great interest to the District.

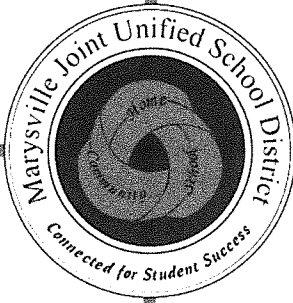
The Project consists of a 134 unit single-family detached development, which is projected to generate 45 students (28 elementary school, 6 intermediate school, and 11 high school students). This letter will provide some context from the district's perspective on development and the need for a collaborative discussion about the community need for mitigation of the impacts of development on the District. The Project is one of many that is anticipated to be built during the next several years, and the District must consider the cumulative impact of all these projects, even if any one of them in isolation does not seem to generate enough students to require mitigation. Especially at the intermediate and high school levels, almost all the development will be served by the same schools, so the District must take a long view of the total impact of all development and attempt to plan for the facility needs that they collectively generate. For this Project, since it will be served by an elementary school that is already expected to be greatly impacted by numerous new development projects, the need to mitigate is even stronger.

This letter will provide some examples of the mitigation methods that the District and the County of Yuba ("County") can utilize to mitigate the Project's impact. By engaging with the District in discussions about the projects under review, we believe that the Developer would be able to analyze and understand the most current information on the overall needs and projections of the facilities in the District. This consultation allows any environmental document to contain a meaningful explanation regarding planned school development throughout the District and how the proposed project fits

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within that plan. The District looks forward to being part of this process. The District's ultimate goal is to enter a voluntary mitigation agreement with the Developer.

### Project Approval Process

As stated above, prior to breaking ground any development must go through various stages of approval at the local and state level. In some cases, developers will also need to apply for and receive approvals from various branches of the federal government. However, it is through the County approval process and the California Environmental Quality Act ("CEQA") that the District has the opportunity to provide comment to ensure that the impact of such development on the District is evaluated and mitigated to the fullest extent possible.

One of CEQA's basic purposes is to inform government decision-makers and the public about the potential significant environmental effects of proposed projects and to disclose to the public the reasons for approval of a project that may have significant environmental effects. (CEQA Guidelines § 15002(a)(1) and (a)(4).) In line with this goal, the preparer of an EIR must make a genuine effort to obtain and disseminate information necessary to the understanding of impacts of project implementation. (See, CEQA Guidelines § 15151; Sierra Club v. State Board of Forestry (1994) 7 Cal.4th 1215, 1236.) CEQA also requires consultation with other public agencies, including school districts. (See, e.g. Pub. Res. Code, § 21080.3.) The goal of a EIR is to provide for an informational document. (See, Cal. Code Regs., tit. 14, § 15151 ["an EIR must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project"].) One way to achieve that is through meaningful consultation with responsible agencies. By engaging with the District in discussions about the project under review, the County and the Developer would be able to gather and analyze the most current information on the overall needs and projections of the facilities in the District. This consultation allows any environmental document to contain a meaningful explanation regarding planned school development throughout the District and how the proposed project fits within that context.

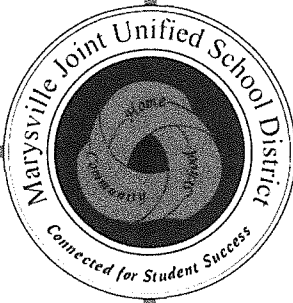
With the above legal background in mind, the following is a list of the typical steps involved in the approvals process.

1. Notice of Preparation
2. Preparation of Initial Study
3. Preparation of Draft EIR
4. Notice of Completion and Public Comment on Draft EIR
5. Possible Re-Circulation of Draft EIR
6. Preparation of Final EIR
7. Certification of Final EIR
8. Notice of Determination
9. Project Approval
10. Project Land Use Entitlements

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- a. Tentative Tract Map
- b. Final Vesting Tract Map
- c. Building Permits

### Impact on District Facilities

The District serves a portion of the County of Yuba. Residential development is occurring in the County of Yuba at a faster pace than has been the case in years, and this residential growth coincides with a period of significant financial and facility decisions for the District.

The Marysville Unified School District was successful in passing Measure P in November 2008, which authorized \$47 million in bonds “to continue improving the quality of education in local schools and protecting the safety of our children, by repairing, replacing or updating fire alarm systems, worn-out roofs, outdated classrooms and science labs, plumbing and heating/air conditioning systems.” As of 2022 all these funds have been exhausted. The District is already in desperate need to provide more 21st Century classroom and school site environments for its students. Many of the District’s classrooms are relocatable rooms that are near to or have already exceeded their planned useful life. These rooms were meant to be a temporary solution, and the District does not consider them as useful capacity for students to be housed in the future.

As the Project continues to progress the District anticipates, based on a survey of other recently constructed single-family housing, that one student will be generated for approximately every 3 units constructed.

The Marysville Joint Unified School District has facility needs that will be exacerbated by proposed residential development. To maintain its ability to provide quality school facilities to the children who will live in the new homes to be built, the District will need the developers to share in the costs associated with the need for the facilities that will serve those students.

Two areas are of primary concern. Firstly, with the State of California’s mandate to provide Transitional Kindergarten (TK) access to all four year old children, there is additional need in the District for age-appropriate school facilities for the youngest children. Every TK student generated by the new development will require and benefit from these facilities. Additionally, a significant portion of the District’s current capacity comes from portable classrooms that were never intended to serve as long-term student housing. In order to be able to provide classroom space at the school serving the development, the District needs to plan for creating additional permanent classrooms to house its future students, including those generated by the new development.

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The District serves areas within both the City of Marysville and the County of Yuba ("County") and is potentially impacted by Housing Element consideration by both jurisdictions, as officials from both entities develop plans to address their Regional Housing Needs Allocation targets. While the District is aware of the impacts of some already approved development projects, it will continue to work to assess the impacts of additional developments that need to be added for potential housing needs as identified in future Housing Element work.

For these reasons, it is urgently important for the District to work with developers to mitigate the impact to its facilities needs that will result from the students generated by increasing residential development. These needs will add to the District's already substantial current needs, and the District would like to continue to work creatively with the developers who drive the creation of new housing (and therefore new students) in mitigating their impact.

## Scope of Mitigation Obligations

In general, SB 50 provides, among other things, that payment of fees, charges, dedications or other requirements which can be levied against new construction to fund construction or reconstruction of school facilities is deemed to provide full and complete mitigation of impacts of development on school facilities. (See, *Chawanakee Unified School District v. County of Madera* (2011) 196 Cal.App.4th 1016.) The Chawanakee court, however, expressly found that the phrase "impacts on school facilities" does not cover all possible environmental impacts that have any type of connection or relationship to schools. (Id. at 1028.) Therefore, impacts relating to schools that are not per se "impacts on school facilities" must be identified and analyzed. If those impacts are significant, they must be mitigated. Also, a project's indirect impacts on parts of the physical environment that are not school facilities are not excused from being considered and mitigated. (Id.) For example, an impact on traffic is not excused under SB 50, nor are impacts of construction on the non-school physical environment. These and other impacts must be considered and mitigated as part of the CEQA process.

A host of mitigation options in addition to School Impact Fees under SB 50 may help ensure sufficient school facilities and lessen the impacts of development. Examples include:

- Participation in a Mello-Roos Community Facilities District. As expressed in Government Code section 65995, subdivision (g)(2), a developer may "voluntarily elect to establish, or annex into, a community facilities district . . ."
- The County can impose conditions on development related to issues other than school overcrowding, such as the need to widen roads or put in other traffic controls to accommodate increased traffic (both from students and generally), safety measures to address pedestrian travel to school, and the

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need to add sound-proofing to offset noise increases from nearby development and resulting traffic.

- The Developer and the District enter into a voluntary mitigation agreement describing the mitigation of the impact of development on the District.

The mitigation of the impact of development on the District is a neutral process that is applied equally to all types of development. The process does not promote any specific policy objectives related to development within County boundaries. The primary goal of mitigation is to ensure that the future students of MJUSD are provided with a learning environment where they can feel safe and focus on learning.

It is essential for the District, County, and the Developer to have an established working relationship to mitigate the impact of the development on the District. The full and complete mitigation of the impact of development requires long term investment of time and effort from all parties involved to ensure that the impact of development is mitigated and to ensure that all parties bear the portion of their mitigation responsibility.

The District asks the Developer to engage in supporting and mitigating the impact on the District's facilities to support students generated from the development for the following items:

- District Facilities:
  - Permanent classroom facilities to accommodate increased enrollment;
  - Permanent classroom facilities for the Universal Transitional Kindergarten unfunded mandate;
  - Permanent ancillary facilities and improvement to accommodate increased enrollment due to development;
  - Before- and after-school childcare facility operated by District, County or private company;
- Project Site and Community Use Facilities:
  - Outdoor community space appropriate for TK-8 students in or near proposed development (i.e.: play structures, field space and hardscape for sports recreation);
  - Family childcare facility operated by District or private company;
- County Infrastructure that Supports students impacted by the development:
  - Safe routes to school (i.e.: extended sidewalks, crosswalks and beacon lighting systems, walking path connecting project site to schools or safe/established paths of travel);

## Conclusion

In sum, based on the considerations identified above, the District would like to meet with the Developer and County as soon as possible to engage in discussion to address all of the potential impacts of the projects on schools and school facilities,

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and to properly mitigate those impacts that are significant. The District also proposes that the Developer and the District enter into a voluntary mitigation agreement based on the terms above to mitigate the impact of development and ensure that the students generated by development have a safe and optimal learning environment. To accomplish this goal, the District would appreciate an opportunity to meet with Developer to discuss the impact to the District of new residential development and how a mitigation partnership could function.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Passaglia". The signature is fluid and cursive, written over a white background.

Jennifer Passaglia, CBO

CC: Dr. Fal Asrani, Superintendent  
Legal Council  
Jamie King-Iseman, President for King Consulting  
Rob Murray, Director of Demographics & Planning for King Consulting





November 7, 2022

County of Yuba  
Community Development & Services Agency  
Planning Department  
915 8<sup>th</sup> St.  
Marysville, CA 95901

RE: TSTM2021-0012

Linda Commons - APN 020-080-012

### RD784 EARLY CONSULTATION COMMENTS

In response to your Application Routing dated November 2, 2021, Reclamation District No. 784 (RD 784) provides the following comments and recommends that they be incorporated into the conditions of approval.

This project lies within Reclamation District No. 784 Drainage Basin C-2 and is zoned Medium Density Residential (RM). RD 784 recommends that the following conditions of approval be incorporated:

1. The project shall meet or exceed the requirements of the RD 784 Master Drainage Plan for Drainage Basin C and all future revisions to the Drainage Basin C Master Drainage Plan for portions within Drainage Basin C.
3. Developer shall pay all Drainage Basin C and C-2 Surcharge impact fees prior to recordation of the final parcel map or prior to any approvals which create additional impacts to the system for land within Drainage Basin C-2, whichever occurs first. Grading (which includes compaction of the parking areas, roadways, and pads) of the property shall be considered an impact to the system. Aggregate Base parking and storage areas are considered impervious.
4. The project shall incorporate storm water quality control measures to the onsite improvements. The control measures are intended to serve as best management practices (BMPs) implemented to meet the standard of "reducing pollutants in urban runoff to the maximum extent practicable" established by the Regional Board and the U.S. Environmental Protection Agency. RD 784 has accepted use of Sacramento and South Placer Region standards in the Storm water Quality Design Manual. Drainage from this area is assumed to be drained to the RD784 Pump Station 5.
5. No building permits shall be issued until all required RD 784 drainage improvements have been completed and are operational to the satisfaction of the RD 784. Drainage from this area is assumed to be drained to the RD784 Pump Station 5 and then into the Bingham Canal.
6. All building pads shall be at least one foot above the 100-year base flood elevation in accordance



## Attachment 9

with the best available information in the Reclamation District No. 784 Master Drainage Plan.

7. The 100-year base flood elevation shall be shown on the approved tentative map and all improvement plans.

8. Lot B adjacent to the levee shall be dedicated to Reclamation District 784.

9. Maintain a minimum 30' setback from the levee toe.

RD 784 has not received a formal application from the applicant. The applicant shall submit a formal application and a plan check/ review deposit of \$2,500.00 prior to additional work being completed by RD 784 (i.e. site plan review, grading plan, improvement plans, impact fee calculation).

If you have any questions or require additional information, please contact RD 784.

Thank you,



Patrick Meagher  
General Manager  
Reclamation District 784

Cc: Sean Minard, MHM Inc.  
1204 E St.  
Marysville, CA 95901



November 30, 2021

Ciara Fisher  
County of Yuba  
915 8<sup>th</sup> Street  
Marysville, CA 95901

Re: Linda Commons TSTM2021-0012  
1687 Hammonton Smartsville Road, Marysville, CA

Dear Ciara Fisher,

Thank you for giving us the opportunity to review the proposed Linda Commons tentative Subdivision Map. The installation of new gas and electric facilities and/or relocation of existing PG&E facilities will be performed in accordance with common law or Rules and Tariffs as authorized by the California Public Utilities Commission.

Following our review, PG&E recommends the following language be expressly stated for the offer to dedicate Public Utility Easements (PUE):

I/We the undersigned, as Owner(s) of the land shown hereon, do hereby state that I/we am/are the only person(s) whose consent is necessary to pass clear title to said land and do hereby consent to the preparation and recordation of this map and offer for dedication and do hereby dedicate for public uses the Public Utility Easements (PUEs) shown on this map for public utility purposes including electric, gas, communication facilities and all other public utility purposes; together with any and all appurtenances thereto, including the right from time to time to trim and to cut down and clear away or otherwise control any trees or brush. The PUEs hereby offered for dedication are to be kept open and free of buildings, structures and wells of any kind.

The final map must contain a statement setting forth dedications and offers to dedicate interests in real property for public utility purposes. If the offer of dedication has terminated, or the local agency declines to accept it, the applicant maybe required to provide an easement in gross satisfactory to PG&E. Please note that this is our preliminary review and PG&E reserves the right for future review as needed. Please work with PG&E's Service Planning department at [www.pge.com/cco](http://www.pge.com/cco) for additional services you may require, or for any modification and/or relocation requests.

Sincerely,

Alexa Gardea  
Land Management  
916-760-5738