

The County of Yuba

Community Development and Services Agency



PLANNING COMMISSION STAFF REPORT

MEETING DATE: June 21, 2023

TO: Planning Commission

FROM: Ciara Fisher, Planner III

RE: Tentative Subdivision Tract Map TSTM
"LDIV-22-0014" (Fernwood Village)

REQUEST: The Yuba County Community Development Services Agency (CDSA), in partnership with Habitat for Humanity Yuba, is requesting approval of a tentative subdivision tract map to subdivide 10.24 acres into 75 lots, located east of Grove Avenue and west of Fernwood Drive in the Linda Community (APNs 021-210-043, 047 & 021-207-010).

RECOMMENDATION: Recommend the Board of Supervisors adopt the attached Mitigated Negative Declaration (MND), Mitigation Monitoring and Reporting Program (MM), and Resolution approving Tentative Subdivision Tract Map (TSTM) "LDIV-22-0014".

BACKGROUND/DISCUSSION: The Yuba County Community Development Services Agency (CDSA), in collaboration with Habitat for Humanity Yuba, presents a revised Tentative Subdivision Tract Map (TSTM) based on the suggestions of the Planning Commissioner during the June 21, 2023 Planning Commission (PC) session.

During the June 21, 2023 PC meeting, the Planning Commissioners raised apprehensions about the housing density, particularly regarding half-plexes and narrower lots, which deviate from the predominantly single-family homes characteristic of the nearby area. The issue of parking was also discussed, given the potential parking challenges stemming from single-car garages and driveways, which could contribute to congested on-street parking due to the limited width of the property lots.

Consequently, there was a strong emphasis on the necessity for two off-street parking spaces, surpassing the mandated requirement of one space. Moreover, deliberations centered on the size of the .42-acre park and its adequacy to cater to the needs of 89 units. A proposition was put forth to situate half-plexes on Habitat for Humanity-owned land while incorporating single-family homes on County property, aligning more harmoniously with the neighboring environment.

A concerned neighbor also voiced worries regarding the number of units adjoining his property, requesting the installation of a masonry sound wall to ensure privacy and serve as a sound barrier between his property and the new units.

Based on these comments and recommendations, Staff is now requesting to subdivide the 10.24 acre property into 75 lots, rather than the prior request of 89 lots. These lots would consist of 43 lots designated for single-family detached homes that are designed as 45-foot wide lots, featuring 5-foot side yard setbacks. The remaining 32 lots are designated as zero lot line lots, which can accommodate either single-family detached homes or half-plex lots.

Furthermore, the County's proposal entails retaining the current location of the 0.42-acre park. Its adjacency to the existing drainage canal holds significance, serving as a vital aspect that facilitates operational and maintenance access to the canal while contributing to a more spacious site layout. This area also coincides with the present park placement.

Finally, the County maintains its stance against the inclusion of a masonry sound wall around the property. This decision is rooted in the fact that the County has not previously implemented such a wall for a subdivision of this density and type. The choice to incorporate a masonry sound wall rests with the discretion of the Planning Commissioners.

Report Prepared By:



Ciara Fisher
Planner III

ATTACHMENTS

1. Resolution
2. Tentative Subdivision Tract Map
3. Draft Conditions of Approval
4. Draft Initial Study/Mitigated Negative Declaration
5. Mitigation Monitoring Plan
6. Comment Letters
7. June 21, 2023 Planning Commission Staff Report Package

**BEFORE THE COUNTY OF YUBA
PLANNING COMMISSION**

RESOLUTION RECOMMENDING ADOPTION OF MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN AND APPROVING LDIV-22-0014 SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL))))))	RESOLUTION NO.: _____
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------	------------------------------

WHEREAS, The County of Yuba and Habitat for Humanity Yuba, filed an application for a Tentative Subdivision Tract Map to create 75 residential lots on a 10.24 acre property zoned Medium Density Residential “RM” on several properties located at 5871 Grove Ave & 1708 Ash Way, to the east side of Grove Avenue and the west side of Fernwood Drive, in the Linda Community at Assessor’s Parcel Numbers 021-210-043, 047, & 021-207-010; and

WHEREAS, the Community Development and Services Agency of the County of Yuba has conducted an Initial Study for the proposed project and concluded that the project would not result in any significant adverse environmental impacts provided the mitigation measures that are incorporated into the Mitigation Monitoring Plan and Conditions of Approval are implemented; and

WHEREAS, the Community Development and Services Agency (“CDSA”) of the County of Yuba has provided due notice of a public hearing before the Planning Commission of the County of Yuba and 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

WHEREAS, a public hearing was held before the Yuba County Planning Commission on June 21, 2023, to allow the public and interested parties to testify and submit evidence in favor of, or against, the recommendation to the Board to adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan and the approval of the Tentative Subdivision Tract Map.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission hereby recommends to 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 as well as with the Yuba County Zoning Map and Development Code.
3. The Planning Commission hereby recommends to the Board of Supervisors find that the project site is physically suitable for the proposed type of development and the proposed density of development.

Attachment 1

4. The Planning Commission hereby recommends to the Board of Supervisors that it find that the proposed project 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.
5. The Planning Commission hereby recommends to the Board of Supervisors that it find that the project, as conditioned, meets the County design and improvement standards as set forth in the Yuba County Development Code.
6. The Planning Commission hereby recommends to the Board of Supervisors that it find that the project, as conditioned, is in compliance with the Yuba County Development Code.
7. The Planning Commission hereby recommends to the Board of Supervisors that it 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.
8. The Planning Commission hereby recommends to the Board of Supervisors that it determine 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, and 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 the Board of Supervisors adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan, incorporated herein by reference and attached hereto as Exhibit A, and recommends the Board of Supervisors approve Tentative Subdivision Tract Map LDIV-22-0014, subject to the Mitigation Measures contained within the Mitigation Monitoring Plan and Conditions of Approval attached hereto and made a part hereof.

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:  _____

TENTATIVE SUBDIVISION TRACT MAP LDIV-22-0014 (FERNWOOD VILLAGE)

COUNTY OF YUBA, CALIFORNIA
DECEMBER 2, 2022 REVISED JULY 13, 2023

LEGAL DESCRIPTION (EXISTING PARCELS):

REAL PROPERTY IN THE UNINCORPORATED AREA OF THE COUNTY OF YUBA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL ONE:
PORTION OF LOT 8, AS SHOWN UPON THE MAP ENTITLED, "SUBDIVISION OF TRACT 3 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, AT PAGE 8, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT 8; THENCE SOUTH 76° 15' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOT 8 A DISTANCE OF 534.9 FEET; THENCE NORTH 13° 45' WEST PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 8 A DISTANCE OF 238.2 FEET TO A POINT ON THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED TO EDWARD H. SNYDER, ET UX, RECORDED JANUARY 11, 1957 IN BOOK 234 OF OFFICIAL RECORDS, AT PAGE 462; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF THE SAID SNYDER PARCEL AND PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 8 A DISTANCE OF 568.9 FEET TO THE NORTHEASTERLY CORNER OF THE ABOVE REFERRED TO SNYDER PARCEL, SAID POINT BEING ON THE EASTERLY LINE OF SAID LOT 8; THENCE SOUTHERLY ALONG THE SAID EASTERLY LINE A DISTANCE OF 238.6 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL TWO:
PORTION OF LOT 8, AS SHOWN UPON THE MAP ENTITLED, "SUBDIVISION OF TRACT 3 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 8, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

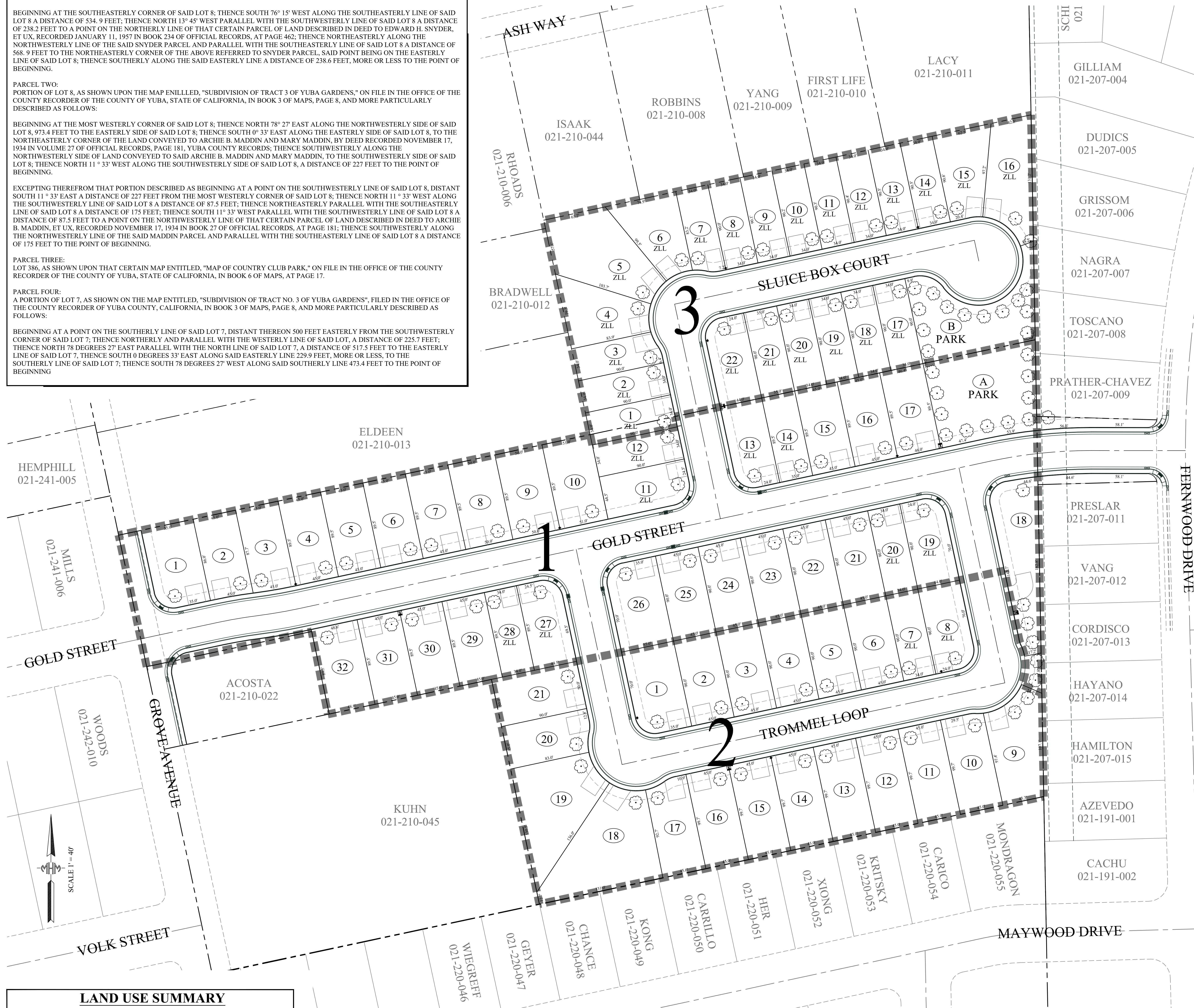
BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 8; THENCE NORTH 78° 27' EAST ALONG THE NORTHWESTERLY SIDE OF SAID LOT 8, 973.4 FEET TO THE EASTERLY LINE OF SAID LOT 8; THENCE SOUTH 0° 33' EAST ALONG THE EASTERLY LINE OF SAID LOT 8, TO THE NORTHEASTERLY CORNER OF THE LAND CONVEYED TO ARCHIE B. MADDIN AND MARY MADDIN, BY DEED RECORDED NOVEMBER 17, 1934 IN VOLUME 27 OF OFFICIAL RECORDS, PAGE 181, YUBA COUNTY RECORDS; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY SIDE OF LAND CONVEYED TO SAID ARCHIE B. MADDIN AND MARY MADDIN, TO THE SOUTHWESTERLY SIDE OF SAID LOT 8; THENCE NORTH 11° 33' WEST ALONG THE SOUTHWESTERLY SIDE OF SAID LOT 8, A DISTANCE OF 227 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 8, DISTANT SOUTH 11° 33' EAST A DISTANCE OF 227 FEET FROM THE MOST WESTERLY CORNER OF SAID LOT 8; THENCE NORTH 11° 33' WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 8 A DISTANCE OF 87.5 FEET; THENCE NORTHEASTERLY PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 8 A DISTANCE OF 175 FEET; THENCE SOUTH 11° 33' WEST PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 8 A DISTANCE OF 87.5 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED TO ARCHIE B. MADDIN, ET UX, RECORDED NOVEMBER 17, 1934 IN BOOK 27 OF OFFICIAL RECORDS, AT PAGE 181; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF THE SAID MADDIN PARCEL AND PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 8 A DISTANCE OF 175 FEET TO THE POINT OF BEGINNING.

PARCEL THREE:
LOT 386, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF COUNTRY CLUB PARK," ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF YUBA, STATE OF CALIFORNIA, IN BOOK 6 OF MAPS, AT PAGE 17.

PARCEL FOUR:
A PORTION OF LOT 7, AS SHOWN ON THE MAP ENTITLED, "SUBDIVISION OF TRACT NO. 3 OF YUBA GARDENS," FILED IN THE OFFICE OF THE COUNTY RECORDER OF YUBA COUNTY, CALIFORNIA, IN BOOK 3 OF MAPS, PAGE 8, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT 7, DISTANT THEREON 500 FEET EASTERLY FROM THE SOUTHWESTERLY CORNER OF SAID LOT 7; THENCE NORTHERLY AND PARALLEL WITH THE WESTERLY LINE OF SAID LOT, A DISTANCE OF 225.7 FEET; THENCE NORTH 78 DEGREES 27' EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 517.5 FEET TO THE EASTERLY LINE OF SAID LOT 7; THENCE SOUTH 0 DEGREES 33' EAST ALONG SAID EASTERLY LINE 229.9 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF SAID LOT 7; THENCE SOUTH 78 DEGREES 27' WEST ALONG SAID SOUTHERLY LINE 473.4 FEET TO THE POINT OF BEGINNING



LAND USE SUMMARY

LOT SUMMARY*

VILLAGE NO. 1 = 32 LOTS 4.40 AC 07.27 DU/AC
VILLAGE NO. 2 = 21 LOTS 2.99 AC 07.02 DU/AC
VILLAGE NO. 3 = 22 LOTS 2.43 AC 09.05 DU/AC

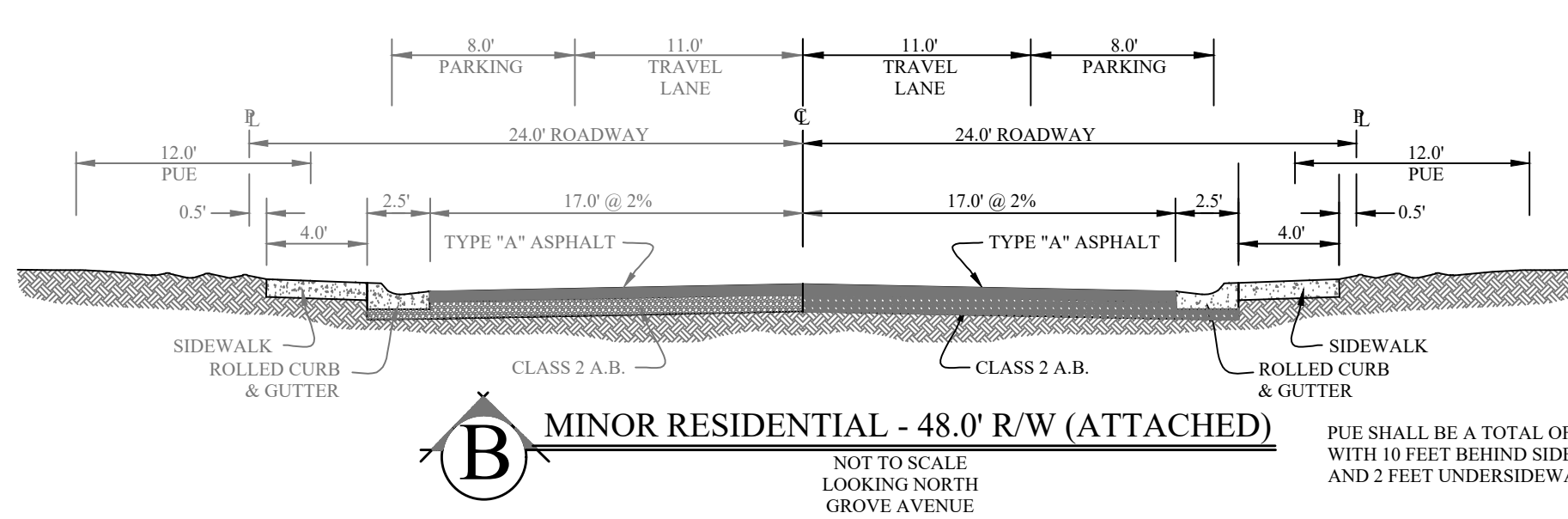
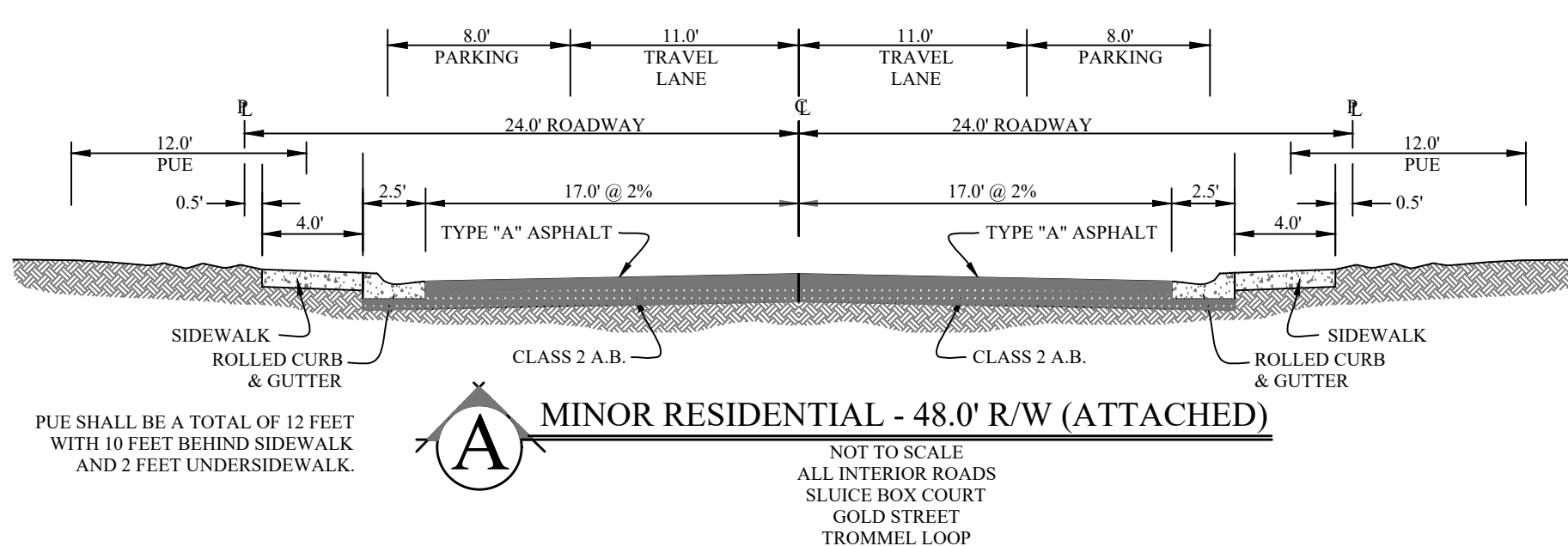
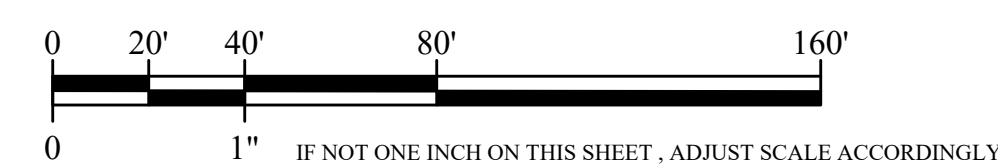
SUBTOTAL = 75 LOTS 9.82 AC 07.64 DU/AC
(RESIDENTIAL)

LOT A - FERNWOOD PARK 0.23 AC
LOT B - FERNWOOD PARK 0.19 AC

SUBTOTAL = 0.42 AC
(NON-RESIDENTIAL)

TOTAL = 10.24 AC

* THERE ARE 32 LOTS WITH ZERO LOT LINE (ZLL) HOMES WHICH COULD BE HALF PLEX OR SINGLE FAMILY DETACHED. ALL OTHER LOTS HAVE 5 FOOT SIDE YARD SETBACKS.



PROJECT NOTES

OWNER #1
COUNTY OF YUBA
915 8TH STREET, SUITE 125
MARYSVILLE, CA 95901
CONTACT: MIKE LEE
PHONE: (530) 749-5420

OWNER #2
HABITAT FOR HUMANITY YUBA
202 D STREET
MARYSVILLE, CA 95901
CONTACT: JOHN NICOLETTI
PHONE: (530) 742-2727

APPLICANT
COUNTY OF YUBA
915 8TH STREET, SUITE 125
MARYSVILLE, CA 95901
CONTACT: MIKE LEE
PHONE: (530) 749-5420

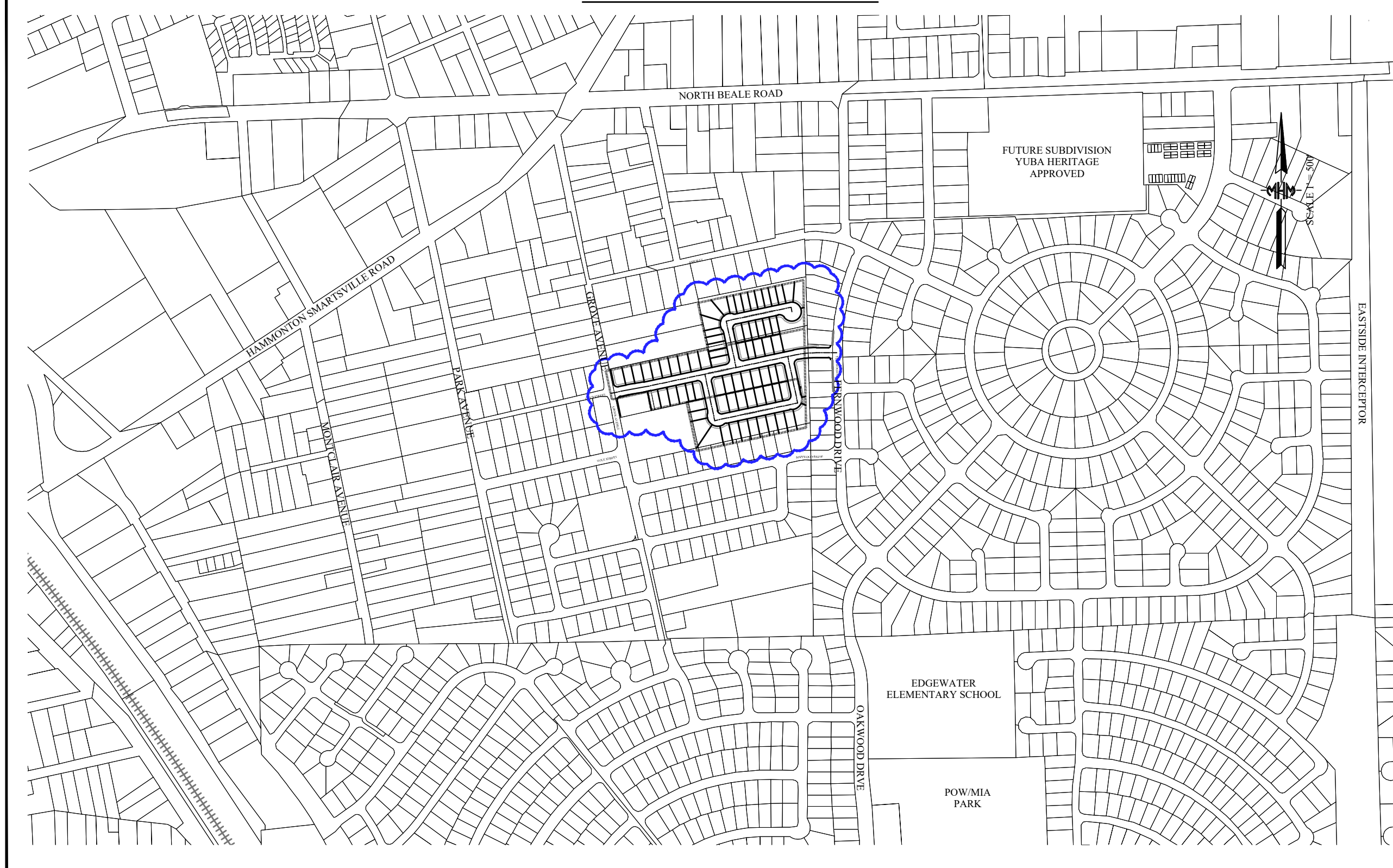
ENGINEER/SURVEYOR
MHM INCORPORATED
1204 E STREET, P.O. BOX B
MARYSVILLE, CA 95901
CONTACT: SEAN MINARD, P.E., P.L.S.
PHONE: (530) 742-6485

AREA OF TENTATIVE MAP
10.24 GROSS ACRE

GENERAL NOTES:

- SUBDIVIDER RESERVES THE RIGHT TO PHASE DEVELOPMENT AND FILE MULTIPLE FINAL MAPS PURSUANT TO SECTION 66456.1 (A) OF THE SUBDIVISION MAP ACT. THIS PROJECT COULD BE 2 TO 4 PHASES.
- A 12.0 FOOT PUBLIC UTILITY EASEMENT SHALL BE LOCATED PROVIDED ON ALL STREETS WITH 10 FEET BEHIND SIDEWALK AND 2.0 FEET LOCATED UNDER SIDEWALK. ADJACENT TO CUL-DE-SAC BULBS THE PUBLIC UTILITY EASEMENT SHALL BE 10 FEET BEHIND SIDEWALK UNLESS OTHERWISE DIRECTED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
- THIS EXHIBIT IS FOR TENTATIVE MAP PURPOSES ONLY, ACTUAL DIMENSIONS, ROAD ALIGNMENTS, ACREAGE, AND YIELDS ARE TO BE VERIFIED PRIOR TO FINAL MAP.
- THIS IS AN APPLICATION FOR A TENTATIVE SUBDIVISION MAP AND PLANNED UNIT DEVELOPMENT (PUD).
- 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. THREE (3) POTENTIAL PHASES ARE SHOWN BUT DEVELOPER RESERVES RIGHT TO RECORD WITH MORE OR LESS.
- ALL EXISTING STRUCTURES, SEPTIC TANKS, AND WELLS TO BE REMOVED OR DESTROYED PRIOR TO CONSTRUCTION.
- STREET TREES SHALL BE PLANTED PURSUANT TO COUNTY OF YUBA STANDARDS. ADDITIONAL DETAIL SHALL BE PROVIDED ON THE IMPROVEMENT PLANS.
- OWNERS, APPLICANT, ENGINEER, AND SURVEYOR SHALL RECEIVE ANY COMMUNICATIONS AND/OR NOTICES RELATED TO THIS PROJECT. MHM INC, SEAN MINARD, IS THE ENGINEER AND SURVEYOR OF RECORD FOR THE TENTATIVE MAP.

LOCATION MAP



CITY OF YUBA CITY APPROVAL:
THE COUNTY OF YUBA PLANNING COMMISSION HAS CONSIDERED AND APPROVED RESOLUTION 22-00X APPROVING TENTATIVE SUBDIVISION TRACT MAP NO. 2022-0014 DURING THE PLANNING COMMISSION MEETING ON _____, 2023.

COUNTY OF YUBA DATE:

2 INDICATES PROPOSED PHASE

SURVEYORS STATEMENT:
I HEREBY STATE THAT ALL EASEMENTS OF RECORD ARE SHOWN AND LABELED PER PRELIMINARY TITLE REPORT BY FIRST AMERICAN TITLE COMPANY ORDER NUMBER 3416-2593298 DATED JUNE 31, 2006.



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

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

Attachment 3
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant: County of Yuba/Habitat for Humanity Yuba
APN: 021-207-010, 021-210-043, and 047

Case Number: LDIV-22-0014
Public Hearing Date: August 16, 2023

ACTIONS FOR CONSIDERATION: Staff recommends the Planning Commission take the following actions:

- I. After review and consideration, staff has prepared an initial study for the project and subsequent Mitigated Negative Declaration and Mitigation Monitoring Plan pursuant to California Environmental Quality Act (CEQA) Section 15070 (b)(1) (DECISION TO PREPARE A NEGATIVE DECLARATION).
- II. Approve Tentative Subdivision Tract Map TSTM "LDIV-22-0014" subject to the conditions below, or as may be modified at the public hearing, making the findings made in the Staff Report, pursuant to County of Yuba Title XI Section 11.40.040.

GENERAL CONDITIONS:

- 1) Unless specifically provided otherwise herein or by law, each condition of these Conditions of Approval shall be completed to the satisfaction of the County prior to filing of the Final Map.
- 2) As a condition for project approval, Owner or an agent of Owner acceptable to County shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding, against the County or its agents, officers, and employees; including all costs, attorneys' fees, expenses, and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, void or annul an approval by the County, Planning Commission, Development Review Committee, or other County advisory agency, appeal board, or legislative body concerning the conditional use permit. County shall promptly notify owner of any such claim, action, or proceeding and shall cooperate fully in the defense of said claim, action, or proceeding.
- 3) Owner(s), Owner's agent(s) or Applicant shall comply with all applicable federal, state, and local laws, ordinances, and regulations including the requirements provided by the Subdivision Map Act (Government Code Section 66410 and following) and Chapter 11.15 of the Yuba County Ordinance Code.
- 4) Unless specifically provided otherwise herein, all references to the Final Map, Final Maps, or to the Final Subdivision Map contained herein shall also mean a map or maps prepared for recordation of each phase of development if the project is to be phased.
- 5) Notwithstanding the provisions of any other of these Conditions of Approval, this map cannot be recorded until expiration of the 10-day appeal period which begins the day following the date of approval. The expiration date of the appeal period is July 3, 2023 at 5:00 p.m.
- 6) This tentative map shall expire 36 months from the effective date of approval unless extended pursuant to Chapter 11 of the Yuba County Ordinance Code.

PUBLIC WORKS DEPARTMENT:

- 7) 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.

Attachment 3
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant: County of Yuba/Habitat for Humanity Yuba
APN: 021-207-010, 021-210-043, and 047

Case Number: LDIV-22-0014
Public Hearing Date: August 16, 2023

- 8) Improvements required by the herein stated conditions due to health, safety, and any required mitigating measure shall be completed prior to recording the Final Map.
- 9) Owner shall dedicate to the County of Yuba sufficient right-of-way in fee simple of 24.0 feet in width from centerline of existing ROW, along the east half of Grove Avenue as shown on the Tentative Tract Map. The right-of-way line shall be located 0.50 foot behind the back of sidewalk. Corner radii shall be dedicated in accordance with Yuba County standards.
- 10) Owner shall dedicate to the County of Yuba sufficient right-of-way in fee simple strips of land 48 feet in width, including the area within knuckles and intersection return curves, for the internal access streets as shown on the Tentative Tract Map. The right-of-way line shall be located 0.50 foot behind the back of sidewalk. Corner radii shall be dedicated in accordance with Yuba County standards.
- 11) Owner shall provide and offer to dedicate to the County of Yuba a 10-foot easement for public services along the interior street frontage of this property measured from back of sidewalk or a 12-foot easement for public services with 10-feet measured from backup sidewalk and 2.0-feet located underneath the sidewalk along each side of the roadway as shown on tentative map Section A and Section B.
- 12) Road construction for the interior streets as shown on the tentative map shall meet the requirements for an Urban Residential (Local) Road in conformance with the Yuba County Standard (Drawing No. 101) or as modified by the Public Works Director. Such standard includes curbs, gutters, with an attached sidewalk.
- 13) Road construction along Grove Avenue property frontage shall meet the half-width requirements for an Urban Residential (Local) Road in conformance with the Yuba County Standard (Drawing No. 101) or as modified by the Public Works Director. Such standard includes curbs, gutters, with an attached sidewalk.
- 14) 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.
- 15) 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.
- 16) Owner shall provide a streetlight plan 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 (LS1-E) set by PG&E.
- 17) 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.

Attachment 3
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant: County of Yuba/Habitat for Humanity Yuba
APN: 021-207-010, 021-210-043, and 047

Case Number: LDIV-22-0014
Public Hearing Date: August 16, 2023

- 18) 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.
- 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).
- 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 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. The owner's engineer shall include information in the drainage plan to allow confirmation that the subdivision design complies with MS4 requirements as required in Yuba County's Post-Construction Standards plan. If off-site drainage facilities are used to conform to the County's MS4 requirements, the County will require a letter from the owner's engineer stating that the off-site facilities allow the proposed subdivision to meet MS4 requirements.
- 22) 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.
- 23) 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: 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

Attachment 3
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant: County of Yuba/Habitat for Humanity Yuba
APN: 021-207-010, 021-210-043, and 047

Case Number: LDIV-22-0014
Public Hearing Date: August 16, 2023

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.

- 24) 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 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.
- 25) Strict control over dust problems created during construction shall be adhered to with regard to surrounding properties and public facilities. The construction specifications and/or improvement plans shall have items reflecting dust control measures in detail and shall be approved by the Public Works Department.
- 26) Owner shall pay an in-lieu fee for parkland dedication per Yuba County Development Code §11.45.060 prior to filing the final map.
- 27) Owner shall be responsible for giving sixty (60) days' notice to the appropriate public utilities, PG&E, AT&T, Comcast, etc., prior to any new construction or development of this project.
- 28) Owner shall name the access road 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.
- 29) 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.
- 30) Residential Lots, Open Space, and Park adjacent the Fernwood Drainage Ditch shall have a six (6) foot metal picket fence, wrought iron, or solid wall (i.e. concrete, masonry block). There shall be a one (1) foot no access easement recorded in the deed along all common property lines with the Fernwood Ditch. There shall be a 10-foot O&M corridor between the property line and top of bank.
- 31) Owner shall provide a concrete base or bases for the placement of a centralized mail delivery unit or units within the subdivision as directed by the United States Postal Service. Specifications and location(s) of such base(s) shall be determined pursuant to the applicable requirements of the Postal Service and the Yuba County Department of Public Works, with due consideration for streetlight location, traffic safety, security and consumer convenience. Such base(s) shall be located within a Public Service Easement. Owner shall provide a letter from the Postal Service to the County Surveyor stating that the location of the centralized mail delivery unit or units comply with their requirements and that they have no objection to the filing of the final map.
- 32) Approximate centerlines of all perennial streams or ditches within this division shall be shown on the Final Map.

Attachment 3
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant: County of Yuba/Habitat for Humanity Yuba
APN: 021-207-010, 021-210-043, and 047

Case Number: LDIV-22-0014
Public Hearing Date: August 16, 2023

- 33) Owner shall provide public service easements as necessary for any existing overhead or underground utilities, sewer lines, waterlines, etc. which may provide service to any or all of the lots being created by this final map. Such easements shall have a minimum width of 10 feet or larger as may be required by the service provider and shall be clearly identified by metes and bounds on the final map. Any relocation or rearrangement of the public service provider's facilities to accommodate this project shall be at the Owner's expense.
- 34) Owner shall be required to pay all taxes, past and current, including those amounts levied as of January 1, but not yet billed, on the property prior to filing the Final Map.
- 35) Owner shall submit a current Preliminary Title Report or Subdivision Map Guarantee, in favor of Yuba County, two (2) check prints of the Final Map, calculations, supporting documentation and map checking fees to the County Surveyor, Department of Public Works for checking, approval and filing of the Final Map. An updated Subdivision Map Guarantee shall be provided 1 week prior to filing the final map with the Yuba County Recorder.
- 36) Owner shall petition to be assessed for County Service Area 70 (CSA 70) prior to filing the Final Map.
- 37) Owner shall petition to be assessed for County Service Area 52, Zone of Benefit C (CSA 52C) prior to filing the Final Map if drainage is directed into the County Drainage Facility. If drainage is directed into the RD 784 facilities, the owner shall petition to be assessed for County Service Area 66 or as directed by the Community Development Director.
- 38) Owner shall have the property surveyed and have corner monuments placed at all lot corners in conformance with requirements of the County Surveyor, chapter 11.41 of the Yuba County Ordinance Code and the California Subdivision Map Act (Government Code section 66410 and following).
- 39) Prior to commencing performance of any public improvement or facility to be dedicated to County, and subject to approval by the Public Works Department, Owner shall acquire and present proof of general and automobile liability and Workers Compensation and Employers Liability insurance. Such general and automobile liability insurance shall name the County and its agents as additional insured.
- 40) All easements of record that affect this property are to be shown on the Final Map.
- 41) Prior to submitting the final map to the Recorder's Office for filing, all outstanding County fees due to the Community Development and Services Agency departments shall be paid in full.
- 42) Prior to filing the Final Map, written approvals shall be submitted to the County Surveyor from all of the appropriate utility service providers that their requirements have been met and that financial arrangements have been made to ensure their facilities will be installed and that they are satisfied with the public utility easements as shown on the Final Map.

LINDA COUNTY WATER DISTRICT:

- 43) 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 LCWD requirements have been met and that any public service

Attachment 3
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant: County of Yuba/Habitat for Humanity Yuba
APN: 021-207-010, 021-210-043, and 047

Case Number: LDIV-22-0014
Public Hearing Date: August 16, 2023

easements as may be shown on the final map are satisfactory and that there are no objections to filing the final map.

ENVIRONMENTAL HEALTH DEPARTMENT:

- 44) Prior to recording, Owner shall submit to Environmental Health a "Will Serve" letter from Linda Counter Water District for water and sewer services and facilities for parcel(s) 1-75.
- 45) Prior to building final, owner shall connect parcel(s) 1-75 for water and sewer services.
- 46) All abandoned, wrecked, dismantled, or inoperative vehicles, machines, and equipment shall be removed by Owner from the subject site.
- 47) All existing trash and debris shall be removed from the subject site.
- 48) 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". Environmental Health Division-Conditions of Approval.
- 49) All abandoned septic tanks on the subject site shall be destroyed in accordance with the requirements of Yuba County Environmental Health Department.

BUILDING DEPARTMENT:

- 50) 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.
- 51) All new buildings and structures must obtain a building permit prior to construction.

LINDA FIRE PROTECTION DISTRICT:

- 52) The project proponent shall meet all hydrant requirements of the district.
- 53) The project proponent shall meet all fire apparatus access requirements of the current fire code.
- 54) Owner shall design and construct all fire suppression facilities in conformance with the requirements of the Linda Fire Protection District and the current California Fire Code.
- 55) Owner shall submit a copy of the final map to the Linda Fire Protection District (LFPD) for review to determine conformance with the LFPD 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 LFPD requirements have been met and that there are no objections to filing the final map

Attachment 3
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant: County of Yuba/Habitat for Humanity Yuba
APN: 021-207-010, 021-210-043, and 047

Case Number: LDIV-22-0014
Public Hearing Date: August 16, 2023

PACIFIC GAS AND ELECTRIC COMPANY:

- 56) 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.
- 57) Any relocation or arrangement of any existing PG&E facilities to accommodate this project will be at the developers/applicants expense or as agreed by PG&E. There shall be no building of structures allowed under or over any PG&E easements that exist within the subject area.
- 58) 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.

RECLAMATION DISTRICT NO. 784:

- 59) 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.
- 60) Developer shall pay all Drainage Basin C 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 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. If all drainage is directed to the Yuba County Drainage System, the developer can request a waiver from paying drainage impact fee.
- 61) 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.
- 62) 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.
- 63) The 100-year base flood elevation shall be shown on all improvement plans.
- 64) Owner shall submit a copy of the final map to the Reclamation District No. 784 (RD 784) for review to determine conformance with the RD 784 requirements. Before the final map can be filed with the Yuba County Recorder, a letter from the RD 784 is to be submitted to the County Surveyor which states that the RD 784 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.

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT:

- 65) Owner shall meet all requirements of the Feather River Air Quality Management District (FRAQMD) during any project related construction.

Attachment 3
DRAFT CONDITIONS OF APPROVAL
YUBA COUNTY PLANNING COMMISSION

Applicant: County of Yuba/Habitat for Humanity Yuba
APN: 021-207-010, 021-210-043, and 047

Case Number: LDIV-22-0014
Public Hearing Date: August 16, 2023

- 66) The FRAQMD recommends that the project prepare a Fugitive Dust Control Plan for the constructional phase of development.
- 67) The project will be responsible during construction phase to 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.


PLANNING DEPARTMENT:

- 68) Lot design on the Final Subdivision Map shall be in conformance with the approved Tentative Map as filed with the Community Development Department. The Community Development Director may approve minor modifications to the final configuration; however, the number of lots shall not exceed that shown on the approved tentative map.
- 69) Satisfy the Mitigation Monitoring Plan for the project in accordance with the California Environmental Quality Act.
- 70) Prior to development of Phase 3 (APN 021-210-043), Habitat for Humanity shall relinquish the existing access easement with APN 021-210-044 to eliminate any future access to the property from Ash Way. The property owned by Habitat for Humanity shall only be accessed from Grove Avenue and Fernwood Drive.
- 71) Should any prehistoric or historic artifacts, including human remains be exposed during construction and excavation operations, work shall cease and the Community Development & Services Agency shall be immediately notified and will ensure adherence to CEQA Guideline Section 15064.5(e). If apparent human remains are exposed, the County Coroner shall be consulted to determine whether any such materials require special treatment prior to resuming construction.
- 72) 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.
- 73) Owner shall submit a copy of the final map for review by the Planning Department for conformance with the Department's conditions of approval, mitigation measures or other requirements. Before the final map can be filed with the Yuba County Recorder, a statement from the Planning Director which states that the final map is found to be in conformity with the Department's conditions of approval, mitigation measures and requirements shall be received by the County Surveyor



Ciara Fisher
Planner III

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

	INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION LDIV-22-0014 (Fernwood Village)
-----------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------

Project Title:	Tentative Subdivision Tract Map TSTM “LDIV-22-0014” (Fernwood Village)	
Lead Agency Name and Address:	County of Yuba Planning Department 915 8 th Street, Suite 123 Marysville, CA 95901	
Project Location:	Assessor’s Parcel Numbers : 021-207-010, 021-210-043 & 047	
Applicant/Owner	Yuba County Public Works Contact: Mike Lee 915 8 th Street, Suite 125 Marysville, CA 95901	Habitat For Humanity Yuba Contact: John Nicoletti 202 D Street Marysville, Ca 95901
General Plan Designation(s):	Valley Neighborhood	
Zoning:	“RM” Medium Density Residential	
Contact Person:	Ciara Fisher, Planner III	
Phone Number:	(530) 749-5470	
Date Prepared	May 2023	

Project Description

The Yuba County Community Development Services Agency (CDSA), in partnership with Habitat for Humanity Yuba, has requested a Tentative Subdivision Tract Map (TSTM) to subdivide 10.24 acres into 89 lots. These lots would consist of 86 half-plex lots and three single-family detached lots, as well as a 0.42-acre park. The proposed project, Fernwood Village, is designated as an affordable housing development. The project will involve grading and land recontouring, construction of new residential structures and buildings, access road construction, placement of buried utilities, and general landscaping.

The property is located to the east side of Grove Avenue and the west side of Fernwood Drive (5871 Grove Ave and 1708 Ash Way), approximately 500-feet south of North Beale Road, and approximately 0.5-miles east of State Route 70, within the community of Linda, Yuba County, California. The properties are currently used as vacant land (APN 021-210-043) and Fernwood Park (APNs 021-210-047 & 021-207-010).

The 2030 General Plan designates the land use as Valley Neighborhood and the zoning as “RM” Medium Density Residential. APN 021-210-047 was rezoned from “PF” Public Facilities to

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

“RM” with the 2020 annual Yuba County Planning Development Code Update. The rezone was approved by the Board of Supervisors on December 8, 2020. The Fernwood Village Subdivision proposes 89 residences on roughly 10-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 acre.

The proposed plan includes extending Gold Street through the property to provide access to Grove Ave and Fernwood Drive. Two new internal streets have also been proposed to meet the 48-foot residential road width requirements. As a Condition of Approval of the map, all roads will be required to be built to County Urban Local Road standards. Additionally, all proposed parcels will be required to connect to Linda County Water District (LCWD) for water and sewer services, while the Linda Fire Protection District will provide fire protection services.

Environmental Setting

The project area involves approximately 10-acres of land located between Fernwood Drive and Grove Avenue, approximately 0.2 miles south of N. Beale Road, in the Linda Community.. Lands affected are located within a portion of Section 29 of Township 15 North, Range 4 East, as shown on the USGS Olivehurst, California, and Yuba City, California, 7.5' Series quadrangles.

The project area consists of northern Sacramento Valley lands located approximately 1.5- miles east of the confluence between the Yuba and Feather Rivers, 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 area is flat with an elevation averaging approximately 65-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.

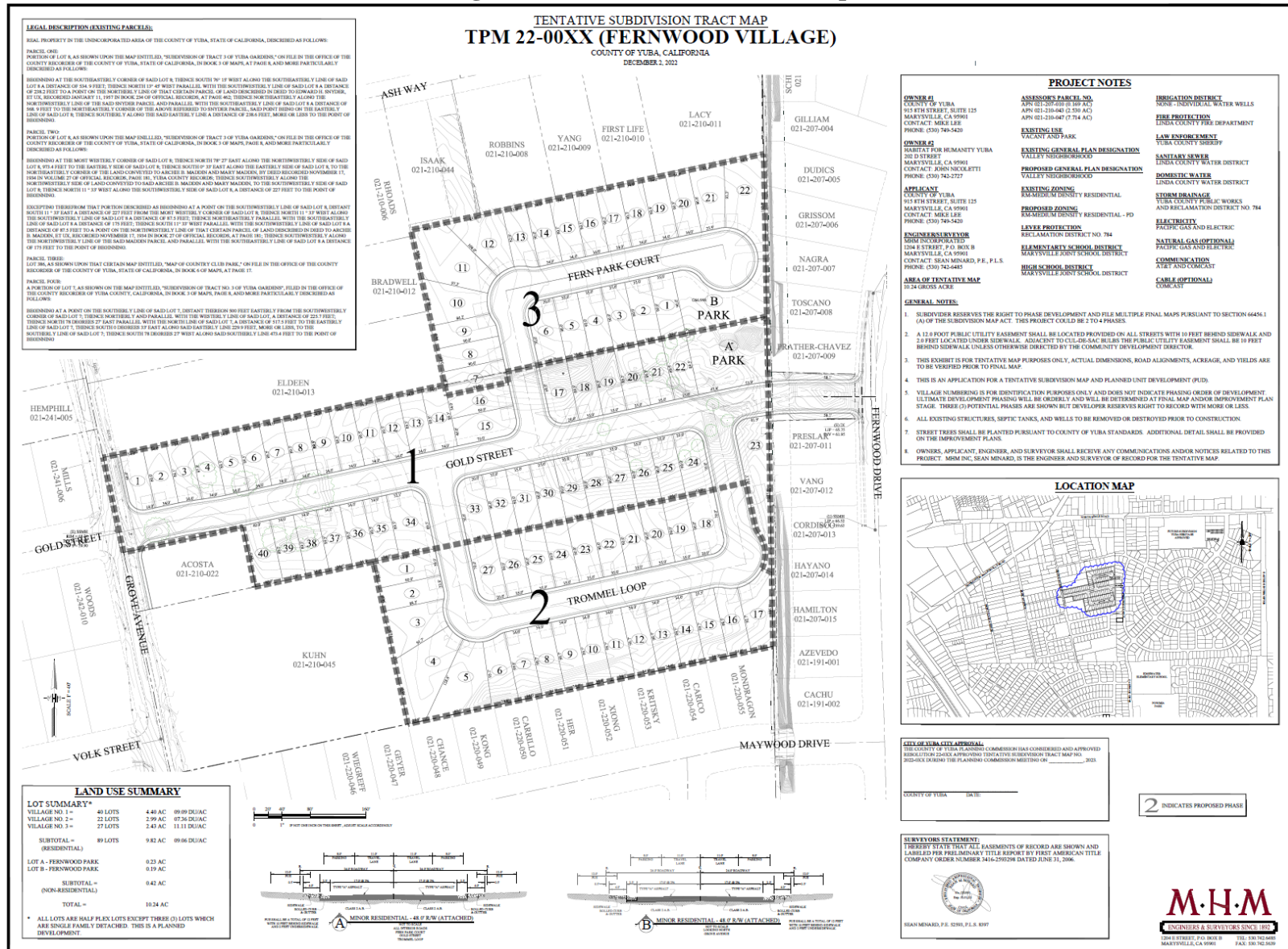
Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

- 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)

Figure 1: Project Aerial



Figure 2: Tentative Subdivision Map



INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**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

5/5/2023

Date

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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 "LDIV-22-0014" (Fernwood Village), 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

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

I. AESTHETICS					
Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 is bounded by residential properties on all sides. Moreover, the project site is located on undeveloped land and a Yuba County Community Park 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***.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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 "Urban and Built-Up Land" which is defined as land on which the urban and built-up land is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures. Moreover, there will be no conversion of any protected agricultural lands such as Prime Farmland or Statewide Importance. Therefore, ***no impact*** to agricultural lands is anticipated.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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.

c) and 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***.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**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.

Would the project:	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 89 lot residential development would not substantially add to the ozone levels to the extent that attainment of the objectives of the Air Quality Attainment

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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, 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 subdivision proposes 89 lots, consisting of 86 half-plex lots and three single family detached lots and is, therefore, below the FRAQMD thresholds. 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.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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 89 residential units 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.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

IV. BIOLOGICAL RESOURCES				
Would the project:	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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) and b) Marcus H. Bole & Associates prepared a Biological Resource Assessment for the project and below are the results of the study.

During August and September, 2022, a NEPA/CEQA-level Biological Assessment and Wetland Determination was conducted on a ±10.41-acre property (Action Area) of undeveloped land and Yuba County Community Park at 1792 Fernwood Drive, 1708 Ash Way, and 5871 Grove Ave, Marysville (in the census-designated place (CDP) of Linda), Yuba County, California. The Action Area is defined as Yuba County Assessor's Parcel Numbers 021-207-010, 021-210-043, and 021-210-047; 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

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

center of the Action Area is approximately 39.126404N, -121.550312W. The terrain elevation within the Action Area is uniformly level at 55 feet above mean sea level (msl). The Action Area is characterized as undeveloped land and a landscaped community park with native and non-native trees, landscaped and non-native grasses and forb.

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 within Yuba County, within the City of Marysville (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 70 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 "Ruderal Undeveloped Land and Urban Park". The major hydrological feature near the Action Area is the Yuba River, approximately two miles to the west 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 ±10.41-acre parcel of undeveloped land and community Park. Immediately adjacent to the east of the Action Area are residences.

Physical & Biological Conditions

Vegetation within the park and adjacent undeveloped open areas consists of a mix of oaks, mulberry, ash and elm trees, planted lawn (Bermuda grass) and rural grasses and forbs.

Remnant Walnut Trees and Non-Native Ruderal Grasses and Forbs

The Action Area has been in continuous use as a community park for over forty-five years. The park has been surrounded by undeveloped land during this time period. Prior to the park, the area was agricultural land, mostly in alfalfa and grain crops. The park area has been improved over the years with native and non-native trees, playground equipment, benches and paved walkways. The park's equipment, lawns and trees have been maintained by Yuba County. The Action Area also contains open, undeveloped land with ruderal non-native grasses and forbs. Ruderal grasses and forbs are generally characteristic of open, former agricultural lands. 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 along with landscaped lawn grasses (Bermuda grass) 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 ruderal non-native grassland 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.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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 Olivehurst and Yuba City 7.5 minute quadrangles and eight surrounding quadrangles. 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
INVERTEBRATES & INSECTS				
Valley elderberry longhorn beetle (<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. No Effect.
Vernal pool fairy shrimp (<i>Branchinecta lynchi</i>)	FT/_/_	Moderately turbid, deep, cool-water vernal pool.	A/HA	There are no vernal pools within the Action Area. No Effect.
Vernal pool tadpole shrimp (<i>Lepidurus packardii</i>)	FE/_/_	Vernal pools, swales, and ephemeral freshwater habitat.	A/HA	There are no vernal pools within the Action Area. No Effect.
REPTILES & AMPHIBIANS				
Giant Garter Snake (<i>Thamnophis gigas</i>)	FT/ST/_	Prefers freshwater marsh and low gradient streams.	A/HA	There is no suitable habitat for this species in the Action Area. None were observed during the habitat survey. No Effect.
BIRDS				
Swainson's Hawk (<i>Buteo swainsoni</i>)	MBTA/T/_	Open grasslands, meadows, or marshes for foraging, dense- topped trees for nesting and perching.	A/HP	There is suitable nesting habitat for this species near the Action Area. None were observed during the habitat survey. See Avoidance and Minimization Measures.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Common Name (Scientific Name)	Status Fed/State / CNPS	General Habitat Description	Habitat Present/ Habitat Absent	Rationale
Tri-colored black bird (<i>Agelaius tricolor</i>)	MBTA/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. No Effect.
Western yellow-billed cuckoo (<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. No Effect.
Least Bell's vireo (<i>Vireo bellii pusillus</i>)	E/E/_	Low riparian in vicinity of water or in dry river bottoms; below 2000 ft.	A/HA	There is no suitable habitat for this species in the Action Area. None were observed during the habitat survey. No Effect.
Bank swallow (<i>Riparia riparia</i>)	MBTA/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. No Effect.
PLANTS				
Hartweg's golden sunburst (<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. No Effect.

CODE DESIGNATIONS

FE = Federally-listed Endangered
FT = Federally-listed Threatened
FC = Federal Candidate Species
BCC = Federal Bird of Conservation Concern
MBTA = Protected by the federal Migratory Bird Treaty Act
SE = State-listed Endangered
ST = State-listed Threatened
SR = State-listed Rare
SSC = State Species of Special Concern
S1 = State Critically Imperiled
S2 = State Imperiled
S3 = State Vulnerable
S4 = State Apparently Secure
SSC = CDFW Species of Special Concern
FP = CDFW Fully Protected Species

A = Species Absent
P = Species Present
HA = Habitat Absent
HP = Habitat Present
CH = Critical Habitat
MH = Marginal Habitat
CNPS 1B = Rare or Endangered in California or elsewhere
CNPS 2 = Rare or Endangered in California, more common elsewhere
CNPS 3 = More information is needed
CNPS 4 = Plants with limited distribution
0.1 = Seriously Threatened
0.2 = Fairly Threatened
0.3 = Not very Threatened

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 surveys conducted during August 2022, there were no observed nests in the Action Area or within 500 feet of the Action Area. However, the presence of mature trees within and near the Action Area indicates the potential for nesting birds and raptors during the normal nesting season of February 1 to September 30.

Mitigation

Based on suitable nesting habitat elements and historical CNDDDB records, there is potential nesting habitat for migratory bird species including hawks, on or within 500 feet of the project area.

Mitigation Measure 4.1 Migratory Birds Survey

During construction activities, the project proponent shall implement the following measures to avoid or minimize impacts to protected migratory bird species:

- If any site disturbance or construction activity for any phase of development is scheduled to begin between February 1 and September 30, a qualified biologist shall conduct a preconstruction survey for active tree nests and ground nests from within 14 days prior to site disturbance. The survey area shall cover all potential nesting habitat on-site and off-site up to a distance of 500 feet from the property boundary. The preconstruction survey results (including date, time of survey, survey method, name of surveyor and survey results) shall be submitted to the Yuba County Planning Department. If no nesting migratory birds are found, then further mitigation measures are not necessary.
- If an active nest of a MBTA bird, raptor, State, Federal, or other CDFW-protected bird is discovered that may be adversely affected by any site disturbance, a qualified biologist shall be retained to prepare a site-specific take avoidance plan that proposes

measures to comply with the Fish and Game Code. Measures may include, but are not limited to, nest-specific no disturbance buffers, biological monitoring, rescheduling project activities around sensitive periods for the species (e.g. nest establishment), or implementation of construction best practices such as staging equipment out of the species' line of sight from the nest tree. The avoidance/protective measures shall be implemented prior to the commencement of construction within 500 feet of an identified active nest.

RESULTS: PERMITS AND TECHNICAL STUDIES FOR SPECIAL LAWS OR CONDITIONS

Federal Endangered Species Act Consultation Summary

The USFWS was contacted during August 2022 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 Olivehurst and Yuba City 7.5" Quadrangles and surrounding eight quadrangles. 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 August 2022 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 Olivehurst and Yuba City 7.5" Quadrangle and surrounding eight quadrangles. 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 August, 2022, 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***.

d) 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 is a Yuba County General Plan policy for Trees and other Important Vegetation that will affect this project. Specifically, Policy NR10.1 which states:

Building placement, grading, and circulation should be planned to retain as much existing native vegetation as feasible, with a priority on preserving existing oak trees that have a diameter at breast height (dbh) of 6 inches or greater and all other trees that have a dbh of 30 inches or greater. The County's policies and standards for fire safety may override consideration of retaining existing vegetation in certain circumstances.

In the event that any Heritage Blue Oak (*Quercus Douglasii*) and other native trees are on the property, the following mitigation measure shall be added:

Mitigation Measure 4.2 Oak Tree Protection During Construction

Any native oak trees that are 6 inches dbh or larger on the project site and any off-site native oak trees that are 6 inches dbh or larger which may be impacted by utility installation and/or improvements associated with this project, shall be preserved and protected as follows:

- 1) A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each tree. Removing limbs that make up the dripline does not change the protected area.
- 2) Any protected trees on the site that require pruning shall be pruned by a certified arborist prior to the start of construction work. All pruning shall be in accordance with the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines."
- 3) Prior to initiating construction, temporary protective fencing shall be installed at least one foot outside the driplines of the protected trees within 100-feet of construction related activities, in order to avoid damage to the tree canopies and root systems. This measure shall be followed except for allowed construction beneath any trees removed. During construction, orange construction fencing shall be placed a maximum of 1 foot off the limit of the work area which is the proposed curb or building foundation along the perimeter of the lot.
- 4) Any development-related work during construction shall be supervised by an ISA certified Arborist. The Arborist shall provide a follow-up letter documenting the mitigation has been completed to specification.
- 5) No signs, ropes, cables (except those which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the protected trees. Small metallic numbering tags for the purpose of preparing tree reports and inventories shall be allowed.
- 6) No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be used, driven, parked, stockpiled or located within the driplines of protected trees.
- 7) No grading (grade cuts or fills) shall be allowed within the driplines of protected trees except as allowed on the approved site plan.
- 8) Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any protected tree.
- 9) No trenching shall be allowed within the driplines of protected trees. If it is absolutely necessary to install underground utilities within the dripline of a protected tree, the utility line shall be bored and jacked under the supervision of a certified arborist.
- 10) The construction of impervious surfaces within the driplines of protected trees shall be stringently minimized.
- 11) No sprinkler or irrigation system shall be installed in such a manner that sprays water or requires trenching within the driplines of protected trees. An above ground drip irrigation system is recommended or a similar irrigation system approved by the County's Parks & Landscape Coordinator

- 12) All portions of the proposed iron fence that will encroach into the dripline protection area of any protected tree shall be constructed with posts spaced in a manner as to maximize the separation between the tree trunks and the posts in order to reduce impacts to the trees.
- 13) Trunk protection measures, per Yuba County standards, shall be used for all protected trees where development/ construction activity, including the installation of the iron fence, occurs within 10 feet of a tree.
- 14) Landscaping beneath oak trees may include non-plant materials such as bark mulch/wood chips. The only plant species which shall be planted within the driplines of oak trees are those which are tolerant of the natural semi-arid environs of the trees. A list of such drought-tolerant plant species is available at the Office of Planning and Environmental Review. Limited drip irrigation approximately twice per summer is recommended for the understory plants.
- 15) There shall be a final inspection by the County's Parks & Landscape Coordinator at the end of the project. This is to be done before the tree protection fencing is taken down.
- 16) The subdivider shall provide protected tree maintenance information to purchasers of lots with oak trees within the proposed subdivision.

Mitigation Measure 4.3 Oak Tree Compensation

In the event an oak tree is removed, the County shall be compensated for by the planting of native oak trees (blue oak/*Quercus douglasii*) equivalent to the dbh inches lost, based on the ratios listed below, at locations that are authorized by the Parks & Landscape Coordinator. Up to a total of 50% of native oak tree loss shall be compensated.

Equivalent compensation based on the following ratio is required:

- i. One 15-gallon tree = 1 inch dbh
- ii. One 24-inch box tree = 2 inches dbh

Prior to the approval of Improvement Plans or building permits, a Replacement Oak Tree Planting Plan shall be prepared by a certified arborist or licensed landscape architect and shall be submitted to the Parks & Landscape Coordinator for approval. The Replacement Oak Tree Planting Plan(s) shall include the following minimum elements:

1. Species, size and locations of all replacement plantings;
2. Method of irrigation;
3. A Tree Planting Detail;
4. Planting, irrigation, and maintenance schedules;
5. Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement oak trees which do not survive during that period.

No replacement tree shall be planted within 15 feet of the driplines of existing oak trees or landmark size trees that are retained on-site, or within 15 feet of a building foundation or swimming pool excavation. The minimum spacing for replacement oak trees shall be 20 feet on-center. Examples of acceptable planting locations are publicly owned lands, common areas, and landscaped frontages (with adequate spacing). Generally unacceptable locations are utility easements (PUE, sewer, storm drains), under overhead utility lines, private yards of single family lots (including front yards), and roadway medians. If oak tree replacement

plantings are demonstrated to the satisfaction of the Parks & Landscape Coordinator to be infeasible for any or all trees removed, then compensation shall be through payment into the contribution to the Oak Woodlands Conservation Fund. Payment shall be made at a rate of \$325.00 per dbh inch removed but not otherwise compensated, or at the prevailing rate at the time payment into the fund is made.

Therefore, there would be a **less than significant impact with Mitigation Measures**.

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***.



MARCUS H. BOLE & ASSOCIATES
104 Brock Drive, Wheatland, CA 95692
(530) 633-0117, email: mbole@aol.com

SITE: Fernwood Village Project
ITEM: Community Park – Typical View
DATE: 9/2/2022 **PLATE:** 1



MARCUS H. BOLE & ASSOCIATES
104 Brock Drive, Wheatland, CA 95692
(530) 633-0117, email: mbole@aol.com

SITE: Fernwood Village Project
ITEM: Concrete pad & non-native grasses
DATE: 9/2/2022 **PLATE:** 2



MARCUS H. BOLE & ASSOCIATES
104 Brock Drive, Wheatland, CA 95692
(530) 633-0117, email: mbole@aol.com

SITE: Fernwood Village Project
ITEM: Native oaks & non-native grasses
DATE: 9/2/2022 **PLATE:** 3

V. CULTURAL RESOURCES	Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 September 2022. 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 10.4-acres of land located immediately adjacent to the east side of Grove Avenue and the west side of Fernwood Drive, approximately 500-feet south of North Beale Road, and approximately 0.5-miles east of State Route 70, 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 10.4-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 10.4-acres of land located immediately adjacent to the east side of Grove Avenue and the west side of Fernwood Drive, approximately 500-feet south of North Beale Road, and approximately 0.5-miles east of State Route 70, within the community of Linda, Yuba County, California. Lands affected are located within a portion of Section 29 of Township 15 North, Range 4 East, as shown on the USGS Olivehurst, California, and Yuba City, California, 7.5' Series quadrangles.

Environment

The project area consists of northern Sacramento Valley lands located approximately 1.5- miles east of the confluence between the Yuba and Feather Rivers, 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 65-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.

The community of Linda originated with the sale of lands along the south bank of the Yuba River by Michael C. Nye, to three partners: John Rose, William J. Reynolds, and George Kinloch, in 1849. The trio arrived at the future town site via the steamer "Linda," and forming the Linda Company, the trio decided that livestock ranching of cattle to feed the nearby mines of

Yuba and Nevada Counties would prove lucrative. The following year, John Rose laid out the town of Linda, which was located near Hammonton, at the furthest upstream point on the Yuba River where boats were able to navigate. The partnership dissolved in the spring of 1850, and Rose maintained the cattle ranch, and laid out enough lots to sell on the open market. The town lasted only two years before being abandoned and was buried under mine tailings from mining upstream along the Yuba River. The present-day Linda is affiliated with the original in name and general location only.

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 August 26, 2022 (I.C. File # YUB-22-25. This search documented the following existing conditions for a 0.25-mile radius centered on the APE:

- According to the Information Center's records, no cultural resources have been documented within the APE. Three (3) cultural resources (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. Six (6) investigations have been conducted within the 0.25-mile search radius, and are summarized as follows:

NCIC#	Date	Author(s)
002497	1976	Storm
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).
- New Helvetia Rancho Plat (1855, 1856, 1859).
- 1911 Olivehurst (Ostrom). 1952 USGS Yuba City 7.5' quadrangle.
- 1860 GLO Plat, T14N, R4E.
- 1911 USGS Yuba City quadrangle (1:31,680 scale).
- 1952 USGS Yuba City 7.5' quadrangle.
- 1952 USGS Olivehurst 7.5' quadrangle.
- NETR topographic maps (1911, 1934, 1953, 1954, 1959, 1966, 1974, 1975, 1983, 2012, 2015, 2018).
- NETR Aerials (1947, 1973, 1984, 1998, 2005, 2009, 2010, 2012, 2014, 2016, 2018).
- 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 September 9, 2022, by Principal Investigator, Sean Michael Jensen, M.A. Mr. Jensen is a professional archaeologist, historian and architectural historian, with 36 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 past deep ripping, livestock pasture development, material stockpiling, and playground/park development activities (see photos, below).



Evidence of deep ripping



Playground within eastern portion of APE

Examination of the USGS quadrangles, NETR topographic maps (1911, 1934, 1953, 1954, 1959, 1966, 1974, 1975, 1983, 2012, 2015, 2018) and historic aerials (1947, 1973, 1984, 1998, 2005, 2009, 2010, 2012, 2014, 2016, 2018), confirmed that prior to 1984, no buildings or structure appear within the APE. The 1984, and later, aerials depict a playground within the eastern portion of the APE.

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 August 25, 2022. 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 10.4-acres of land located immediately adjacent to the east side of Grove Avenue and the west side of Fernwood Drive, approximately 500-feet south of North Beale Road, and approximately 0.5-miles east of State Route 70, 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 August 25, 2022. 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

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

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
Would the project:				
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 89 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 89 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
Would the project:				
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 within the Linda County Water District (LCWD) and will, therefore, connect 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.

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Significant Mitigation Incorporated	Than With	Less Than Significant Impact	No Impact
Would the project:					
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 89 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 and Climate Change policies within the Public Health and 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 Edgewater Elementary School, which is approximately 0.4 miles south from the project site, and Yuba College, which is approximately 1 mile 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 is an existing road, Gold Street, which will be punched through the entire property and two new roads within the proposed subdivision: Fern Park Court and Trommel Loop. 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
Would the project:					
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 89 homes. The applicant would be required to submit "Will Serve" letters from LCWD 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 10.24 acres of vacant and park land. The project will result in a total of 89 single-family residences and a park along with accompanying streets. 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 89 single-family residences and a park, and accompanying roads. This has the potential to generate higher run-off rates that could potentially cause flood either on or off site. For this reason, 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 (89 units/9.82 acres = 9.06 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.

XII. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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 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 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
Would the project result in:				
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 89 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 89 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
Would the project:				
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 89 single-family residences where none currently exist. Based on 2.9 people per dwelling unit, this will result in a population increase of roughly 258 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 (89 units/10.24 acres = 9.06 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
Would the project result in:				
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
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 foot 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 89 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 0.42 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 ($0.005 \times 258 \text{ people} = 1.29 \text{ acres}$). 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
Would the project:				
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 0.42 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 258, the total parkland dedication is 1.29 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*.

XVII. TRANSPORTATION/TRAFFIC		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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 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"/>	<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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<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) 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 2 notes the Fernwood Village project trip generation estimate.

TABLE 2 FERNWOOD VILLAGE PROJECT TRIP GENERATION				
Land Use	Unit	Daily Trip Per Unit	Quantity	Daily Trips
Single-family Residence	Dwelling unit (du)	9.44	89 du's	840

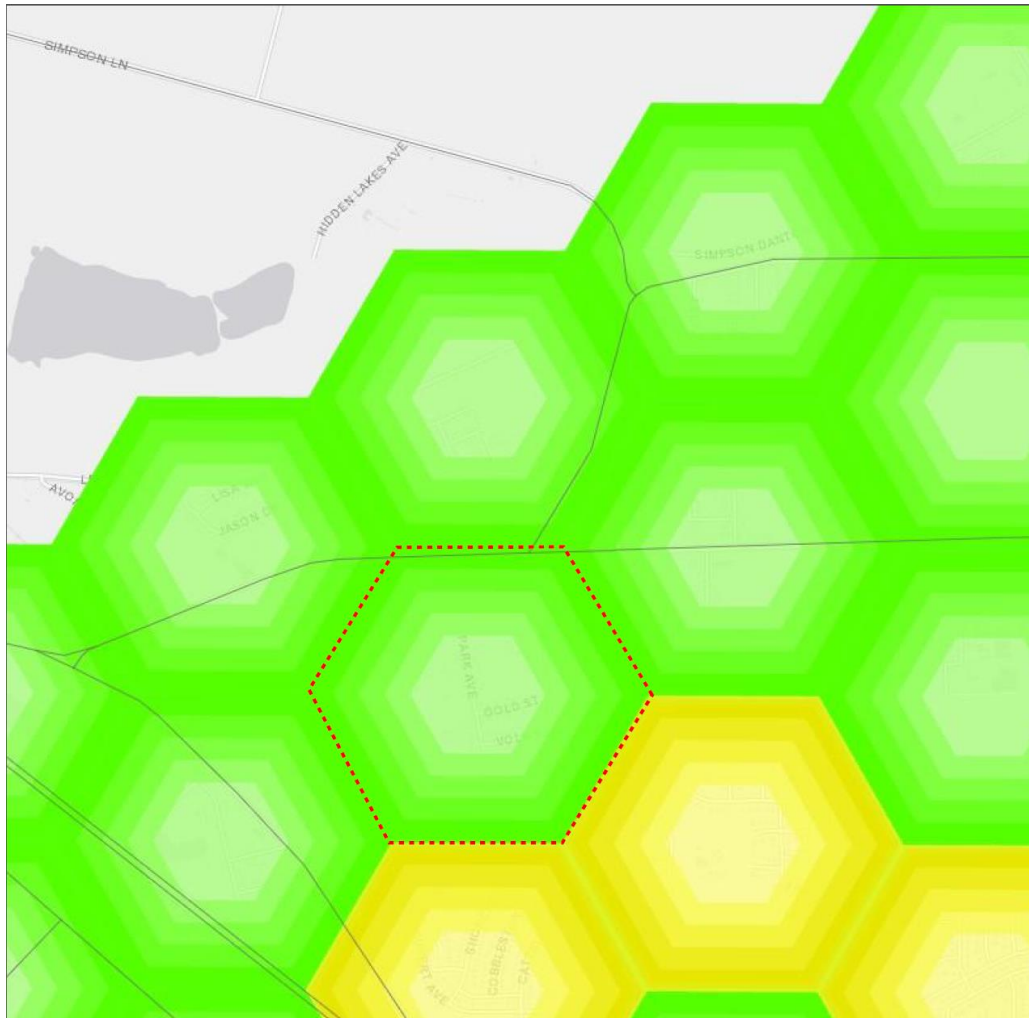
The project is projected to generate 840 daily vehicle trips. As the 110 ADT threshold for automobiles is exceeded, the project's VMT impacts cannot be presumed to be less than significant based on this criterion.

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.^{24, 25} 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.

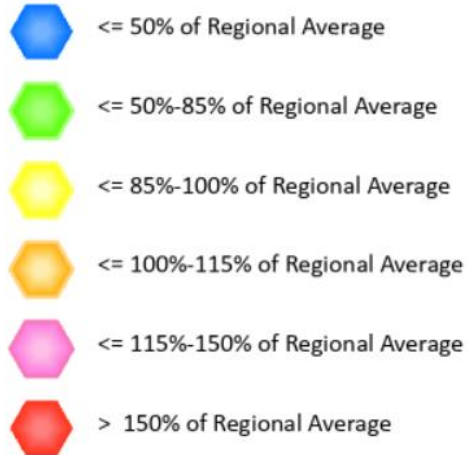
The proposed Fernwood Village project is designated an affordable housing development, and based on OPR guidance, its VMT impact can be presumed to be less than significant based on this screen line criteria.

Moreover, the Sacramento Area Council of Governments (SACOG) has identified ***Low VMT generating locations*** within this region, including Yuba County. The Fernwood Village project's location within SACOG region was determined (identified in Figure 3: Project Location Within SACOG Mapping). 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 3: Project Location Within SACOG Mapping

Residential VMT (including Outside-the-Region
VMT by SACOG residents)(Updated 5/26/21)

Average Residential VMT per Capita



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

VMT Conclusion

The Fernwood Village project is designated an affordable housing development, and based on OPR guidance, its VMT impact can be presumed to be less than significant based on this screen line criteria. Moreover, the 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*.

b) Gold Street, Grove Ave, and Fernwood Drive 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*.

c) Emergency access to the project site would be via Gold Street, Grove Ave, and Fernwood Drive. 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) The UAIC conducted background research for the identification of Tribal Resources for this project which included a review of pertinent literature, historic maps, and a records search using UAIC's Tribal Historic Information System (THRIS). UAIC's THRIS database is composed of UAIC's areas of oral history, ethnographic history, and places of cultural and religious significance, including UAIC's Sacred Lands that are submitted to the Native American Heritage Commission (NAHC). The THRIS resources shown in this region also include previously recorded indigenous resources identified through the California Historic Resources Information System Center (CHRIS) as well as historic resources and survey data. Therefore, no additional treatment or mitigated action is recommended for the site 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 United Auburn Indian Community (UAIC) is a federally recognized Tribe comprised of both Miwok and Maidu (Nisenan) Tribal members who are traditionally and culturally affiliated with the project area. The Tribe has a deep spiritual, cultural, and physical ties to their ancestral land and are contemporary stewards of their culture and landscapes. The Tribal community represents a continuity and endurance of their ancestors by maintaining their connection to their history and culture. It is the Tribe's goal to ensure the preservation and continuance of their cultural heritage for current and future generations.

The UAIC responded to the Early Consultation request on February 2, 2023. Staff asked if a tribal survey would be required for this project and Anna Starkey, with the UAIC, responded that they "have no concerns and decline to consult." Therefore, The UAIC will not require a field visit to identify any additional tribal cultural resources. The following mitigation measure has been added to address avoidance and preservation in place as the preferred manner of mitigating

impacts to tribal cultural and cultural resources (CEQA Guidelines §21083.2(b)). This can be accomplished by the following:

Mitigation Measure 18.1 Unanticipated/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.

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.

The UAIC has closed consultation with the aforementioned mitigation measures added to the project. 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.***

XIX. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 will receive water and wastewater service by the Linda County Water District (LCWD). The district has indicated that adequate water capacity and wastewater treatment capacity exists to serve the proposed project. All required infrastructure expansions will be located in the existing right-of-way and will therefore create a ***less than significant impact***.

b) The construction of 89 homes will involve the use of the existing water supplies, however 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) 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) and e) LCWD will continue provide service to the 89 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
Would the project:				
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.

Does the project:	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 Heritage Oak Trees. Mitigation measures **MM4.1, MM4.2, and MM4.3** 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 89-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, September 2022.
6. Cultural Resource Inventory Survey, Genesis Society, September 2022.

**MITIGATION MONITORING PLAN
LDIV-22-0014 (FERNWOOD VILLAGE)**

MM 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.		
Timing/Implementation <i>Prior to approval of Site Improvement and/or Master Plans.</i>	Enforcement/Monitoring Yuba County Planning and Public Works Department	
Performance Criteria Building Permit Review	Verification Cost N/A	
		Date Complete (If applicable)

**MITIGATION MONITORING PLAN
LDIV-22-0014 (FERNWOOD VILLAGE)**

MM 3.1 FRAQMD <ul style="list-style-type: none"> Implement FRAQMD Fugitive Dust Plan 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. Implement FRAQMD standard construction phase mitigation measures. (https://www.fraqmd.org/ceqa-planning) 		
Timing/Implementation <i>Upon start of construction activities.</i>	Enforcement/Monitoring Yuba County Public Works Department	
Performance Criteria Permit verification , or clearance documents, from FRAQMD	Verification Cost N/A	
		Date Complete (If applicable)

**MITIGATION MONITORING PLAN
LDIV-22-0014 (FERNWOOD VILLAGE)**

MM 3.1 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.
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.

Timing/Implementation <i>Upon start of construction activities.</i>	Enforcement/Monitoring Yuba County Public Works Department	
Performance Criteria Permit verification , or clearance documents, from FRAQMD	Verification Cost N/A	
		Date Complete (If applicable)

**MITIGATION MONITORING PLAN
LDIV-22-0014 (FERNWOOD VILLAGE)**

MM 4.1 Migratory Birds Survey

During construction activities, the project proponent shall implement the following measures to avoid or minimize impacts to protected migratory bird species:

- If any site disturbance or construction activity for any phase of development is scheduled to begin between February 1 and September 30, a qualified biologist shall conduct a preconstruction survey for active tree nests and ground nests from within 14 days prior to site disturbance. The survey area shall cover all potential nesting habitat on-site and off-site up to a distance of 500 feet from the property boundary. The preconstruction survey results (including date, time of survey, survey method, name of surveyor and survey results) shall be submitted to the Yuba County Planning Department. If no nesting migratory birds are found, then further mitigation measures are not necessary.
- If an active nest of a MBTA bird, raptor, State, Federal, or other CDFW-protected bird is discovered that may be adversely affected by any site disturbance, a qualified biologist shall be retained to prepare a site-specific take avoidance plan that proposes measures to comply with the Fish and Game Code. Measures may include, but are not limited to, nest-specific no disturbance buffers, biological monitoring, rescheduling project activities around sensitive periods for the species (e.g. nest establishment), or implementation of construction best practices such as staging equipment out of the species' line of sight from the nest tree. The avoidance/protective measures shall be implemented prior to the commencement of construction within 500 feet of an identified active nest.

Timing/Implementation <i>Upon start and during construction activities.</i>	Enforcement/Monitoring Yuba County Planning Department	
Performance Criteria N/A	Verification Cost N/A	
		Date Complete (If applicable)

**MITIGATION MONITORING PLAN
LDIV-22-0014 (FERNWOOD VILLAGE)**

MM 4.2 Oak Tree Protection During Construction

Any native oak trees that are 6 inches dbh or larger on the project site and any off-site native oak trees that are 6 inches dbh or larger which may be impacted by utility installation and/or improvements associated with this project, shall be preserved and protected as follows:

1. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each tree. Removing limbs that make up the dripline does not change the protected area.
2. Any protected trees on the site that require pruning shall be pruned by a certified arborist prior to the start of construction work. All pruning shall be in accordance with the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines."
3. Prior to initiating construction, temporary protective fencing shall be installed at least one foot outside the driplines of the protected trees within 100-feet of construction related activities, in order to avoid damage to the tree canopies and root systems. This measure shall be followed except for allowed construction beneath any trees removed. During construction, orange construction fencing shall be placed a maximum of 1 foot off the limit of the work area which is the proposed curb or building foundation along the perimeter of the lot.
4. Any development-related work during construction shall be supervised by an ISA certified Arborist. The Arborist shall provide a follow-up letter documenting the mitigation has been completed to specification.
5. No signs, ropes, cables (except those which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the protected trees. Small metallic numbering tags for the purpose of preparing tree reports and inventories shall be allowed.
6. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be used, driven, parked, stockpiled or located within the driplines of protected trees.
7. No grading (grade cuts or fills) shall be allowed within the driplines of protected trees except as allowed on the approved site plan.
8. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any protected tree.
9. No trenching shall be allowed within the driplines of protected trees. If it is absolutely necessary to install underground utilities within the dripline of a protected tree, the utility line shall be bored and jacked under the supervision of a certified arborist.
10. The construction of impervious surfaces within the driplines of protected trees shall be stringently minimized.
11. No sprinkler or irrigation system shall be installed in such a manner that sprays water or requires trenching within the driplines of protected trees. An above ground drip irrigation system is recommended or a similar irrigation system approved by the County's Parks & Landscape Coordinator
12. All portions of the proposed iron fence that will encroach into the dripline protection area of any protected tree shall be constructed with posts spaced in a manner as to maximize the separation between the tree trunks and the posts in order to reduce impacts to the trees.
13. Trunk protection measures, per Yuba County standards, shall be used for all protected trees where development/ construction activity, including the installation of the iron fence, occurs within 10 feet of a tree.
14. Landscaping beneath oak trees may include non-plant materials such as bark mulch/wood chips. The only plant species which shall be planted within the driplines of oak trees are those which are tolerant of the natural semi-arid environs of the trees. A list of such drought-tolerant plant species is available at the Office of Planning and Environmental Review. Limited drip irrigation approximately twice per summer is recommended for the understory plants.
15. There shall be a final inspection by the County's Parks & Landscape Coordinator at the end of the project. This is to be done before the tree protection fencing is taken down.
16. The subdivider shall provide protected tree maintenance information to purchasers of lots with oak trees within the proposed subdivision.

Timing/Implementation

Upon start and during construction activities.

Enforcement/Monitoring

Yuba County's Parks & Landscape Coordinator

Performance Criteria

N/A

Verification Cost

N/A

Date Complete (If applicable)

**MITIGATION MONITORING PLAN
LDIV-22-0014 (FERNWOOD VILLAGE)**

MM 4.3 Oak Tree Compensation

In the event an oak tree is removed, the County shall be compensated for by the planting of native oak trees (blue oak/*Quercus douglasii*) equivalent to the dbh inches lost, based on the ratios listed below, at locations that are authorized by the Parks & Landscape Coordinator. Up to a total of 50% of native oak tree loss shall be compensated.

Equivalent compensation based on the following ratio is required:

- One 15-gallon tree = 1 inch dbh
- One 24-inch box tree = 2 inches dbh

Prior to the approval of Improvement Plans or building permits, a Replacement Oak Tree Planting Plan shall be prepared by a certified arborist or licensed landscape architect and shall be submitted to the Parks & Landscape Coordinator for approval. The Replacement Oak Tree Planting Plan(s) shall include the following minimum elements:

1. Species, size and locations of all replacement plantings;
2. Method of irrigation;
3. A Tree Planting Detail;
4. Planting, irrigation, and maintenance schedules;
5. Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement oak trees which do not survive during that period.

No replacement tree shall be planted within 15 feet of the driplines of existing oak trees or landmark size trees that are retained on-site, or within 15 feet of a building foundation or swimming pool excavation. The minimum spacing for replacement oak trees shall be 20 feet on-center. Examples of acceptable planting locations are publicly owned lands, common areas, and landscaped frontages (with adequate spacing). Generally unacceptable locations are utility easements (PUE, sewer, storm drains), under overhead utility lines, private yards of single family lots (including front yards), and roadway medians. If oak tree replacement plantings are demonstrated to the satisfaction of the Parks & Landscape Coordinator to be infeasible for any or all trees removed, then compensation shall be through payment into the contribution to the Oak Woodlands Conservation Fund. Payment shall be made at a rate of \$325.00 per dbh inch removed but not otherwise compensated, or at the prevailing rate at the time payment into the fund is made.

Timing/Implementation <i>Prior to the approval of Improvement Plans or building permits</i>	Enforcement/Monitoring Yuba County's Parks & Landscape Coordinator	
Performance Criteria N/A	Verification Cost N/A	
		Date Complete (If applicable)

**MITIGATION MONITORING PLAN
LDIV-22-0014 (FERNWOOD VILLAGE)**

MM 5.1 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.

Timing/Implementation <i>Prior to the start of, and during, construction activities.</i>	Enforcement/Monitoring Yuba County Planning Department	
Performance Criteria N/A	Verification Cost N/A	
		Date Complete (If applicable)

**MITIGATION MONITORING PLAN
LDIV-22-0014 (FERNWOOD VILLAGE)**

MM 5.2 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.

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)

**MITIGATION MONITORING PLAN
LDIV-22-0014 (FERNWOOD VILLAGE)**

MM 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.

Timing/Implementation <i>Prior to the approval of a grading plan or site improvement plans.</i>	Enforcement/Monitoring Yuba County Public Works Department	
Performance Criteria N/A	Verification Cost N/A	
		Date Complete (If applicable)

**MITIGATION MONITORING PLAN
LDIV-22-0014 (FERNWOOD VILLAGE)**

MM 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.		
Timing/Implementation <i>Prior to Recordation of Final Map.</i>	Enforcement/Monitoring Yuba County Public Works Department	
Performance Criteria N/A	Verification Cost N/A	
		Date Complete (If applicable)

**MITIGATION MONITORING PLAN
LDIV-22-0014 (FERNWOOD VILLAGE)**

MM 18.1 Inadvertent Discoveries Of TCRs

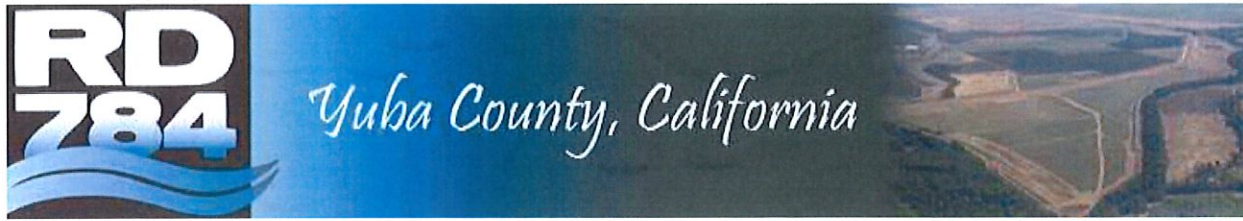
If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and 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.

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

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

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

Timing/Implementation <i>Prior to the start of, and during, construction activities.</i>	Enforcement/Monitoring Yuba County Planning Department	
Performance Criteria N/A	Verification Cost N/A	
		Date Complete (If applicable)



May 17, 2023

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

RE: Tentative Subdivision Tract Map LDIV-22-0014 (Fernwood Village)

RD784 EARLY CONSULTATION COMMENTS

In response to your Application Routing dated January 9, 2023, 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 and is zoned RM-Medium Density Residential District. 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.
2. Developers shall pay operation and maintenance fees in accordance CSA 66 for operation and maintenance of RD 784 facilities or other CSA as determined applicable by County of Yuba.
3. Developer shall pay all Drainage Basin C 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 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. If all drainage is directed to the Yuba County Drainage System, the developer can request a waiver from paying drainage impact fees.
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.

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 District.
6. All building pads shall be at least one foot above the 100-year base flood elevation in accordance with the best available information in the Reclamation District No. 784 Master Drainage Plan, Yuba County, and FEMA.
7. The 100-year base flood elevation shall be shown on the approved tentative map and all improvements plans.
8. All industrial, residential properties, or open space with allowed recreational uses adjacent to Reclamation District No. 784 facilities/right-of-way shall have a six (6) chain link fence with no climb mesh, metal picket fence, wrought iron, or solid wall (i.e., concrete, masonry block). There shall be a one (1) foot no access easement recorded in the deed along all common property lines with Reclamation District No. 784 lands.

Storm water quality is a major issue within Drainage Basin C (along with the other Basins) and the storm water quality will be enforced. This is a unique area within Drainage Basin C that has no existing conveyance system directing water to the RD 784 system and has a County drainage commonly referred to as the Fernwood Ditch adjacent to the project which flows south to Linda Drain then to the Olivehurst Interceptor. This facility is part of the Yuba County Drainage System. If a portion of the flow is directed into this County facility, RD 784 will consider reducing the Drainage Basin C impact fee accordingly. The District understands that the O&M of these features may need to be included in the special zone of benefit for CSA 66 or included in some other type of assessment or fee. If drainage is directed into the County Drainage system, they may require annexation into CSA 52.

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 agreement).

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

Sincerely,



Patrick Meagher
General Manager
Reclamation District 784

cc:

Sean Minard, MHM Inc. (District Engineer)
1204 E St.
Marysville, CA 95901

Marysville Joint Unified School District

1919 B Street • Marysville, CA 95901

(530) 741-6000 • Fax (530) 742-0573



Board of Trustees

Randy L. Davis
Alisan R. Haste
Randy L. Rasmussen
Doug F. Criddle
Gary J. Criddle
Jeff D. Boom
Frank J. Crawford

January 27, 2023

County of Yuba
Community Development & Services Agency
Planning Department
915 8th Street
Marysville, CA. 95901
Attn: Clara Fisher, Planner II

Tentative Subdivision Tract Map "LDIV-22-0014" (Fernwood Village)

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

Dear Ms. Fisher,

Please accept this preliminary response to the project impact on school facilities within Marysville Joint Union School District (MJUSD). This response is not intended to replace our comments as allowed under California Environmental Quality Act (CEQA) requirements, rather, to assist the County of Yuba in scoping the environmental review required by CEQA.

Developer Fees Government Code Section 65995 and California Education Code Section 17620 allows school districts to levy fees on residential and or commercial/industrial construction projects within a school district's boundaries. The intent of the fee is to mitigate the impact the development will have on the school(s) that the student will attend.

The impact on school facilities is significant. MJUSD schools will be required to build additional classrooms as well as increase core facilities such as libraries, multiple purpose rooms, restrooms, and other spaces to accommodate the growth. The cost to increase facilities for this growth is the responsibility of the developer.

Marysville Joint Unified School District looks forward to analyzing the growth and discussion mitigation strategies that will provide the students generated from new development with quality public school facilities. MJUSD appreciates your request for preliminary comments.

Sincerely,

Jennifer Passaglia
Assistant Superintendent, Business Services
Marysville Joint Unified School District

Fisher, Ciara

From: Stalin, Nirupama@DOT <Nirupama.Stalin@dot.ca.gov>
Sent: Thursday, May 18, 2023 3:38 PM
To: Fisher, Ciara
Cc: Arnold, Gary S@DOT; Dhatt, Satwinder K@DOT
Subject: RE: TSTM "LDIV-22-0014" (Fernwood Village) - IS/MND

Hi Ciara,

Thank you for including California Department of Transportation in the review process for the Fernwood Village Project. We wanted to reach out and let you know we have no comments at this time.

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

Should you have questions please contact me, Local Development Review, Equity and System Planning Coordinator, by phone (530) 821-8306 or via email at D3.local.development@dot.ca.gov.

Thank you!

Nirupama Stalin

Associate Transportation Planner, Local Development Review, Equity and System Planning
Division of Planning, Local Assistance, and Sustainability
California Department of Transportation, District 3
703 B Street | Marysville, CA 95901
Work Cell: (530) 821-8306
Email: Nirupama.Stalin@dot.ca.gov
www.dot.ca.gov/d3/

From: Fisher, Ciara <cfisher@CO.YUBA.CA.US>
Sent: Tuesday, May 16, 2023 2:57 PM
Subject: TSTM "LDIV-22-0014" (Fernwood Village) - IS/MND

EXTERNAL EMAIL. Links/attachments may not be safe.

Good afternoon,

Please review the attached Draft Initial Study/MND and Mitigation Measures for Tentative Subdivision Tract Map TSTM "LDIV-22-0014" (Fernwood Village). The project is scheduled for the June 21st Planning Commission meeting. Please let me know if you have any comments or recommendations for the environmental document by **June 5th**.

Thanks,

Ciara Fisher

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



Serving Sutter and Yuba Counties

541 Washington Avenue
Yuba City, CA 95991
(530) 634-7659
FAX (530) 634-7660
www.fraqmd.org

Christopher D. Brown, AICP
Air Pollution Control Officer

June 5, 2023

Ciara Fisher
Sutter County Development Services
1130 Civic Center Blvd.
Yuba City, CA 95993

Re: TSTM "LDIV-22-0014" (Fernwood Village) - IS/MND

Dear Ciara Fisher,

The Feather River Air Quality Management District (District) appreciates the opportunity to review and comment on the project referenced above.

The District would like to notify the applicant that during construction phase to adhere to District Rule 3.16 which states that the developer or contractor are required to control dust emissions from earth moving activities, handling, or storage activity from leaving the project site. I have included FRAQMD recommended construction phase mitigation measures and a copy of the fugitive dust control plan form.

It should be noted that any materials including vegetation and structures being removed from the project site must be disposed of properly. Materials and/or structures being removed from the project site must not be burned. All new development planned for the proposed project would be subject to FRAQMD's Indirect Source Fees. The proposed project would be subject to the Indirect Source fee of \$15 per residential unit.

The District has also attached a list of local and state regulations applicable to development that each project must adhere to in addition to any mitigation measures proposed to reduce construction or operational air quality impacts.

If you need any further assistance, please contact me at (530) 634-7659 x209. Air District staff will be available to assist the project proponent or lead agency as needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Angelonides".

Peter Angelonides
Air Quality Planner

Enclosures: FRAQMD Construction Phase Mitigation Measures; Fugitive Dust Control Plan; Rules and Regulations Statement
File: Chron
ISR

FRAQMD Construction Phase Mitigation Measures

1. The contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation.
2. Utilize existing power sources (e.g., line power) or clean fuel generators rather than temporary power generators.
3. Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
4. 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.
5. Work areas shall be watered or treated with Dust Suppressants as necessary to prevent fugitive dust violations.
6. 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. Travel time to water sources should be considered and additional trucks used if needed.
7. Onsite dirt piles or other stockpiled material 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.
8. All transfer processes involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.
9. Apply approved chemical soil stabilizers according to the manufacturers' specifications, to all-inactive construction areas (previously graded areas that remain inactive for 96 hours) including unpaved roads and employee/equipment parking areas.
10. 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 effectively remove soil buildup on tires and tracks to prevent/diminish track-out.
11. 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.
12. Provide temporary traffic control as needed during all phases of construction to improve traffic flow, as deemed appropriate by the Department of Public Works and/or Caltrans and to reduce vehicle dust emissions.
13. 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.
14. Reestablish ground cover on the construction site as soon as possible and prior to final occupancy, through seeding and watering.

15. The proponent shall assemble a comprehensive inventory list (i.e. make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that will be used an aggregate of 40 or more hours for the construction project and apply the following mitigation measure:

The project shall provide a plan for approval by FRAQMD demonstrating that the heavy-duty (equal to or greater than 50 horsepower) off-road equipment to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 5 percent ROG reduction, 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction. A Construction Mitigation Calculator (MS Excel) may be downloaded from the SMAQMD web site to perform the fleet average evaluation <http://www.airquality.org/ceqa/index.shtml> . Acceptable options for reducing emissions may include use of late model engines (Tier 4), CARB Approved low-emission diesel products, alternative fuels, engine retrofit technology (Carl Moyer Guidelines), after-treatment products, voluntary offsite mitigation projects, provide funds for air district offsite mitigation projects, and/or other options as they become available. The District should be contacted to discuss alternative measures.

The results of the Construction Mitigation Calculator shall be submitted and approved by the District PRIOR TO BEGINNING WORK. The project shall provide a monthly summary of heavy-duty off-road equipment usage to the District throughout the construction of the project.

16. The Lead Agency may also contribute to the FRAQMD's Off-Site Mitigation Program to reduce project emissions to less than significant. The lead agency should include contribution to the off-site mitigation program as a mitigation measure in its environmental analysis. The lead agency will need to compile a list of all emission sources and consult with the FRAQMD staff to implement this mitigation measure. The project will need to track emissions generated from equipment and vehicles throughout the project phase that is estimated to exceed the threshold (for example, if construction phase exceed the threshold, then track emissions from off-road, portable, and on-road equipment and vehicles). Please consult with the FRAQMD for more information on contributing to an Off-Site Mitigation Program.

FRAQMD Rules & Regulations Statement: New Development

The following statement is recommended as standard condition of approval or construction document language for **all** development projects within Feather River Air Quality Management District (FRAQMD). All projects are subject to FRAQMD rules in effect at the time of construction. A complete listing of current rules is available at www.fraqmd.org or by calling 530-634-7659. Specific rules that may relate to construction activities or building design may include, but are not limited to:

Regulation IV: Stationary Emission Sources Permit System and Registration. Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from FRAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or internal combustion engine should contact the FRAQMD early to determine if a permit is required, and to begin the permit application process. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc.) with an internal combustion engine over 50 horsepower are required to have a FRAQMD permit or a California Air Resources Board portable equipment registration. Other general types of uses that require a permit include, but are not limited to fumigation chambers, gasoline tanks and dispensing, spray booths, and operations that generate airborne particulate emissions.

Rule 3.0: Visible Emissions. A person shall not discharge into the atmosphere from any single source of emissions whatsoever, any air contaminants for a period or periods aggregating more than three minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on the Ringleman Chart.

Rule 3.15: Architectural Coatings. The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

Rule 3.16: Fugitive Dust. The developer or contractor is required to control dust emissions from earth moving activities, storage or any other construction activity to prevent airborne dust from leaving the project site.

Rule 3.17: Wood Burning Devices. This rule requires newly installed wood burning devices meet emission standards. Wood burning fireplaces are prohibited unless they meet emission standards.

Rule 3.23: Natural Gas-Fired Water Heaters, Small Boilers, and Process Heaters. This rule requires all newly purchased or installed units 75,000 Btu/hr up to 1 million Btu/hr meet emission limits.

Rule 7.10: Indirect Source Fee. An applicant for a building permit shall pay fees to the FRAQMD based on number of units (residential) or square footage of the building and associated parking (commercial and industrial).

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 of vegetative 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 to energy facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials offsite for disposal by open burning.

In addition, other State or Federal rules and regulations may be applicable to construction phases of development projects, including:

California Health and Safety Code (HSC) section 41700. Except as otherwise provided in Section 41705, no person shall discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

HSC section 41701. Except as otherwise provided in Section 41704, or Article 2 (commencing with Section 41800) of this chapter other than Section 41812, or Article 2 (commencing with Section 42350) of Chapter 4, no person shall discharge into the atmosphere from any source whatsoever any air contaminant, other than uncombined water vapor, for a period or periods aggregating more than three minutes in any one hour which is: (a) As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or (b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subdivision (a).

California Vehicle Code section 23114 regarding transportation of material on roads and highways.

California Code of Regulations Title 13 Chapter 10 section 2485: Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling. Limits idling time to 5 minutes for on-road heavy duty diesel trucks.

California Code of Regulations Title 13 Chapter 9 Article 4.8 section 2449: Regulation for In-Use Off-Road Diesel Vehicles. Limits idling time to 5 minutes.

California Code of Regulations Title 17 Division 3 Chapter 1 Subchapter 7.5 section 93105: Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations.

California Code of Regulations Title 17 Division 3 Chapter 1 Subchapter 7.5 section 93106: Asbestos ATCM for Surfacing Applications.

Asbestos NESHAP. Prior to demolition of existing structures, an asbestos evaluation must be completed in accordance with the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) regulations. Section 61.145 requires written notification of demolition operations. Asbestos NESHAP Demolition/Renovation Notification Form can be downloaded at <http://www.arb.ca.gov/enf/asbestos/asbestosform.pdf>. This notification should be typewritten and postmarked or delivered no later than ten (10) days prior to the beginning of the asbestos demolition or removal activity. Please submit the original form to USEPA and a copy each to California Air Resources Board (CARB) and the District at the addresses below:

U.S. EPA
Attn: Asbestos NESHAP Program
75 Hawthorne Street
San Francisco, CA 94105

CARB, Compliance Division
Attn: Asbestos NESHAP Program
P.O. Box 2815
Sacramento, CA 95814

FRAQMD
Attn: Karla Sanders
541 Washington Avenue
Yuba City, CA 95991

The approved plan serves as an acknowledgment by the project proponent of their duty to address state and local laws governing fugitive dust emissions and the potential for first offense issuance of a Notice of Violation by the air district where violations are substantiated by District staff. This plan (along with standard mitigation measures for all projects and best available mitigation measures where applicable) shall be made available to the contractors and construction superintendent on the project site.

- Project Proponent: _____
Printed Name Company/Phone

By signing this document I acknowledge that I have read the FRAQMD Rules and Regulations Statement: New Development, which includes state and local fugitive dust emission laws. I understand that it is my responsibility as the project proponent to ensure that appropriate materials and instructions are available to site employees to implement fugitive dust mitigation measures appropriate for each development phase of this project in order to ensure compliance.

I further acknowledge that it is my responsibility to ensure that site employees are made formally aware of fugitive dust control laws, requirements, and available mitigation techniques, and that appropriate measures are to be implemented at the site as necessary to prevent fugitive dust violations.

Signature: _____ Name: _____

Title: _____ Date: _____

FRAQMD – Modified 2/23/2016

A- 1



February 8, 2023

Ciara Fisher
County of Yuba
915 8th Street
Marysville, CA 95901

Re: Fernwood Village Tentative Tract Map
2017 Burnett Way, Sacramento, CA

Dear Ciara Fisher,

Thank you for giving us the opportunity to review the proposed Fernwood Village Tentative Tract 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 for additional services you may require, or for any modification and/or relocation requests.

Sincerely,

Alexa Gardea
Land Management
916-760-5738

Tribal Cultural Resources Unanticipated Discoveries

The following mitigation measure¹ 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.



¹ 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.

Ralph Bradwell
[REDACTED] Grove Ave.
Marysville, CA 95901

RECEIVED

MAY 26 2023

COMMUNITY DEVELOPMENT
& SERVICES AGENCY

May 24, 2023

Yuba County CDSA
Planning Department
915 8th Street, Suite 123
Marysville, CA 95901

To Whom It May Concern;

I am writing in regards to the subdivision identified as Fernwood Village. While this letter is more in regards to seeking information, I have strong concerns with this project that intends to produce 89 lots within 10.24 acres. I understand the requirements of legislature and the rising concerns with the unhoused but the location selected is inappropriate and underdeveloped to support the potential population and traffic it will bring to the area. The following are questions I would like to have answered:

1. What happened to the original park development plan? What caused the failure?
2. Is there proper storm water drainage?
3. Any traffic studies produced on Grove Ave and is there any plans to develop Grove Ave to support the additional residents?
4. Please provide confirmation there will be 14 dwelling units within 1 acre bordering the property at 5881 Grove Ave?
5. What is the target demographics for the new residences?
6. Will there be occupancy restrictions and who will enforce those if implemented?
7. Will there be parking and vehicle restrictions and who will enforce those if implemented?
8. What are the requirements or qualifications to purchase one of the new residences?
9. Is there any plans, contracts or intentions by the county to use any of these dwellings for California Department of Corrections, Department of Health and Human Services or Behavioral Health programs?
10. What are the successes and failures of similar developments within Yuba County and/or surrounding areas?
11. How does this economic development plan support Yuba County in a prosperous future?

Any opportunity to speak in regards to this project would be greatly appreciated.

Sincerely,

Ralph Bradwell
[REDACTED]



5/29/2023

To Whom it may concern:

First let me introduce myself I am John D Eldeen residing at 5881 Grove Av Marysville Ca.

I have owned this property for approximately 34 years. I understand that the 10 + acres has been rezoned from what was supposed to be deeded land that could only be used for a park for the community. The new rezoning supposedly allows housing to be built there. How is this " Village" going to be used? Are the lots to be sold to individuals or rented out? Who will oversee these properties? Who is eligible for the housing? None of the proposed properties appear to have housing capabilities for even a small family.

I have great concerns about the impact that this will have on the surrounding community and the value of my property as it looks to me after studying the map that I will have 18 of the very small houses bordering my property. What will happen to current property values and how will I be compensated when my property values tank?

On 5/18/2023 Ciara Fisher upon my request forwarded me all the information that she has at that time, with a comment that when she had more documentation prepared that she will forward it to me. As of this date I have not received any further communication.

I will only be able to comment on what I have received so far.

I had requested a block wall on the border of my property for a sound wall and protection for my walnut trees that per code 11.19.080. Ciara Fisher stated in her email a sound wall is not required as the density is only 9 units per acre and it is not required until the density is 10 units per acre. I don't think it is an unreasonable request considering the massive impact this will have on my property.

Also, several areas that were discussed are incomplete.

1.c - Substantially degrade the existing visual character or quality of the site and its surroundings? The residents around the park have historically had an open view of the park and the natural scene and many migrating birds and other wildlife there. With this proposed development this will be significantly impacted.

8.a - This section says 'no significant impact' there are no traffic studies to justify this designation. This seems to be a general statement without information to back it up other than the opinion of the author, "the project would generate additional vehicle trips in conjunction with 89 additional assumed single-family residences. Although the project will have an impact on greenhouse gas emissions, the impact would be negligible." The impacted residents/community don't know how many, aren't given any information as to how many additional vehicle trips and there doesn't seem to be enough information for the author to make the determination "less than significant".

9.g - "There is an existing road, Gold Street, which will be punched through the entire property and two new roads within the proposed subdivision: Fern Park Court and Trommel Loop. 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."

5/29/2023

This doesn't address the additional drain on the first responders in the area, including fire, medial and sheriff's office. Although Gold St is an existing road, all these new residents will need to be accounted for in an evacuation. The last evacuation in this community took up to 3 - 4 hours for families to evacuate. This high-density housing would further negatively impact the family's ability to evacuate in an emergency.

9.h - The high-density housing in this community seems like it would increase the fire danger due to structure fires. How will the community be protected from fire spreading to nearby structures?

13.a & b - These statements don't seem to consider the current residences that live next to the proposed subdivision. They have not been subjected to any such noise. Some are being impacted more than others. What mitigation will be done for those that will experience significant impacts because of this?

15.a & b - This project will remove an existing park and replace it with what appears to be less than half of what is currently developed park. Also all of the undeveloped land will be lost as well. This seems like a significant impact.

17.c - "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." This statement doesn't include impacts to any of the surrounding areas. The streets getting to this new subdivision, Grove Avenue, are not adequate for these additional trips. This section of the document doesn't consider any of the surrounding streets and their capacities and functionality.

All answers must consider 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.

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

I am currently investigating to see what the impact has been on other areas that have this type of project **for Noise, Added Greenhouse Gas emissions, Transportation, Traffic, Property Value, Maintenance and Longevity of this type of Project.**

Due to short notice, I will not be able to present them at this time.

I would expect that before there can be any vote on acceptance of this proposal that the board of supervisors would get this information to the public, especially to those of us that are asking questions and will be impacted by this action. This is our home, our community, our children's future.

John Eldeen

Fisher, Ciara

From: Downs, Rachel
Sent: Tuesday, June 13, 2023 8:42 AM
To: Fisher, Ciara
Subject: FW: Fernwood Village

-----Original Message-----

From: John Hemphill <johnhemphill530@gmail.com>
Sent: Monday, June 5, 2023 12:42 PM
To: YES <YES@CO.YUBA.CA.US>
Subject: Fernwood Village

I am writing to you on behalf of the concerned residents of the town of Linda in Yuba County. As a proud member of this community, I want to express our collective worries and opposition regarding the proposed construction project involving 86 half-plex units and 3 single-family residential units on the field near our local park.

Our concerns extend beyond the loss of a space with potential. It's about preserving the character and safety of our community, maintaining a healthy environment for our children to play, and protecting the potential beauty that makes our town unique.

While we understand the need for housing and appreciate the county's efforts to provide it, we believe this particular location should be reconsidered. The field holds immense potential to expand our current park, thereby serving all residents with an improved, more extensive recreational area. The residents see this as an opportunity to enhance our community's quality of life and promote healthier lifestyles.

In the past, a similar construction proposal was met with opposition from our community, which led to its abandonment. This new proposition echoes the same concerns as before, with added worries about the potential increase in crime, drug activity, and gang involvement that a high-density housing development could invite.

We propose that the county reconsiders the proposed location for this development and instead explores possibilities of investing in an upgraded and expanded park. Such an investment could revitalize our community, provide safe play areas for our children, and further instill a sense of pride in our residents.

We urge you to consider our perspective and recognize the voice of Linda's residents. We are more than willing to engage in constructive dialogues to discuss alternative plans that could meet the housing needs without sacrificing our parks spaces.

Thank you for your attention to this matter. We trust in your commitment to serving the best interests of our community.

Sincerely, John

TO WHOM IT MAY CONCERN

LET ME INTRODUCE MYSELF
I AM GENE ISAAC RESIDING AT
[REDACTED] ASH WAY, MARYSVILLE, CA


I HAVE OWNED THIS PROPERTY SINCE
1972 APPROXIMATELY 50 YEARS

I UNDERSTAND THAT THE 2.53 +
7.84 ACRES TO THE SOUTH OF
MY PROPERTY IS BEING CONSIDERED
FOR 80+ HOMES, IF 80+ HOMES
WERE BUILT IN THIS APPROX. 10 ACRES
THEY ARE GOING TO BE LESS THAN
900 SQ. FT. EVERYTHING IN THE
SURROUNDING AREA IS BETWEEN
1100 SQ FT AND ABOVE, ALSO HOW
IS THIS GOING TO AFFECT MY
PROPERTY VALUE IN THE FUTURE?

I AM REQUESTING THAT A BLOCK WALL
BE CONSIDERED ON THE BACK OR
SOUTH SIDE OF MY PROPERTY

IN CONCLUSION I'M NOT AGAINST
NEW DEVELOPMENT IN OUR AREA!!

I CAN BE REACHED @ [REDACTED] (CELL)

Sincerely: 



The County of Yuba

Community Development and Services Agency

PLANNING COMMISSION STAFF REPORT

MEETING DATE: June 21, 2023

TO: Planning Commission

FROM: Ciara Fisher, Planner III

RE: Tentative Subdivision Tract Map TSTM
"LDIV-22-0014" (Fernwood Village)

REQUEST: The Yuba County Community Development Services Agency (CDSA), in partnership with Habitat for Humanity Yuba, is requesting approval of a tentative subdivision tract map to subdivide 10.24 acres into 89 lots, located east of Grove Avenue and west of Fernwood Drive in the Linda Community (APNs 021-210-043, 047 & 021-207-010).

RECOMMENDATION: Recommend the Board of Supervisors adopt the attached Mitigated Negative Declaration (MND), Mitigation Monitoring and Reporting Program (MM), and Resolution approving Tentative Subdivision Tract Map (TSTM) "LDIV-22-0014".

BACKGROUND/DISCUSSION: The Yuba County Community Development Services Agency (CDSA), in partnership with Habitat for Humanity Yuba, has requested a Tentative Subdivision Tract Map (TSTM) to subdivide 10.24 acres into 89 lots. These lots would consist of 86 single unit dwelling attached lots (half-plex) and three single-family detached lots, as well as a 0.42-acre park. A half-plex essentially looks like a duplex, but will have two separate Assessor Parcel Numbers (APNs) and will, therefore, be able to be sold separately.

The property is located to the east side of Grove Avenue and the west side of Fernwood Drive (5871 Grove Ave and 1708 Ash Way), approximately 500-feet south of North Beale Road, and approximately 0.5-miles east of State Route 70, within the community of Linda, Yuba County, California. The properties are currently used as vacant land owned by Habitat for Humanity (APN 021-210-043) and Fernwood Park (also referred to as Circle Park) owned by the County of Yuba (APNs 021-210-047 & 021-207-010). It is important to note that the Habitat for Humanity property (shown on the TSTM as Phase 3) is separate from the Yuba County-owned properties and may be constructed at a different time or by a different builder. The inclusion of the Habitat for Humanity property in this County project serves the purpose of processing the TSTM concurrently and granting them access from Grove Avenue and Fernwood Drive.

Moreover, the proposed project is planned as an affordable housing development, offering homes for sale to households with incomes not exceeding 80% of the Area Median Income. The homes will be owner-occupied and not available for rent. As such, the project will include grading and land recontouring, the construction of new residential structures and buildings, the creation of access roads, the placement of buried utilities, and overall landscaping.

The 2030 General Plan designates the land use as Valley Neighborhood “VN” and the zoning as “RM” Medium Density Residential. APN 021-210-047 was rezoned from “PF” Public Facilities to “RM” with the 2020 annual Yuba County Planning Development Code Update with the intention of the County to rebuild the existing park while also building affordable housing in the Linda community. The rezone was approved by the Board of Supervisors on December 8, 2020. The Fernwood Village Subdivision proposes 89 residences on roughly 10-acres for a density of 9 dwelling units per acre. The “RM” Zone allows a density on the site of 6 to 17 units per care.

The proposed plan includes extending Gold Street through the property to provide access to Grove Ave and Fernwood Drive. Two new internal streets have also been proposed to meet the 48-foot residential road width requirements. As a Condition of Approval of the map, all roads will be required to be built to County Urban Local Road standards. Additionally, all proposed parcels will be required to connect to Linda County Water District (LCWD) for water and sewer services, while the Linda Fire Protection District will provide fire protection services.

SURROUNDING USES:

	GENERAL PLAN LAND USE DESIGNATION	ZONING	EXISTING LAND USE
Subject Property	Valley Neighborhood	RM	Park and Vacant
North	Valley Neighborhood	RS	Single-Family Residential
East	Valley Neighborhood	RS	Single-Family Residential
South	Valley Neighborhood	RS	Single-Family Residential
West	Valley Neighborhood	RS	Single-Family Residential

All of the properties surrounding this property are “RS” Single Family Residential and are built out with single family residences. The proposed subdivision will be built at a slightly higher density than the surrounding community. The General Plan Land Use Diagram has a General Plan designation of Valley Neighborhood for the subject property as well as surrounding parcels.

GENERAL PLAN/ZONING: As previously stated, the site is shown on the General Plan Land Use diagram as “VN” and is located in a “RM” Medium Density Residential Use zoning district. The “VN” land use classification is intended to allow for a diversity of housing types in a medium density setting where public water and sewage facilities are available. As the “VN” 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 aims to revitalize an old and underutilized park situated on a predominantly vacant 10.24-acre parcel, which is surrounded by single-family residential homes. The park has suffered from a lack of activity for a significant period, leading to issues such as vagrancy and increased crime within the local community. In order to address these

problems and make better use of the residentially zoned area, the project proposes an infill development that will repurpose the vacant space. As part of the redevelopment, the park will be rebuilt and new homes will be constructed facing the park to discourage vagrancy.

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

The project is an 89 lot residential subdivision that will be built on an underutilized park and mostly vacant property. Moreover, this project will provide affordable housing in the Linda Community. Therefore, it will provide additional housing opportunities for the area.

3. *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 affordable single-family residences. The subdivision will allow for additional residences to be developed on newly created parcels.

The project has been reviewed for compliance with the Yuba County General Plan and the Yuba County Development Code and was determined to be consistent. Furthermore, the residential development will be reviewed for compliance with the “RM” development regulations listed in the Development Code when the Builder applies for building permits. The project has also been conditioned to meet all of the landscape standards listed in Development Code Chapter 11.23.

4. *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 89 new single family homes (attached and detached) will pay into their fair share of impact fees.

Moreover, Yuba County has a regional traffic impact fee program which monitors traffic operating conditions on a county-wide basis and allocates funds collected under the fee program from new developments accordingly. The program requires each home to pay into the impact fees when they apply for building permits and the homes are constructed, which then uses the funds to improve adjacent local roads.

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

The project is within the Linda County Water District (LCWD) and is required to connect to their district for 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.

6. *Policy NR10.1: Building placement, grading, and circulation should be planned to retain as much existing native vegetation as feasible, with a priority on preserving existing oak trees that have a diameter at breast height (dbh) of 6 inches or greater and all other trees that have a dbh of 30 inches or greater. The County's policies and standards for fire safety may override consideration of retaining existing vegetation in certain circumstances.*

There are several oak trees on the property that may require Mitigation if they are to be impacted or removed (See Attachment 5, Mitigation Measures 4.2 & 4.3). The mitigation includes language to protect the oak trees during construction and for compensation if the oak tree is to be removed or damaged. Prior to the approval of Improvement Plans or building permits, a Replacement Oak Tree Planting Plan shall be prepared by a certified arborist or licensed landscape architect and shall be submitted to the Parks & Landscape Coordinator for approval

7. *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.*

As mentioned previously, Staff has added mitigation measures to preserve any oak trees on the property.

In addition, 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.

8. *Policy H-2.1: The County will make use of state and federal programs for which it would be the applicant, and work with nonprofit and for-profit developers to make use of programs for which the developer must be the applicant.*

The County is collaborating with Habitat for Humanity, an affordable housing provider, to identify appropriate state, federal, or private funding to finance the development of housing affordable for moderate-income households for this particular project. The County will be utilizing the Community Development Block Grant (CDBG) Program through Housing and Urban Development (HUD). The CDBG Program provides annual grants on a formula basis to counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The program is authorized under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended 42 U.S.C. 5301 et seq.

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 “VN” land use designation of the 2030 General Plan. The “VN” 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 “VN” 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.

ENVIRONMENTAL REVIEW: Staff has prepared a MND and Mitigation Monitoring Plan (Attachments 4 and 5) 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 MND was prepared. The MND discusses the following project impacts and their respective Mitigation Measures:

- Aesthetics: All exterior lighting shall be directed downwards and away from adjacent properties or rights of way.
- Air Quality: FRAQMD Construction standards and Fugitive Dust Control Plan.
- Biological Resources: Avoidance and minimization measures for Migratory Birds and Oak Tree protection and compensation during construction.
- Cultural Resources: Inadvertent discovery of cultural remains and cultural material.
- Hydrology and Water Quality: National Pollution Discharge Elimination (NPDES) Permit and Drainage Plan.
- Transportation: No study or mitigation required due to being an Affordable Housing Project. Pursuant to SB 743, *Technical Advisory on Evaluating Transportation Impacts in CEQA* (December 2018), states that “projects consisting of a high percentage of affordable housing may be assumed to cause a less-than-significant transportation impact on Vehicle Miles Traveled (VMT) because they may improve jobs-housing balance and/or otherwise generate less VMT than market-based units.”
- 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.

COMMENTS: 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 (See Attachment 6). 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.
- Reclamation District No. 784 (RD-784): Provided Conditions of Approval such as paying operation and maintenance fees, incorporating storm water quality measures, and building above the 100-year base flood elevation.
- Marysville Joint Unified School District (MJUSD): MJUSD has the ability to levy fees on residential projects.
- Cal DOT: No comment.
- FRAQMD: Implement Fugitive Dust Control Plan and adhere to District Rule 3.16.
- PG&E: The final map shall dedicate property for public utility purposes.
- UAIC: AB-52 Consultation was satisfied and closed with the addition of the unanticipated discoveries mitigation measure.

As of the date this report was prepared, the Planning department has received four comment letters from neighbors residing within a 300-foot radius of the project site. Comment letters from Ralph Bradwell, John Eldeen, John Hephill, and Gene Isaaks have been attached to Attachment 6. Based on these comments and in-person meetings, a summary of their concerns is as follows:

- Density: The proposed density of the project presents a significant departure from the established single-family character of the surrounding neighborhood, as it involves the creation of smaller lots. The introduction of smaller lots has the potential to disrupt the aesthetic coherence and architectural unity of the neighborhood.
- Half-Plexes: The size of the homes raises concerns regarding their ability to accommodate growing families, potentially hindering the community. Moreover, the presence of shared walls between the units has the potential to contribute to an increased likelihood of neighbor disputes, which could have a detrimental effect on the overall aesthetics and appeal of the subdivision.
- CMU Sound/Screening Wall: Mr. Bradwell, Mr. Eldeen, and Mr. Isaaks have expressed their desire for the installation of a Concrete Masonry Units (CMU) sound and screening wall along their properties. This request is motivated by the proximity of the proposed units that will abut their properties.
 - The County does not currently plan to install a CMU wall along the northern boundary of this project because, pursuant to Yuba County Development Code Section 11.19.080 Screening, a screening wall is only required when the subdivision exceeds 10 dwelling units per acre. Fernwood Village is proposing 9 dwelling units per acre.
- Park: This project was undertaken with the goal of redeveloping and establishing a larger park to serve the community. However, it should be noted that the proposed park's size remains relatively small compared to the envisioned expansion. Furthermore, there are concerns regarding the strategic location of the park, which may not offer optimal accessibility or visibility. This limited visibility, combined with an absence of adequate

surveillance or active presence within the park, could potentially give rise to concerns surrounding safety and security for park visitors.

FINDINGS: 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.

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 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).

- 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 and will be connecting to LCWD for water services.

Report Prepared By:



Ciara Fisher
Planner III

ATTACHMENTS

1. Resolution
2. Tentative Subdivision Tract Map
3. Draft Conditions of Approval
4. Draft Initial Study/Mitigated Negative Declaration
5. Mitigation Monitoring Plan
6. Comment Letters

cc: Sam Bunton/Chris Benedict

TENTATIVE SUBDIVISION TRACT MAP
"TSTM" LDIV-22-0014 (FERNWOOD VILLAGE)

COUNTY OF YUBA, CALIFORNIA
DECEMBER 2, 2022

LEGAL DESCRIPTION (EXISTING PARCELS):

REAL PROPERTY IN THE UNINCORPORATED AREA OF THE COUNTY OF YUBA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL ONE:
PORTION OF LOT 8, AS SHOWN UPON THE MAP ENTITLED, "SUBDIVISION OF TRACT 3 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, AT PAGE 8, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT 8; THENCE SOUTH 76° 15' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOT 8 A DISTANCE OF 534.9 FEET; THENCE NORTH 13° 45' WEST PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 8 A DISTANCE OF 238.2 FEET TO A POINT ON THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED TO EDWARD H. SNYDER, ET UX, RECORDED JANUARY 11, 1957 IN BOOK 234 OF OFFICIAL RECORDS, AT PAGE 462; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF THE SAID SNYDER PARCEL AND PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 8 A DISTANCE OF 568.9 FEET TO THE NORTHEASTERLY CORNER OF THE ABOVE REFERRED TO SNYDER PARCEL, SAID POINT BEING ON THE EASTERLY LINE OF SAID LOT 8; THENCE SOUTHERLY ALONG THE SAID EASTERLY LINE A DISTANCE OF 238.6 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL TWO:
PORTION OF LOT 8, AS SHOWN UPON THE MAP ENTITLED, "SUBDIVISION OF TRACT 3 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 8, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

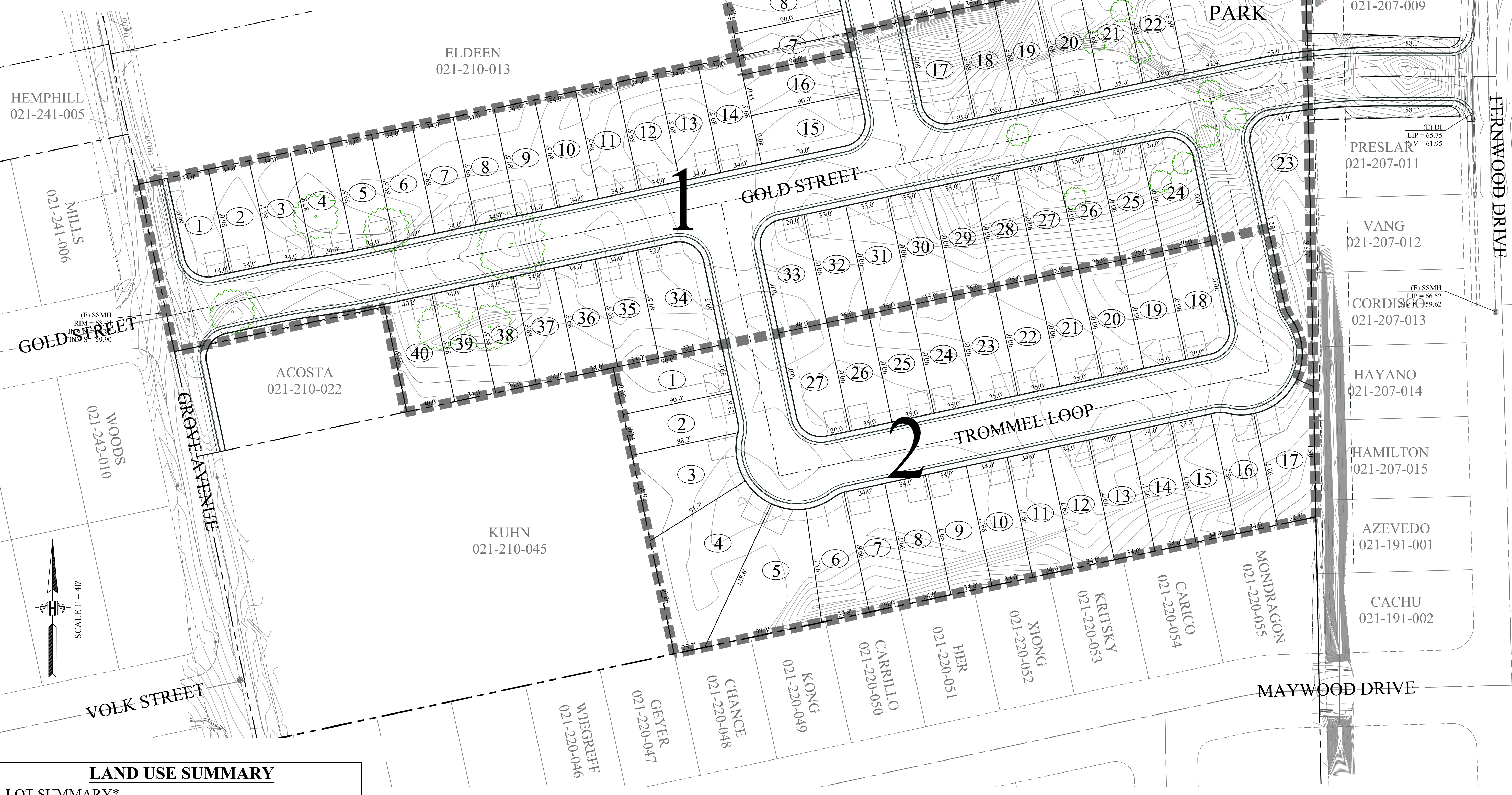
BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 8; THENCE NORTH 78° 27' EAST ALONG THE NORTHWESTERLY SIDE OF SAID LOT 8, 973.4 FEET TO THE EASTERLY SIDE OF SAID LOT 8; THENCE SOUTH 0° 33' EAST ALONG THE EASTERLY SIDE OF SAID LOT 8, TO THE NORTHEASTERLY CORNER OF THE LAND CONVEYED TO ARCHIE B. MADDIN AND MARY MADDIN, BY DEED RECORDED NOVEMBER 17, 1934 IN VOLUME 27 OF OFFICIAL RECORDS, PAGE 181, YUBA COUNTY RECORDS; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY SIDE OF LAND CONVEYED TO SAID ARCHIE B. MADDIN AND MARY MADDIN, TO THE SOUTHWESTERLY SIDE OF SAID LOT 8; THENCE NORTH 11° 33' WEST ALONG THE SOUTHWESTERLY SIDE OF SAID LOT 8, A DISTANCE OF 227 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 8, DISTANT SOUTH 11° 33' EAST A DISTANCE OF 227 FEET FROM THE MOST WESTERLY CORNER OF SAID LOT 8; THENCE NORTH 11° 33' WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 8 A DISTANCE OF 87.5 FEET; THENCE NORTHEASTERLY PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 8 A DISTANCE OF 175 FEET; THENCE SOUTH 11° 33' WEST PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 8 A DISTANCE OF 87.5 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED TO ARCHIE B. MADDIN, ET UX, RECORDED NOVEMBER 17, 1934 IN BOOK 27 OF OFFICIAL RECORDS, AT PAGE 181; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF THE SAID MADDIN PARCEL AND PARALLEL WITH THE SOUTHEASTERLY LINE OF SAID LOT 8 A DISTANCE OF 175 FEET TO THE POINT OF BEGINNING.

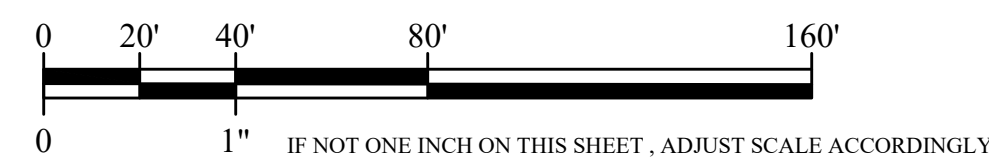
PARCEL THREE:
LOT 386, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF COUNTRY CLUB PARK," ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF YUBA, STATE OF CALIFORNIA, IN BOOK 6 OF MAPS, AT PAGE 17.

PARCEL FOUR:
A PORTION OF LOT 7, AS SHOWN ON THE MAP ENTITLED, "SUBDIVISION OF TRACT NO. 3 OF YUBA GARDENS," FILED IN THE OFFICE OF THE COUNTY RECORDER OF YUBA COUNTY, CALIFORNIA, IN BOOK 3 OF MAPS, PAGE 8, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

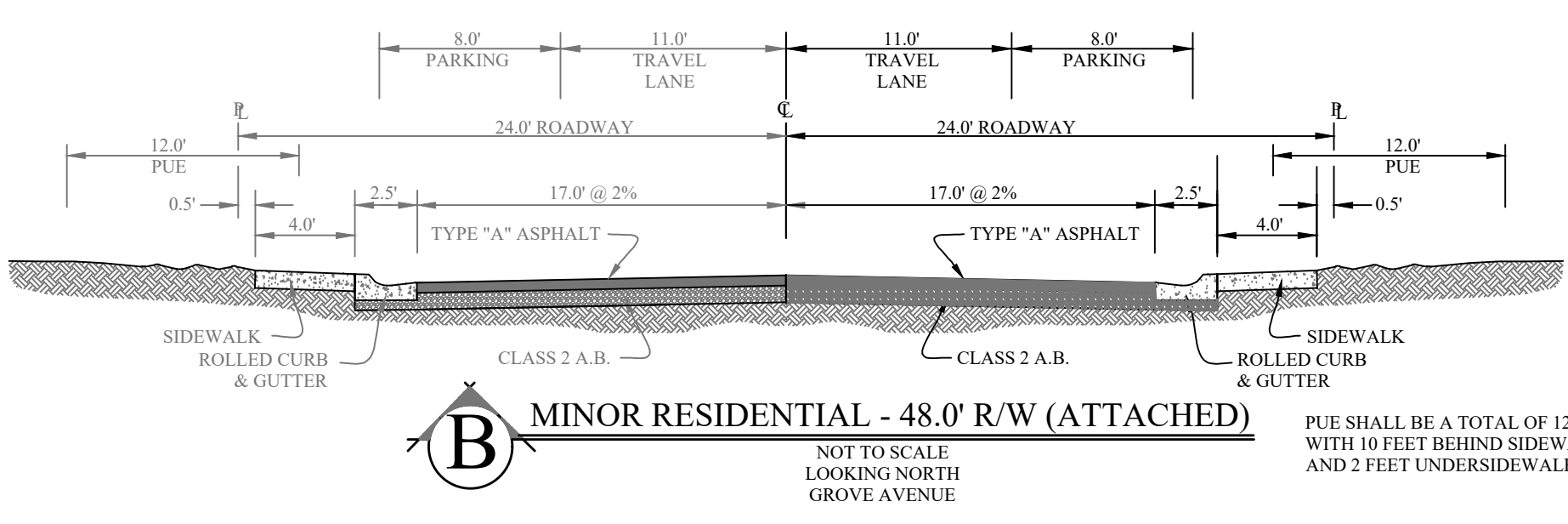
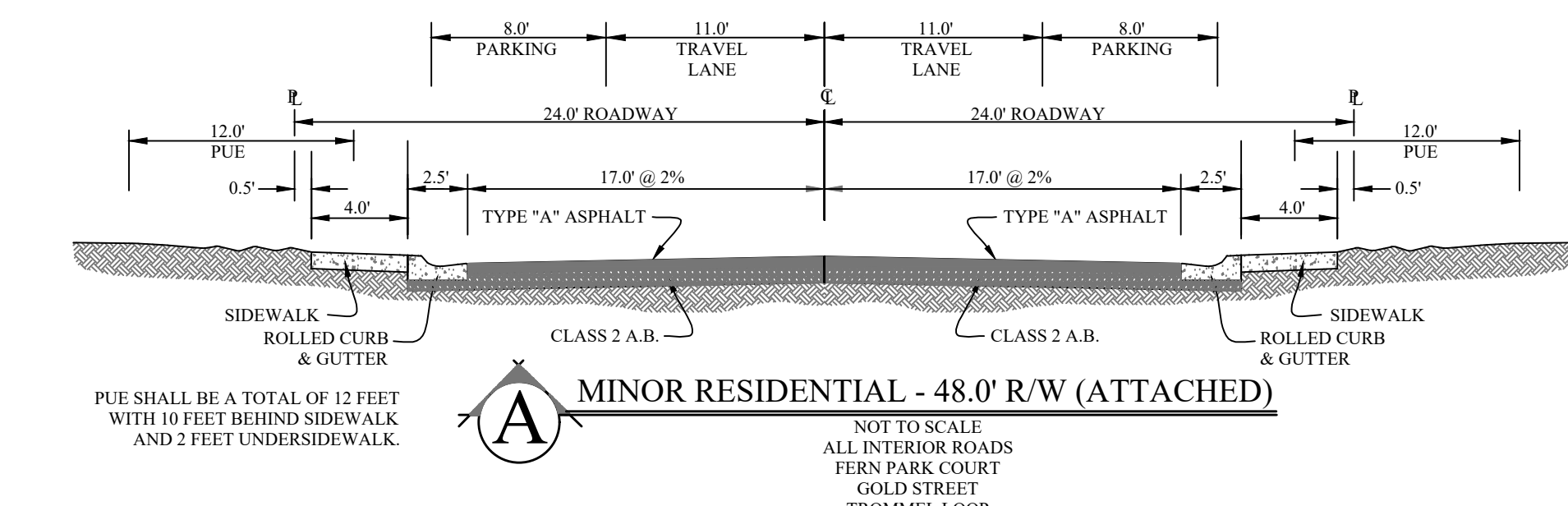
BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT 7, DISTANT THEREON 500 FEET EASTERLY FROM THE SOUTHWESTERLY CORNER OF SAID LOT 7; THENCE NORTHERLY AND PARALLEL WITH THE WESTERLY LINE OF SAID LOT, A DISTANCE OF 225.7 FEET; THENCE NORTH 78 DEGREES 27' EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 517.5 FEET TO THE EASTERLY LINE OF SAID LOT 7; THENCE SOUTH 0 DEGREES 33' EAST ALONG SAID EASTERLY LINE 229.9 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF SAID LOT 7; THENCE SOUTH 78 DEGREES 27' WEST ALONG SAID SOUTHERLY LINE 473.4 FEET TO THE POINT OF BEGINNING



LAND USE SUMMARY				
LOT SUMMARY*				
VILLAGE NO. 1 =	40 LOTS	4.40 AC	09.09 DU/AC	
VILLAGE NO. 2 =	22 LOTS	2.99 AC	07.36 DU/AC	
VILALGE NO. 3 =	27 LOTS	2.43 AC	11.11 DU/AC	
SUBTOTAL =	89 LOTS	9.82 AC	09.06 DU/AC	
(RESIDENTIAL)				
LOT A - FERNWOOD PARK		0.23 AC		
LOT B - FERNWOOD PARK		0.19 AC		
SUBTOTAL =		0.42 AC		
(NON-RESIDENTIAL)				
TOTAL =		10.24 AC		
* ALL LOTS ARE HALF PLEX LOTS EXCEPT THREE (3) LOTS WHICH ARE SINGLE FAMILY DETACHED. THIS IS A PLANNED DEVELOPMENT.				



IF NOT ONE INCH ON THIS SHEET, ADJUST SCALE ACCORDINGLY



PROJECT NOTES

OWNER #1
COUNTY OF YUBA
915 8TH STREET, SUITE 125
MARYSVILLE, CA 95901
CONTACT: MIKE LEE
PHONE: (530) 749-5420

ASSESSOR'S PARCEL NO.
APN 021-207-010 (0.169 AC)
APN 021-210-043 (2.530 AC)
APN 021-210-047 (7.714 AC)

IRRIGATION DISTRICT
NONE - INDIVIDUAL WATER WELLS

FIRE PROTECTION
LINDA COUNTY FIRE DEPARTMENT

LAW ENFORCEMENT
YUBA COUNTY SHERIFF

SANITARY SEWER
LINDA COUNTY WATER DISTRICT

DOMESTIC WATER
LINDA COUNTY WATER DISTRICT

STORM DRAINAGE
YUBA COUNTY PUBLIC WORKS
AND RECLAMATION DISTRICT NO. 784

ELECTRICITY
PACIFIC GAS AND ELECTRIC

NATURAL GAS (OPTIONAL)
PACIFIC GAS AND ELECTRIC

COMMUNICATION
AT&T AND COMCAST

CABLE (OPTIONAL)
COMCAST

OWNER #2
HABITAT FOR HUMANITY YUBA
202 D STREET
MARYSVILLE, CA 95901
CONTACT: JOHN NICOLETTI
PHONE: (530) 742-2727

EXISTING GENERAL PLAN DESIGNATION
VALLEY NEIGHBORHOOD

PROPOSED GENERAL PLAN DESIGNATION
VALLEY NEIGHBORHOOD

EXISTING ZONING
RM-MEDIUM DENSITY RESIDENTIAL

PROPOSED ZONING
RM-MEDIUM DENSITY RESIDENTIAL - PD

LEVEE PROTECTION
RECLAMATION DISTRICT NO. 784

ELEMENTARY SCHOOL DISTRICT
MARYSVILLE JOINT SCHOOL DISTRICT

HIGH SCHOOL DISTRICT
MARYSVILLE JOINT SCHOOL DISTRICT

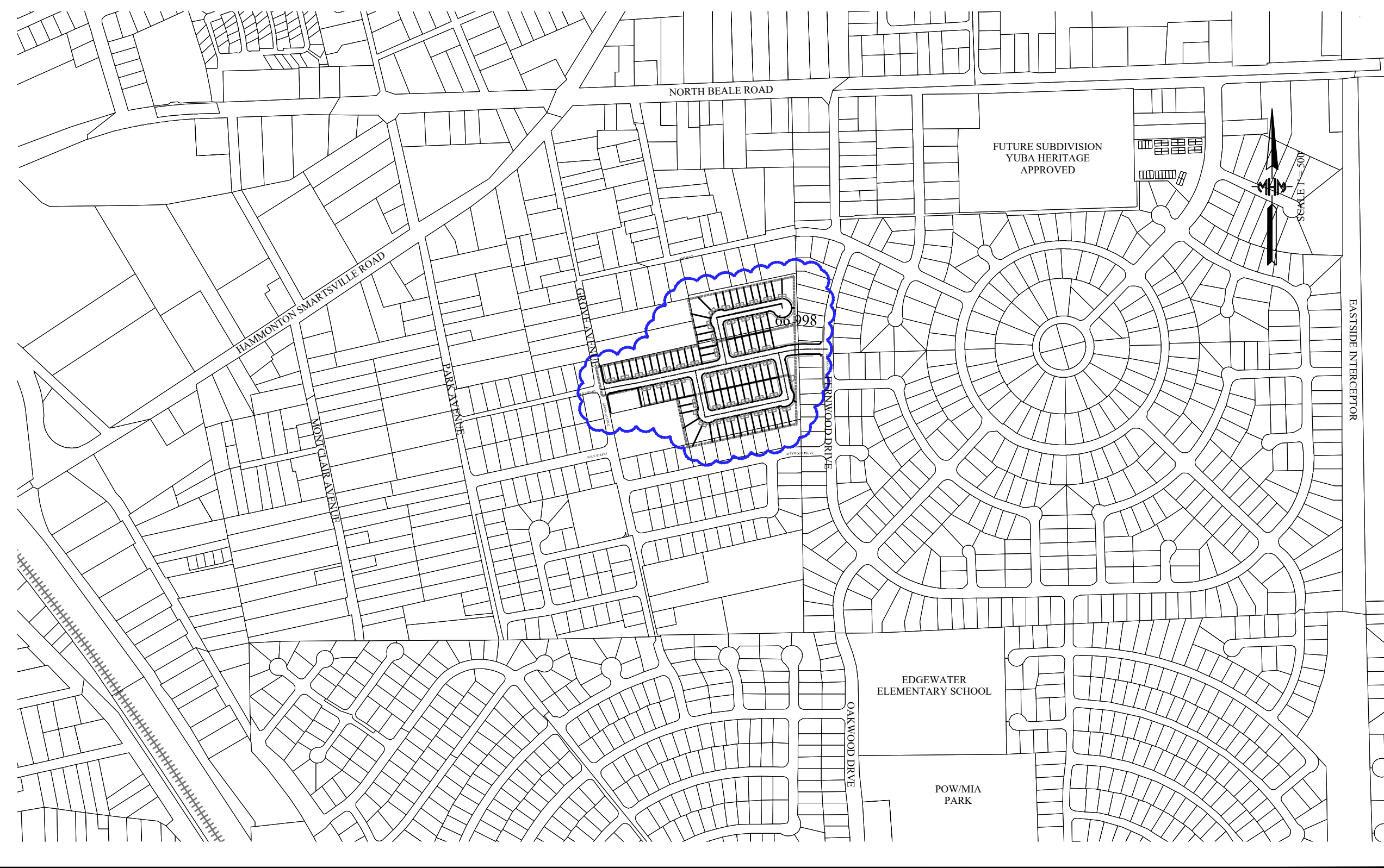
APPLICANT
COUNTY OF YUBA
915 8TH STREET, SUITE 125
MARYSVILLE, CA 95901
CONTACT: MIKE LEE
PHONE: (530) 749-5420

AREA OF TENTATIVE MAP
10.24 GROSS ACRE

GENERAL NOTES:

- SUBDIVIDER RESERVES THE RIGHT TO PHASE DEVELOPMENT AND FILE MULTIPLE FINAL MAPS PURSUANT TO SECTION 66456.1 (A) OF THE SUBDIVISION MAP ACT. THIS PROJECT COULD BE 2 TO 4 PHASES.
- A 12.0 FOOT PUBLIC UTILITY EASEMENT SHALL BE LOCATED PROVIDED ON ALL STREETS WITH 10 FEET BEHIND SIDEWALK AND 2.0 FEET LOCATED UNDER SIDEWALK. ADJACENT TO CUL-DE-SAC BULBS THE PUBLIC UTILITY EASEMENT SHALL BE 10 FEET BEHIND SIDEWALK UNLESS OTHERWISE DIRECTED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
- THIS EXHIBIT IS FOR TENTATIVE MAP PURPOSES ONLY, ACTUAL DIMENSIONS, ROAD ALIGNMENTS, ACREAGE, AND YIELDS ARE TO BE VERIFIED PRIOR TO FINAL MAP.
- THIS IS AN APPLICATION FOR A TENTATIVE SUBDIVISION MAP AND PLANNED UNIT DEVELOPMENT (PUD).
- 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. THREE (3) POTENTIAL PHASES ARE SHOWN BUT DEVELOPER RESERVES RIGHT TO RECORD WITH MORE OR LESS.
- ALL EXISTING STRUCTURES, SEPTIC TANKS, AND WELLS TO BE REMOVED OR DESTROYED PRIOR TO CONSTRUCTION.
- STREET TREES SHALL BE PLANTED PURSUANT TO COUNTY OF YUBA STANDARDS. ADDITIONAL DETAIL SHALL BE PROVIDED ON THE IMPROVEMENT PLANS.
- OWNERS, APPLICANT, ENGINEER, AND SURVEYOR SHALL RECEIVE ANY COMMUNICATIONS AND/OR NOTICES RELATED TO THIS PROJECT. MHM INC, SEAN MINARD, IS THE ENGINEER AND SURVEYOR OF RECORD FOR THE TENTATIVE MAP.

LOCATION MAP



CITY OF YUBA CITY APPROVAL:
THE COUNTY OF YUBA PLANNING COMMISSION HAS CONSIDERED AND APPROVED RESOLUTION 22-0XX APPROVING TENTATIVE SUBDIVISION TRACT MAP NO. 2022-0XX DURING THE PLANNING COMMISSION MEETING ON _____, 2023.

COUNTY OF YUBA DATE: _____

2 INDICATES PROPOSED PHASE

SURVEYORS STATEMENT:
I HEREBY STATE THAT ALL EASEMENTS OF RECORD ARE SHOWN AND LABELED PER PRELIMINARY TITLE REPORT BY FIRST AMERICAN TITLE COMPANY ORDER NUMBER 3416-2593298 DATED JUNE 31, 2006.



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

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