City of Colfax

Initial Study / Mitigated Negative Declaration
for
Colfax Commercial Project
Development Permit

1836 Canyon Way
Colfax, California
APN 101-132-010

State Clearinghouse No: _____

Prepared by:
City of Colfax
33 South Main St.
Colfax, California 95713

Prepared with the assistance of:
Millennium Planning & Engineering
471 Sutton Way, Suite 210
Grass Valley, CA 95945

August 18, 2020

INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

PURPOSE: In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15063, the City of Colfax has prepared this Initial Study to assess the potential environmental impacts of a proposed Development Permit for the Osborn Commercial Project located at 1836 Canyon Way.

PROJECT NAME: Osborn Commercial Project

PROJECT DESCRIPTION: The applicant is proposing development of a 3.0-acre parcel along Canyon Way in Colfax, California. The proposed project would include the construction of a new 6,000 square foot (SF) commercial building for warehouse and office spaces and a 7,500 SF building for recreational vehicle (RV) and boat self-storage.

PROJECT LOCATION: 1836 Canyon Way, Colfax, California

APN 101-132-010

The subject property is a 3.0-acre parcel that fronts Canyon Way to the west, a frontage road for Highway 80. The subject property is bordered to the north by a private residence and Plaza Tire and Auto Service, to the east by a private residence, and to the south by the Cedar's Apartments.

LEAD AGENCY: **City of Colfax Planning Department**
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Colfax, California 95713

CONTACT PERSON: **Amy Feagans, Planning Director**
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Phone: (530) 346-2313
Email: amy.feagans@colfax-ca.gov

APPLICANT: Glen Osborn
16946 Placer Hills Road
Meadow Vista, CA 95722

PUBLIC / AGENCY REVIEW: The IS/MND and supporting documents will be circulated for a 30-day public and agency review commencing August 21, 2020 and ending on close of business on September 21, 2020. Copies of this Initial Study and cited references are available at the City of Colfax Community Development Department, located at 33 Main Street, Colfax, California 95713. Written comments on this Initial Study/Mitigated Negative Declaration may also be addressed to the Lead Agency.

OTHER REQUIRED AGENCY APPROVALS:

- **California Department of Fish & Wildlife (CDFW)** – Stream Alteration permit(s) are required for encroachment into bed and bank of creeks.
- **City of Colfax Building Department** – Building, Plumbing, Mechanical and Electrical
- **City of Colfax Engineering Department** – Improvement Plans, Grading Plans, Encroachment Permits
- **City of Colfax Fire Department**

ENVIRONMENTAL DETERMINATION:

☐	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.

By: _____ Date: _____

Amy Feagans, Planning Director

Project Location

The proposed project is located at 1836 Canyon Way, Colfax, California (APN 101-132-010). The subject property is a 3.0-acre parcel adjacent to Canyon Way, a frontage road along Interstate 80. The subject property is bordered to the north by a private residence and Plaza Tire and Auto Service, to the east by a private residence, and to the south by the Cedar's Apartments.

Zoning and Land Use Designation

The City's General Plan designates the subject property as Commercial. The subject property is zoned as CH – Commercial Highway. The Commercial Highway (C-H) zoning district is described as follows:

> *The purpose of the highway commercial district (C-H) is to provide for areas in appropriate locations adjacent to thoroughfares where activities dependent upon or catering to thoroughfare traffic may be established, maintained and protected. The regulations of this district are designed to encourage centers for retail, commercial, entertainment, automotive and tourist housing facilities and other appropriate highway-related activities. Zoning regulations for this district are provided in more detail in the I-80 corridor revitalization district." Clarification – the I-80 corridor revitalization district was never adopted.*

Surrounding Land Uses

The project site is surrounded by the following land uses:

- **North.** A vacant 0.5-acre parcel designated by the City's General Plan as Commercial forms the northern boundary of the project site, beyond which lies Plutes Way and then a 0.9-acre parcel designated as Commercial that is occupied by Plaza Tire and Auto Service.
- **South.** South of the project site is a 3.9-acre parcel that is designated as Commercial and partially developed with Cedar Ravine Circle and parking spaces.
- **West.** Immediately west of the subject property lies Canyon Way, Highway 80, and South Auburn Street.
- **East.** East of the project site is a 6.4-acre parcel designated as Single-Family Residence, Half Plex that is developed with a single residence.

Project Description

The project proposes construction of an approximately 6,000 SF contractor's warehouse/office building, an approximately 7,500 SF RV and boat storage building, and associated improvements on a 3.0-acre property on the east side of South Canyon Way and south of Plutes Way in Colfax, California. The contractor's warehouse/office building is proposed near the southern boundary of the property, facing South Canyon Way. The RV and boat storage building is proposed near the northern boundary of the property, and parking spaces would be provided primarily surrounding the warehouse and office building. The project would access Canyon Way via a new driveway over Bunch Creek. A culvert would be constructed beneath the new driveway to facilitate a flow path for Bunch Creek.

The proposed project would involve the development of undeveloped and partially sloped parcel. The subject parcel hosts a densely wooded and steeply sloped area running north-south along the eastern boundary of the property. A segment of Bunch Creek runs north-south through the western portion of the property, generally parallel to Canyon Way. Due to site topography, implementation of the proposed project would include the construction of a retaining rock wall to protect the steep slopes on the east of the development and Bunch Creek to the west of the development. Grading would be equalized on the project site so no cut or fill material would need to be exported or imported.

The proposed project will help provide greater commercial leasing options for businesses in the area as well as provide a new operating location for the project applicant, Osborn Engineering and Construction, Inc. The building planned for RV and boat storage spaces will provide local Colfax residents with storage options for vehicles and boats.

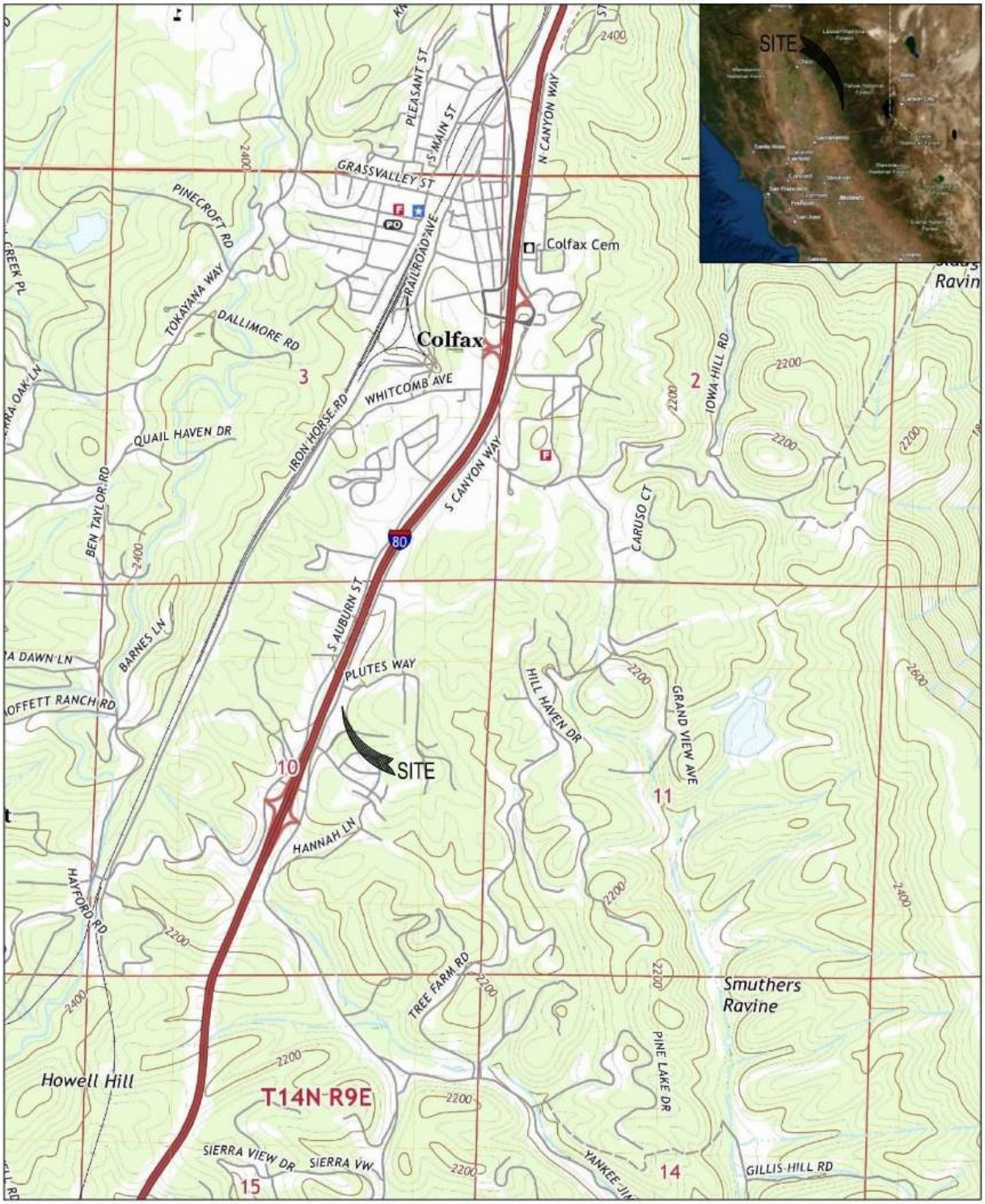


Figure 1 Regional Location Map

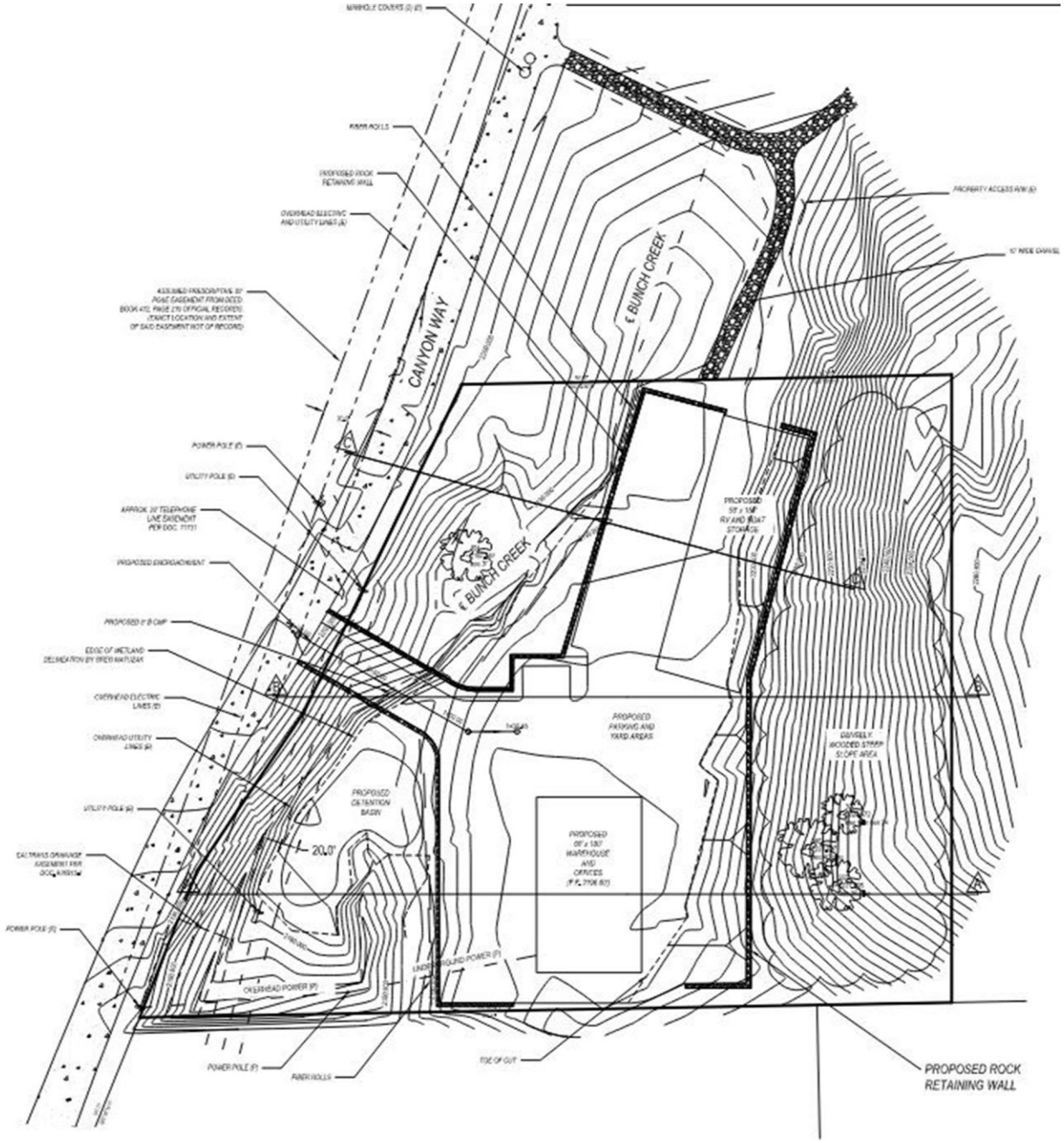


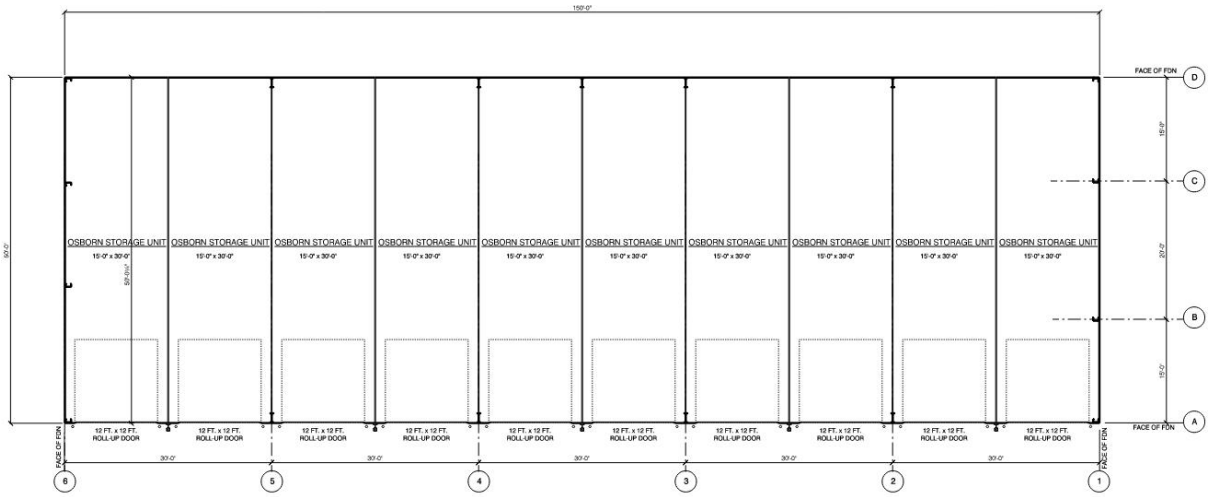
Figure 2 Project Site & Grading Plan

RV AND BOAT STORAGE VIEW FROM WEST / CANYON WAY

WAREHOUSE AND OFFICES VIEW FROM NORTH / PARKING LOT

WAREHOUSE AND OFFICES VIEW FROM WEST / CANYON WAY

Figure 3 Renderings



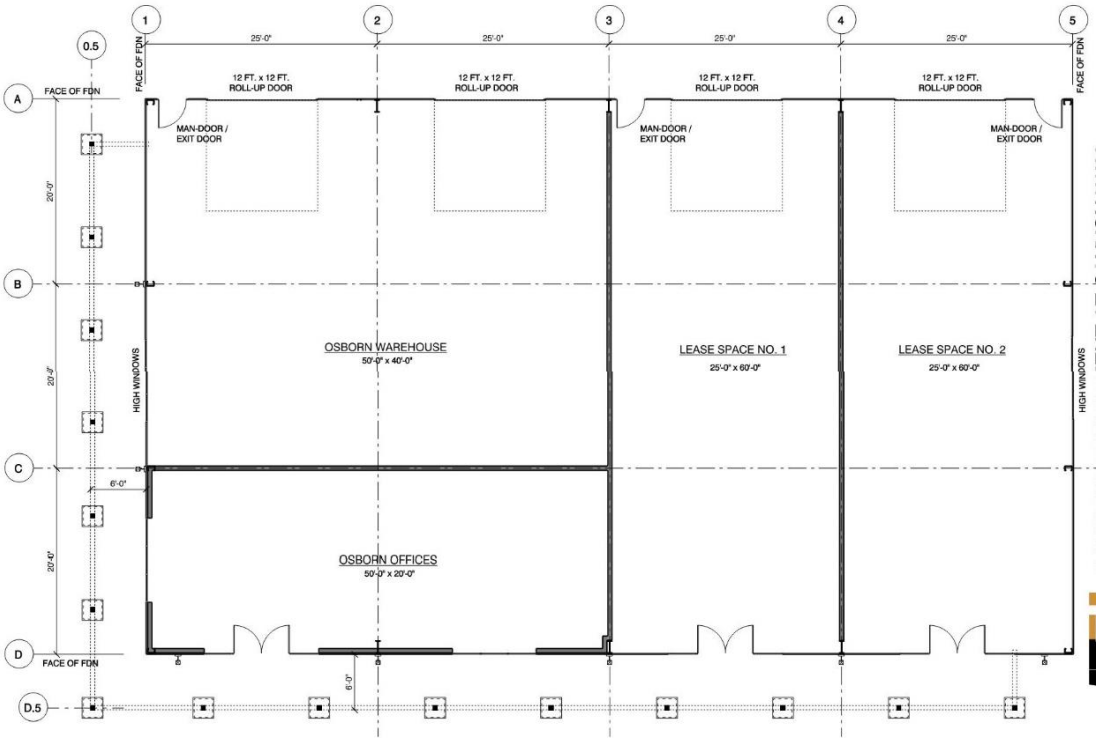
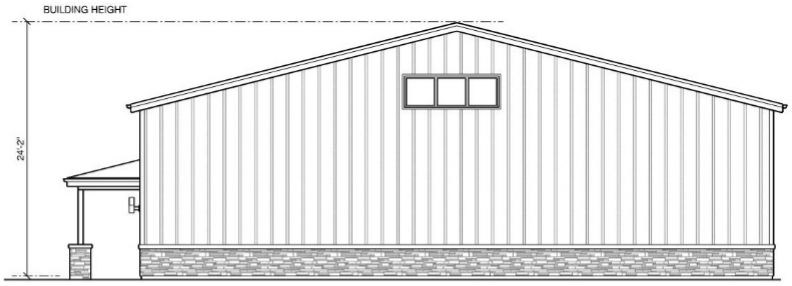
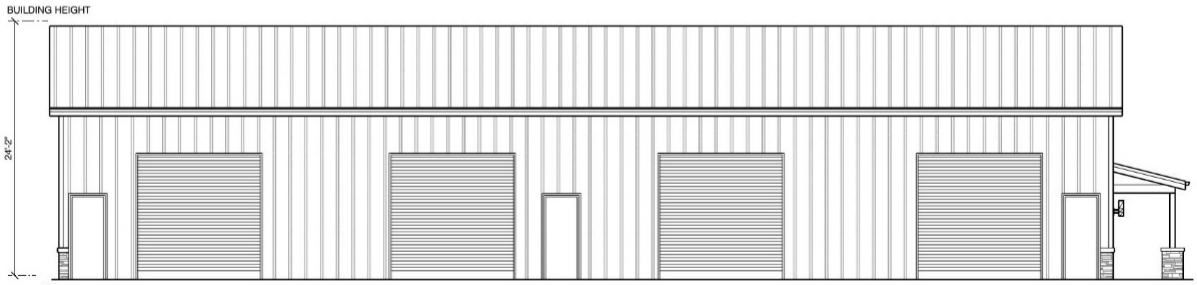


Figure 4 Floor Plans

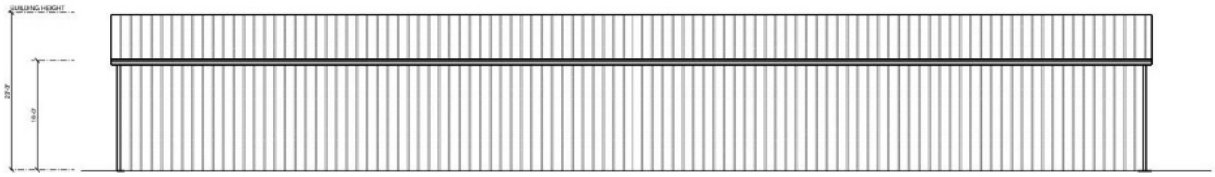


SOUTH ELEVATION



EAST ELEVATION

WEST ELEVATION



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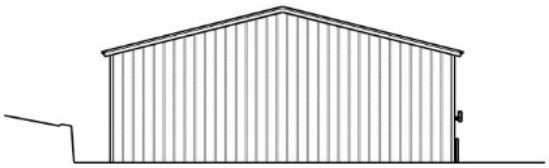
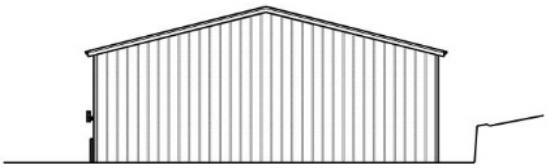


NORTH ELEVATION



SOUTH ELEVATION

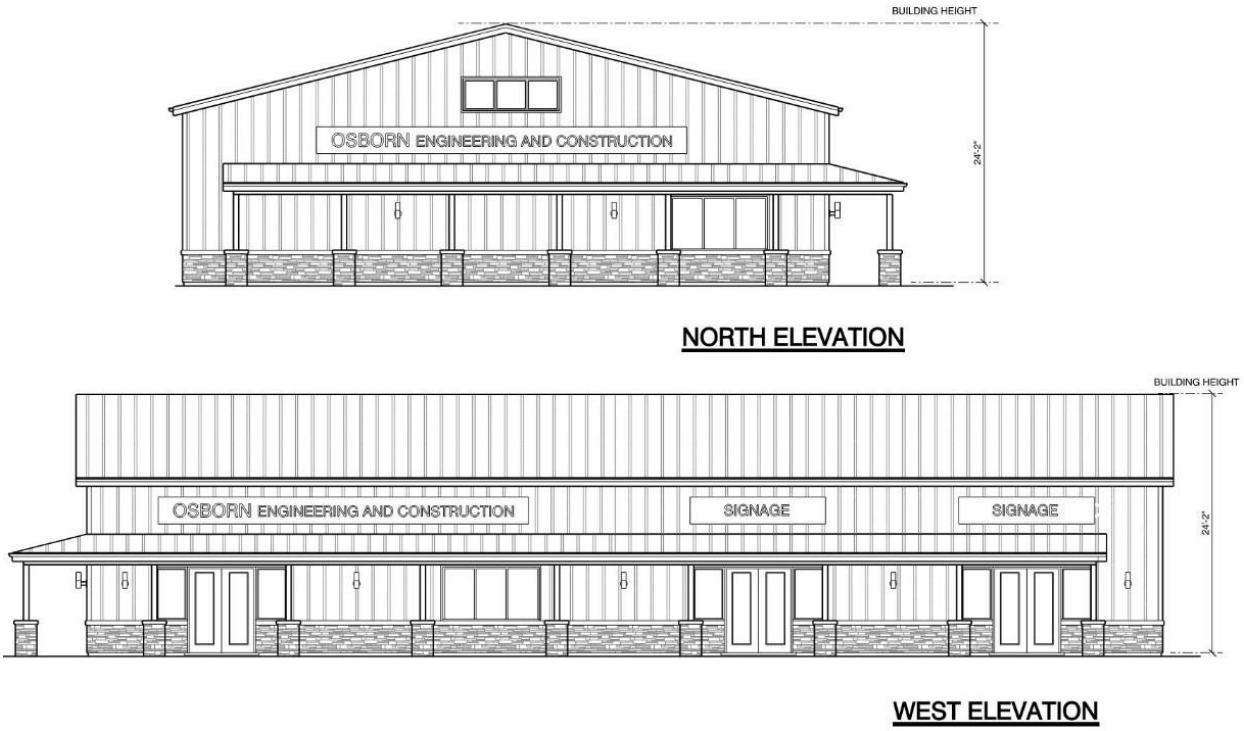
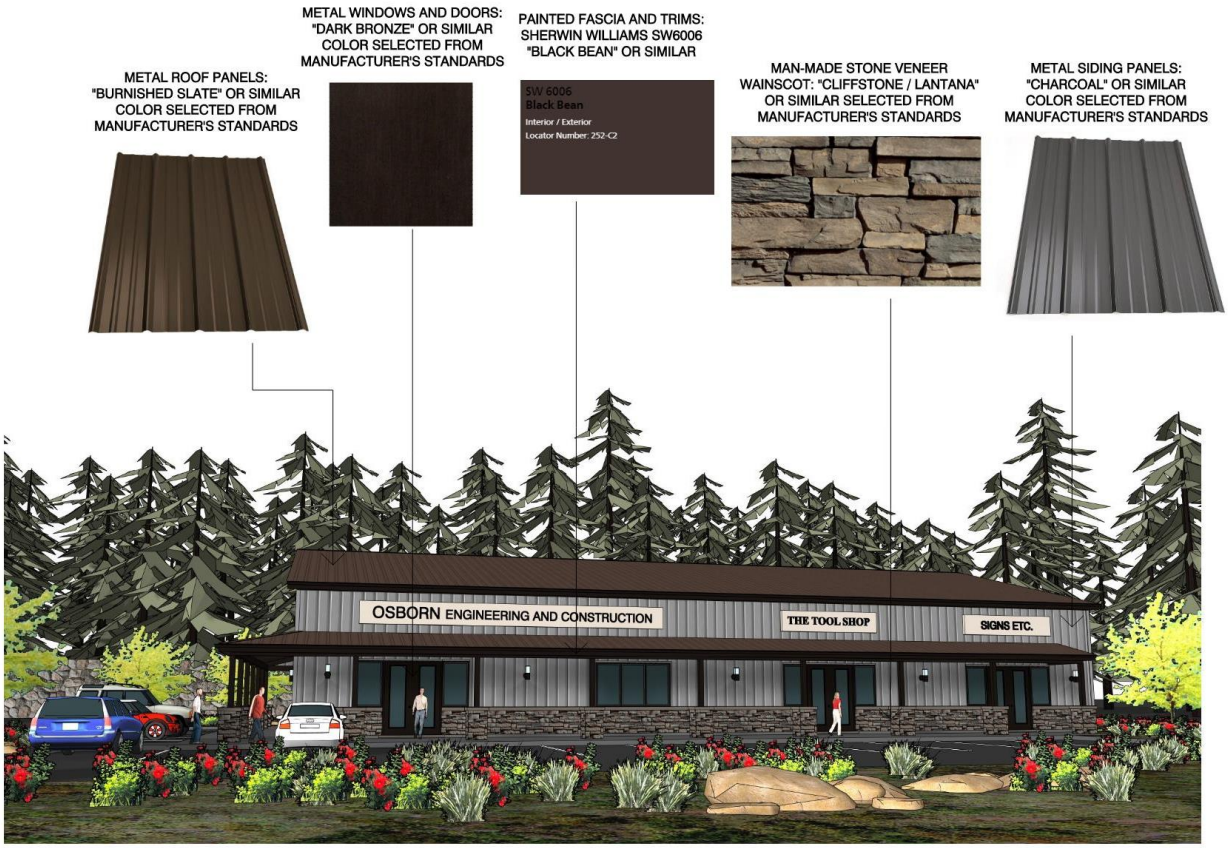


Figure 5 Elevations



WAREHOUSE AND OFFICES VIEW FROM WEST / CANYON WAY

Figure 6 Colors & Materials

Project Characteristics

Stormwater

Stormwater runoff from the project site will be directed to the proposed detention basin where it would be treated prior to returning to Bunch Creek or infiltrating into the groundwater table.

Water

Treated water will be provided by Placer County Water Agency (PCWA) via a 10-inch water main located along Canyon Way. The developer would be required to enter into a facilities agreement with PCWA to provide on-site pipelines to supply water for domestic and fire protection purposes.

Wastewater

The Project Contractor would be responsible for providing portable restrooms and operating/maintaining them as appropriate throughout the construction period. During operation, the proposed project would tie into municipal sewer service to convey wastewater produced by the project to the City's wastewater treatment plant.

Waste

During project construction, the Project Contractor would be responsible for properly removing and disposing all waste generated from the project site to an off-site disposal location. Waste generated during business operations would be picked up on a regular basis by Waste Management.

Grading

Grading activities for the proposed project are anticipated to consist of cut and fill activities to level the subject property. All cut material produced during grading activities would be used on site; grading would be equalized on the project site so no cut or fill material would need to be exported or imported.

Erosion control measures employed during grading operations would include straw waddles and silt fences, as appropriate, around disturbed areas.

Construction Schedule and Equipment

The anticipated construction schedule for the proposed project is expected to begin in April/May 2021. Equipment that would be used during construction of the proposed project would include, but would not be limited to: pavement saw, backhoe, water truck, compactor, and dump truck.

Construction Areas

Construction areas identified for the proposed project are displayed in Figure 2-2. Construction activities would occur within an approximately 1.4-acre area consisting of the entrance driveway, building and yard areas, parking areas, detention basin, and landscaping areas. Total temporary

disturbed area would be approximately 1.4 acres while the total permanent area disturbed would be approximately 1.2 acres. The proposed project disturbance areas are presented in Table 2-1.

Table 2-1 Areas of Disturbance

Project Feature	Square Feet
Entrance Driveway	2,880
Warehouse/Office Building Envelope	6,000
RV and Boat Storage Building Envelope	7,500
Parking/Driveway Areas	35,825
Detention Basin	3,690
Landscaping	5,300
Total Impervious Areas	52,205
Total Area of Disturbance	61,195

Note: Square footages shown herein are estimates retrieved from the project's Preliminary Site and Grading Plan (Lincoln & Long 2019) and Conceptual Site Development Plan (TR-Architecture 2019).

ENVIRONMENTAL CHECKLIST AND ENVIRONMENTAL EVALUATION

The environmental factors checked below would be potentially affected by this project, involving at least one impact that requires mitigation to reduce the impact from "Potentially Significant" to "Less Than Significant" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture Resources	☐ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☒ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation/Traffic	☒ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☒ Mandatory Findings of Significance

Evaluation of Environmental Impacts

The checklist form is used to describe the impacts of the proposed project. An "Impact Discussion" follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended as appropriate as part of the proposed project.

For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which mitigation has not been identified. If any potentially significant impacts are identified, an EIR must be prepared. An ISMND cannot be used in the case of a project for which this conclusion is reached in any impact category.

Less Than Significant with Mitigation Incorporated: This designation applies where applicable and feasible mitigation measures previously identified in prior applicable EIRs or in the General Plan EIR have reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact", and pursuant to Section 21155.2 of the Public Resources Code (PRC), those measures are incorporated into the ISMND.

This designation also applies where the incorporation of new project-specific mitigation measures not previously identified in prior applicable EIRs or in the General Plan EIR has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact".

Less Than Significant Impact: Any impact that would not be considered significant under CEQA, relative to existing standards.

No Impact: The project would not have any impact.

1. 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?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Setting

The project site is currently undeveloped but has been substantially disturbed within the central section with cuts and fills, public access and ongoing management of the property. Although the property is adjacent to Canyon Way, a frontage road along Interstate 80, the property is not identified in the City's General Plan as being within a scenic corridor.

Impact Discussion

a) Have a substantial adverse effect on a scenic vista?

Although the property is within close proximity to Interstate 80, the property is not identified as a scenic vista in the City's General Plan. Therefore, the project would have **no impact** on a scenic vista.

b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway?

The portion of Interstate 80 located near the project site is not designated as a Scenic Highway. Additionally, there are no rock outcroppings or historic buildings within the project site. Although there are a few trees along Bunch Creek and Canyon Way, the access road will have a limited impact on the riparian vegetation and most riparian vegetation will remain. Therefore, the project would have **less-than-significant** impact on scenic resources.

c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings?

The immediate visual character of the area surrounding the proposed project area consists of private residential and commercial facilities. The project will be visible to vehicles passing by along Canyon Way, however those views will be filtered by existing riparian vegetation. Therefore, the project would have a **less-than-significant** impact on the surrounding area.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Existing sources of light within the project area include motor vehicle lights from Canyon Way and Interstate 80 and building lighting on nearby buildings. Parking lot lighting is not proposed and exterior lighting on the proposed buildings will be directed downward. As such, light spillover is not anticipated to cause a significant impact to neighboring properties. Therefore, the project would have **less-than-significant** impacts associated with light or glare.

Mitigation Measures

None required

2. AGRICULTURE AND FORESTRY RESOURCES

	Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of, forestland (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))?	☐	☐	☐	☒
d)	Result in the loss of forestland or conversion of forestland to non-forest use?	☐	☐	☐	☒
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 forestland to non-forest use?	☐	☐	☐	☒

Setting

The project is located within an area that has been designated by the City's General Plan as commercial and zoned highway commercial. Agricultural land is defined as prime farmland, farmland of statewide importance, or unique farmland, as defined by the USDA. This project does

not fall under the definition of agricultural lands or forest land as defined by Public Resources Code Section 12220(g).

Impact Discussion

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?**

The project site does not contain Prime Farmland, Unique Farmland or Farmland of Statewide Importance. Therefore, there will be **no impact.**

b) **Conflict with existing zoning for agricultural use or a Williamson Act contract?**

The project is located on commercially designated lands with the City of Colfax and are not under the provisions of an active Williamson Act contract. Therefore, there will be **no impact**.

c) **Conflict with existing zoning for, or cause rezoning of, forestland (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))?**

The project will not conflict with existing zoning or require rezoning of forest or timberland. Therefore, there will be **no impact**.

d) **Result in the loss of forestland or conversion of forestland to non-forest use?**

As noted in the Setting above, the project will not result in the loss of forestland. There is **no impact**.

e) **Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?**

There will be no changes to the existing environment that would result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use; therefore there is **no impact**.

<u>Mitigation Measures</u>

None required

3. AIR QUALITY

	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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c)	Expose Sensitive Receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors) affecting a substantial number of people?	☐	☐	☒	☐

Setting

Air quality is affected by the rate and location of pollutant emissions and by climatic conditions that influence the movement and dispersion of air pollutants. Atmospheric conditions, such as wind speed and direction and air temperature gradients, along with local and regional topography, determine the relationship between air pollutant emissions and air quality.

The proposed project is located within the Mountain Counties Air Basin (MCAB). California's Central Valley forms the western boundary to the MCAB and the Sierra Nevada Mountain Range forms the eastern boundary. The MCAB generally has cool, wet winters and warm to hot summers. Winter storm systems from the Gulf of Alaska bring clean, cooler air and moisture. Colfax temperatures range from lows in the 20's in mid-winter to highs in the 80's and 90's in mid-summer, with an occasional cold snap in December and January and occasional temperatures exceeding 100 degrees Fahrenheit in July and August. Precipitation is approximately 40 inches per year, mostly in the form of rain between October and April, with occasional snow in the winter months.

Colfax is normally out of the winter fog and above valley smog. The air is generally clear and clean; however, local air pollution concentrations are increasing in the Sacramento Valley, which have an increasing adverse impact on the adjacent foothills (Colfax 1998).

Criteria Air Pollutants

The State and federal Clean Air Acts mandate the reduction and control of certain air pollutants. Under these Acts, the U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established ambient air quality standards for "criteria pollutants." A discussion of primary criteria pollutants is provided below.

Ozone (O_3)

Ozone is a colorless gas with a pungent odor. Most ozone in the atmosphere is formed as a result of the interaction of ultraviolet light, reactive organic gases (ROG), and nitrogen oxides (NO_X). ROGs are typically composed of non-methane hydrocarbons. NO_X is made of different chemical combinations of nitrogen and oxygen, mainly nitric oxide (NO) and nitrogen dioxide (NO_2). High levels of ozone tend to exist only while high ROG and NO_X levels are present to sustain the ozone formation process. Once the precursors have been depleted, ozone levels rapidly decline. Because these reactions occur on a regional rather than local scale, ozone is considered a regional pollutant (CARB 2020a).

Carbon Monoxide (CO)

Carbon monoxide (CO) is an odorless, colorless gas that is emitted by mobile and stationary sources as a result of incomplete combustion of hydrocarbons or other carbon-based fuels. CO causes a number of health impacts including fatigue, headache, confusion, and dizziness. The incomplete combustion of petroleum fuels in on-road vehicles and at power plants is a major CO source. CO is also produced during winter from wood stoves and fireplaces. CO tends to dissipate rapidly into the atmosphere. As a result, violations of State CO standards are generally associated with major roadway intersections during peak hour traffic conditions (CARB 2020b).

Localized CO "hotspots" can occur at intersections with high peak hour traffic. Specifically, hotspots can be created at intersections where traffic levels are sufficiently high such that the local CO concentration exceeds the federal Ambient Air Quality Standards (AAQS) of 35.0 parts per million (ppm) of the State AAQS of 20.0 ppm (CARB 2020b).

Nitrogen Dioxide (NO_2)

Nitrogen dioxide (NO_2) is a by-product of fuel combustion, with the primary source being motor vehicles and industrial boilers and furnaces. Combustion produces nitric oxide, which reacts rapidly to form NO_2, creating a mixture of NO and NO_2, commonly referred to as NO_X. NO_2 is also an acute irritant. A relationship between NO_2 and chronic fibrosis may exist, and an increase in bronchitis in young children at concentrations below 0.3 ppm may occur. NO_2 absorbs blue light

and causes a reddish-brown cast in the atmosphere and reduced visibility. It can also contribute to the formation of PM_{10} and acid rain (CARB 2020c).

Particulate Matter (PM_{10}, $PM_{2.5}$)

Suspended particulate matter (airborne dust or fugitive dust) consists of particles small enough to remain suspended in the air for long periods. Fine particulate matter refers to particles small enough to be inhaled, pass through the respiratory system, and lodge in the lungs, with resultant health effects. Particulate matter can include materials such as sulfates and nitrates, which are particularly damaging to the lungs. Health-effect studies resulting in revisions of the total suspended particulate standard in 1987 focus on particulates that are small enough to be considered "inhalable," or 10 microns or less in diameter (PM_{10}). PM_{10} arises from sources such as road dust, diesel particulate matter (DPM), incomplete combustion of fossil fuels, construction operations, and dust storms. In addition, PM_{10} scatters light and significantly reduces visibility (USEPA 2018).

Diesel Particulate Matter (DPM)

Diesel engine fuel combustion is an important contributor to PM emissions. Particulates in diesel emissions, referred to as diesel particulate matter (DPM), are very small and readily respirable. The particles have hundreds of chemicals absorbed onto their surfaces, including many known or suspected mutagens and carcinogens. The California Office of Environmental Health Hazard Assessment completed a comprehensive health assessment of diesel exhaust in 1998, which formed the basis for CARB to formally identify the particles of diesel exhaust as a toxic air contaminant (TAC). In California, DPM has a significant impact since it is estimated that 70 percent of total known cancer risk related to air toxics is attributable to DPM. According to CARB, DPM is estimated to increase statewide cancer risk by 520 cancers per million residents exposed over a lifetime (CARB 2020d).

DPM can also be responsible for elevated localized exposures, known as hotspots. Risk characterization scenarios conducted by CARB have determine the potential cancer risk resulting from proximity to DPM sources, such as school buses and high-volume freeways. California freeway studies show an approximately 70 percent decrease in particulate pollution at 500 feet from freeways and high-traffic roads (CARB 2005).

Aside from DPM, several other pollutants emitted by vehicle exhaust are a public health concern. The USEPA has identified five pollutants of highest priority in addition to DPM: acrolein, acetaldehyde, formaldehyde, benzene, and 1,3-butadiene. The latter five pollutants are found in organic gases by vehicles (CARB 2020d).

Toxic Air Contaminants (TAC)

According to Section 39655 of the California Health and Safety Code, a TAC is "an air contaminant which may cause or contribute to an increase in mortality or an increase in serious

illness, or which may pose a present or potential hazard to human health." 189 substances listed as federal hazardous air pollutants pursuant to Section 4712 of Title 42 of the United States Code are classified as TACs under the State's air toxics program, pursuant to Section 39657(b) of the California Health and Safety Code.

TACs can cause cancer and other types of long-term health effects, depending on the particular chemical and their type and duration of exposure. Some TACs can also result in short-term health effects. The ten TACs posing the greatest health risk in California are acetaldehyde, benzene, 1-3 butadiene, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride, perchloroethylene, and DPM. Mobile sources of TACs include freeways and other roads with high traffic volumes (urban roads with traffic volumes exceeding 100,000 vehicles per day or rural roads exceeding 50,000 vehicles per day), while stationary sources included distribution centers, rail yards, ports, refineries, dry cleaners, and large gas dispensing facilities (CARB 2005).

Sensitive Receptors

Certain population groups are more sensitive to air pollution than the general population; in particular, children, the elderly, and acutely ill and chronically ill persons, especially those with cardio-respiratory diseases, are considered sensitive receptors. Sensitive receptors that are in proximity to localized sources of PM, TACs, and CO are of particular concern. As described in CARB's *Air Quality and Land Use Handbook: A Community Health Perspective*, land uses where sensitive individuals are most likely to spend time include schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities (CARB 2005). The closest sensitive receptor to the proposed project would be the existing residential community of Cedar's Apartments, approximately 550 feet southeast of the project site.

Air Quality Management

Local air districts and CARB monitor ambient air quality to assure that air quality standards are met, and if they are not met, to develop strategies to meet the standards. Depending on whether the standards are met or exceeded, the local air basin is classified as in "attainment" or "non-attainment," or is "unclassified." Unclassified designations are considered to be in attainment. The proposed project is located in the jurisdiction of the Placer County Air Pollution Control District (PCAPCD). The primary pollutants of concern for the MCAB portion of PCAPD are ozone and PM_{10} as those are the pollutants for which the MCAB is in non-attainment for under federal and State ambient air quality standards (CARB 2018). The region is in attainment or unclassified for the remaining criteria pollutants.

<u>Thresholds of Significance</u>

The PCAPCD has issued criteria for determining the level of significance for project-specific impacts within its jurisdiction in accordance with the above thresholds. Based on criteria applied

in or adapted from the PCAPCD (PCAPCD 2016), the proposed project's impacts on air quality would be significant if the project would exceed any of the following thresholds of significance.

Table 3.3-3 PCAPCD Significance Thresholds

	Maximum Daily Emissions (lbs./day)					
	ROG	**NO_X**	**CO**	**SO_X**	**$PM_{2.5}$**	**PM_{10}**
During Construction						
Maximum Daily Emissions	82	82	N/A	N/A	N/A	82
During Operation						
Maximum Daily Emissions	55	55	N/A	N/A	N/A	82
Source: PCAPCD 2016						

Methodology

The analysis of air quality impacts conforms to the methodologies recommended by the PCAPCD. The PCAPCD adopted thresholds for emissions associated with both construction and operation of proposed projects, is displayed in Table 3.3-3. Project air pollutant emissions were quantified using the California Emissions Estimator Model (CalEEMod, Version 2016.3.2). CalEEMod worksheets showing model inputs and results are provided in the Air Quality and Greenhouse Gas Impact Memo conducted for this project, included in Appendix A.

Construction Emissions: CalEEMod quantifies construction emissions associated with the use of off-road equipment, on-road worker commute, construction delivery and haul trucks, and application of architectural coatings. The software calculates construction emissions by construction phase based primarily on anticipated equipment use (e.g., graders, dozers, forklifts), hours of use, estimated area of disturbance, number of vehicle trips, and distance of vehicle trips.

The project proposes construction of an approximately 6,000 SF contractor's warehouse/office building, an approximately 7,500 SF RV and boat storage building, and associated hardscape and landscape improvements. CalEEMod was adjusted to reflect these assumptions. Construction of the proposed project is anticipated to occur over four months, between May 2021 and September 2021, and would take place in a single phase during normal work hours with a crew of up to 10 workers.

Operational Emissions: Operational emissions associated with on-site development were estimated using CalEEMod. Operational emissions include mobile source emissions, energy use emissions, and area source emissions associated with energy consumption. Mobile source emissions are generated by motor vehicle trips to and from the project site associated with operation of the project. Project trip generation rates used in CalEEMod were taken from the Transportation Impact Memo conducted for this project, included in Appendix B. Energy use emissions are generated by natural gas consumption for space and water heating and cooling. Area

source emissions are generated by landscape maintenance equipment, consumer products, and architectural coatings.

Impact Discussion

a) Conflict with or obstruct implementation of the applicable air quality plan?

A project may be inconsistent with the applicable air quality plan if it would generate population, housing, or employment growth exceeding the forecasts used in the development of the air quality plan. Regional growth forecasts contained in the Placer County Transportation Planning Agency's (PCTPA) Regional Transportation Plan (RTP) are used to project criteria pollutant attainment strategies employed in PCAPCD air quality plans. Therefore, growth exceeding the forecasts used in PCTPA's RTP would generate emissions not accounted for in PCAPCD air quality plan emissions budgets. PCTPA's RTP incorporates local city general plans and the RTP socioeconomic forecast projections of regional population, housing, and employment growth. Consistent with CEQA thresholds, the proposed project would result in a significant impact if it would exceed PCTPA RTP growth forecasts, resulting in a conflict with or obstruction of the implementation of PCAPCD air quality plans.

The project does not include housing, and therefore would not directly contribute to population growth. The proposed project would increase employment opportunities in the City of Colfax, however at a rate well below the regional employment growth forecast used in the PCAPD air quality plans. Therefore, the project would have a **less-than-significant impact** on any applicable air quality plan.

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?

Implementation of the project would generate temporary emissions during construction and long-term emissions during operation. Emissions associated with the proposed project were estimated using CalEEMod version 2016.3.2. Complete CalEEMod results and assumptions can be viewed in Appendix A.

Construction Emissions: The proposed project would generate emissions from construction equipment exhaust, worker travel, materials and equipment deliveries, and fugitive dust. These construction emissions include dust (PM_{10}) as well as other criteria air pollutants from the operation of heavy construction equipment. Construction would last approximately four months and would occur between May 2021 and September 2021.

As shown in Table 3.3-4, the proposed project's emissions would not exceed the PCAPCD's thresholds of significance during construction; therefore, impacts would be **less-than-significant.**

Table 3.3-4 Estimated Project Emissions During Construction

	Maximum Daily Emissions (lbs./day)					
	ROG	**NO_X**	**CO**	**SO_X**	**$PM_{2.5}$**	**PM_{10}**
PCAPCD Thresholds	82	82	N/A	N/A	N/A	82
Proposed Project	5.56	17.44	15.86	0.03	3.69	6.67
Threshold Exceeded?	*No*	*No*	*N/A*	*N/A*	*N/A*	*No*
Source: PCAPCD 2016						

Operational Emissions: Long-term emissions associated with project operation would include emissions from vehicle trips (mobile sources); electricity and natural gas use (energy sources); and landscape maintenance equipment, consumer products, and architectural coatings associated with on-site development and maintenance (area sources). Similar to construction emissions, long-term operational emissions were estimated using CalEEMod version 2016.3.2. The traffic generation estimates contained in the Traffic Memo conducted for this project were used in CalEEMod to determine mobile source emissions during project operation, which can be viewed in Appendix B. As discussed in the AQ and Traffic Memos conducted for this project, the proposed project would generate an estimated 44 average daily vehicle trips with an average employee travel distance of five miles. As shown in Table 3.3-5, emissions generated by the project during operation would not exceed PCAPCD thresholds of significance. This impact would be **less-than-significant**.

Table 3.3-4Estimated Project Emissions During Operation

	Maximum Daily Emissions (lbs./day)					
	ROG	**NO_X**	**CO**	**SO_X**	**$PM_{2.5}$**	**PM_{10}**
PCAPCD Thresholds	82	82	N/A	N/A	N/A	82
Proposed Project	0.42	0.46	0.67	<0.01	0.05	0.17
Threshold Exceeded?	*No*	*No*	*N/A*	*N/A*	*N/A*	*No*
Source: PCAPCD 2016						

As shown above, the project would not result in a considerable net increase of any criteria pollutant during construction or operation. Therefore, the project would have a **less-than-significant impact**.

c) Expose sensitive receptors to substantial pollutant concentrations?

The project, as proposed, would not include equipment that would require a stationary source permit from the PCAPCD. Additionally, the project would be an office space with warehouse storage and a self-storage facility and is not reasonably anticipated to generate toxic air contaminants which may expose nearby sensitive receptors. Moreover, the proposed project

would not exceed PCAPCD thresholds; therefore, the proposed project would not expose sensitive receptors to substantial pollutant concentrations. This impact would be **less-than-significant.**

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

The proposed project involves the construction and operation of two buildings: one for office space and equipment storage intended for construction and engineering contractors, and the other for self-storage units intended for RV and boat storage. During construction activities, only short-term, temporary odors from vehicle exhaust and construction equipment engines would occur. As the project site is in an area without significant vertical features to block air movement and hold odors, construction-related exhaust and odors would disperse and dissipate quickly and would not adversely affect nearby residents or businesses. In addition, any construction-related exhaust and odors would be short-term and would cease upon completion of construction.

The operation of RVs and larger vehicles during operation of the project is anticipated to generate exhaust and odors; however, due to the size and nature of the project, exhaust and odors generated during project construction and operation would not be produced in quantities capable of adversely affecting nearby residents and businesses. Moreover, land uses typically producing objectionable odors include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, animal farms, and fiberglass molding facilities. Therefore, the proposed project would not result in other emissions, such as odorous emissions, that may adversely affect a substantial number of people. This impact would be **less-than-significant**.

Mitigation Measures

None required

4. 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 Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
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?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a	☐	☒	☐	☐

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
tree preservation policy or ordinance?				
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?	☐	☐	☐	☒

Setting

The project area is located in the northern-central Sierra Nevada foothills. The Sierra Nevada foothills lie between the western edge of the Sierra Nevada and the eastern border of the Central Valley. The foothills form a belt 10 to 30 miles wide that ranges from 500 to 5,000 feet in elevation in a series of northwest to north-northwest aligned ridges that decline in elevation from northeast to southwest. Many rapidly flowing rivers and streams run westerly in deeply incised canyons with bedrock channels to the Central Valley and eventually to the Pacific Ocean. Alluvial fans, floodplains, and terraces are not extensive; and all but the largest streams are generally dry during the summer. Dominant vegetation communities include grasslands, oak woodlands, and chaparral.

Vegetation communities within the project area are typical of the lower Sierra Nevada foothills. However, the terrain within the central section of the project area is not typical of the lower Sierra Nevada foothills that normally vary between flat ridges and valleys to gently and moderately sloping hillsides given the high level of disturbance where cut and fill impacts have occurred historically. The project area elevation ranges from approximately 2,180 to 2,280 feet above mean sea level (MSL).

Natural hydrological sources for the project area include precipitation and surface run-off from adjacent lands. Mean annual rainfall in the area is 47.06 inches (NRCS, 2020). During rain events over the previous month prior to the field surveys, very little surface water was identified except for water within Bunch Creek. Bunch Creek runs from north to south within the western section of the project area. The creek is not identified as a blue line feature or stream on any USGS or NWI maps that include the project area.

The project area has been disturbed by historic cut and fill practices, public access, and ongoing management for many years which is the baseline condition for the project area. Within the project area, the dumping of soils, landscape materials, and other miscellaneous items has also occurred for many years and the current circumstances are the baseline conditions. A large section of the

project area located in the central section of the project area would be characterized as disturbed given the amount of fill material present and the historic cut of the project area making the central area relatively flat in comparison to the eastern and western sections of the project area. Areas not subject to this regular type of previous disturbance are dominated by mostly native habitat and, therefore, are also the baseline condition within the project area.

Methodology

Baseline information from databases and reporting for similar projects in the City of Colfax and Placer County were collected and reviewed prior to conducting reconnaissance-level field biological surveys. The database searches, background research, and habitat level field surveys characterized the baseline conditions of the project area. Based on the baseline conditions of the project area, an assessment was implemented to determine if any special-status plant or wildlife species use the project area at any time during their life cycle. The baseline conditions also identified the presence of any sensitive habitat or communities, including "waters of the U.S.," including wetlands, that have been identified and mapped within the project area.

The following information was used to identify potential sensitive biological resources, including the presence of special-status plant and wildlife species, within the project area region that could be found to use the project area:

- California Department of Fish and Wildlife's California Natural Diversity Database records search of 3-mile buffer around the project area (CDFW, 2020);
- The California Native Plant Society's online Inventory of Rare and Endangered Plants of California for the project area and Placer County (CNPS, 2020);
- The U.S. Fish and Wildlife Service Information, Planning, and Consultation System (IPaC) for endangered, threatened, and proposed listed species for the project area (USFWS, 2020);
- National Wetland Inventory map of the project area (NWI, 2020);
- United States Department of Agriculture (USDA) Soils Mapper of the project area (USDA, 2020);
- Natural Resources Conservation Service (NRCS) Hydric Soils List for Placer County (NRCS, 2020); and
- City of Colfax Municipal Code, Ordinances, and General Plan.

Reconnaissance-level biological resources field surveys were conducted on foot for the entirety of the project area (3.00 acres) by Greg Matuzak, Principal Biologist and owner of Greg Matuzak Environmental Consulting LLC. Initial field surveys were conducted on January 24th and February 5th, 2019. Follow up reconnaissance-level biological resources field surveys were conducted for

potential special-status species and their habitats within the Project area on May 4th, 2020. The purpose of the surveys completed in January and February 2019 was to identify habitat and vegetation types and to determine the potential for any special-status plant and wildlife species identified in the desktop analysis and background research to occur within the project area. Additionally, the presence of Bunch Creek and associated riparian habitat were mapped and included within the project site plan.

Further evaluation of the project area conducted in early May 2020 included a botanical survey within the entirety of the project area. The follow up botanical surveys were conducted during the time of year when the target special-status plant species with potential to occur within the project area are known to be in bloom and identification of each is most likely. The environmental impact analysis below is based on the review of the background information listed above as well as the reconnaissance-level biological resources surveys within the project area. Additionally, the Osborn Commercial Project Biological Resources Assessment (dated May 2020) is included as an attachment to this document and forms the basis of the analysis and recommendations for the development of the project area (see Greg Matuzak Environmental Consulting LLC, May 2020).

Impact Discussion

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Special-status plant surveys were conducted within the project area during May 2020, which coincides with the blooming period of the special-status plant species that have been previously identified within 3 miles of the project area. No special-status plant species were documented within the project area during the site visits and surveys conducted within the project area. Therefore, there is a very low likelihood that the project area would contain a protected special-status plant species listed by CDFW, CNPS, or per CEQA requirements based on the results of the 2019 and 2020 surveys of the project area.

Special-status wildlife surveys were conducted within the project area during January and February 2019 and May 2020. Surveys were directed towards special-status wildlife species that have been previously identified within 3 miles of the project area. No special-status wildlife species were documented within the project area during the site visits and surveys conducted within the project area. Therefore, there is a very low likelihood that the project area would contain a protected special-status wildlife species protected by CDFW, USFWS, or per CEQA requirements based on the results of the 2019 and 2020 surveys of the project area.

Coast horned lizard - The coast horned lizard, a special-status wildlife species, has the potential to occur within the project area, even though the species has not been observed within the project area. There is potential suitable habitat within the open and disturbed sections of the

project area including exposed sand soils. Therefore, this species has a potential to occur within the project area. Mitigation Measure 4a requires a pre-construction survey to avoid impacts to this species.

Given the project area contains many larger trees and many of those trees contain suitable habitat for nesting raptors and other protected bird species, removal of such trees should be done outside the breeding season, if possible, to avoid potential impacts to such protected nesting bird species. The breeding season for raptors and MBTA protected bird species in the vicinity of the project area is generally from March 1 to August 31. Vegetation clearing or tree removal outside of the breeding season for such bird species would not require the implementation of any avoidance, minimization, or mitigation measures. However, construction or development activities during the breeding season could disturb or remove occupied nests of raptors. Mitigation Measure 4b requires a pre-construction "nesting"survey within 250 feet of the any disturbance area within the project area to avoid impacts to nesting raptors and other protected bird species within 14 days prior to disturbance.

With implementation of **Mitigation Measures 4a and4b**, the impact to special-status species is **less-than-significant**.

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

Substantial alteration to Bunch Creek within the project area would likely fall under CDFW jurisdiction as the creek contains a bed and bank and riparian vegetation along its banks. Any proposed alteration of any stream would most likely require a Streambed Alteration Agreement from the CDFW pursuant to Section 1600 *et. seq.* of the California Fish and Wildlife Code prior to construction, including any disturbance within Bunch Creek within the project area.

The proposed project would include the placement of a culvert under the new access road that crosses Bunch Creek. **Mitigation Measure 4c** requires disturbed areas within the riparian area to be revegetated and restored to pre-project contours, where feasible. The proposed disturbance within the mapped stream zone of Bunch Creek within the project area may be subject to CDFW jurisdiction and a Streambed Alteration Agreement from the CDFW pursuant to Section 1600 *et. seq.* of the California Fish and Wildlife Code may be required prior to disturbance within such CDFW jurisdiction. With this mitigation measure, the impact to the riparian habitat or other sensitive natural community is **less-than-significant**.

c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Bunch Creek is the only wetland or stream feature identified within the project area and it is assumed to fall under U.S. Army Corps of Engineers (Corps) jurisdiction pursuant to Section 404 of the Clean Water Act (CWA). The Central Valley Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of the CWA also has jurisdiction over areas subject to regulation by the Corps under Section 404 of the CWA. As detailed in the CWA, any proposed action that would place fill or dredge material within areas identified as Corps jurisdictional wetlands or waters would require a Department of the Army Section 404 permit and a RWQCB Section 401 Water Quality Certification, or waiver thereof, prior to the placement of fill or dredge material within such features. Fill or dredge impacts to any features regulated under Sections 404 and 401 of the CWA would be required to be mitigated at a minimum of a 1:1 ratio. Compensatory mitigation would be included as a Section 404 and Section 401 permit condition to be implemented prior to the placement of such dredge and fill material within a "waters of the U.S.," including wetlands, and would ensure the no net loss of such features within the project area.

The potential placement of a culvert within Bunch Creek would be a temporary impact to the creek and not subject to compensatory mitigation under the CWA. Given that no fill or dredge material will be placed within Bunch Creek as part of the proposed project, the proposed project would have a **less-than-significant** impact on CWA regulated "waters of the U.S." including wetlands.

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?

The project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. The project will have **no impact**.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project applicant will comply with the City of Colfax tree removal regulations (Code of Ordinances 12.16). The following measures shall be implemented to ensure compliance with local tree removal regulations and tree protection: **Mitigation Measures 4d and 4e**. The project impacts to local policies or ordinances protecting biological resources such as a tree preservation policy are **less-than-significant** with mitigation.

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?

The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The project will have **no impact.**

Mitigation Measures

MM 4a: Avoid Impacts to the Coast Horned Lizard.

Prior to disturbance within the areas of the project area that contain suitable habitat for the species, a pre-construction survey for the species shall be conducted prior to any disturbance within those disturbed and developed areas of the project area in order to avoid direct impacts to the species. If the species is documented during pre-construction surveys, a qualified wildlife biologist would have the authority to move individual coast horned lizards outside of the proposed disturbance area(s) in order to avoid an impact to this species. Once the coast horned lizard(s) have been removed from the disturbance area(s) and out of harms way, the proposed work would no longer pose a risk to individuals of the species.

MM 4b: Avoid Impacts to Active Raptor and other Protected Bird Species Nests.

Conduct a pre-construction "nesting" survey within and adjacent to any proposed disturbance area within the project area for nesting raptors and other protected bird species within 14 days prior to disturbance. The nesting survey radius around the proposed disturbance would be identified prior to the implementation of the protected bird nesting surveys by a CDFW qualified biologist and would be based on the habitat type, habitat quality, and type of disturbance proposed within or adjacent to nesting habitat.

If any nesting raptors or protected birds are identified during such pre-construction surveys, trees or shrubs or grasslands with active nests should be not be removed or disturbed and a no-disturbance buffer should be established around the nesting site to avoid disturbance or destruction of the nest site until after the breeding season or after a qualified wildlife biologist determines that the young have fledged. The extent of these buffers would be determined by a CDFW qualified wildlife biologist and would depend on the special-status species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers.

MM 4c: Disturbance to Bunch Creek and Associated Riparian Zone.

Any temporary impacts to the stream within the project area shall be restored to pre-construction contours. Site restoration shall include all exposed/disturbed areas and access points within the

stream as a result of the disturbance activities (new culvert, etc.). These areas shall be seeded and covered with broadcast straw. Coordination with CDFW and a Streambed Alteration Agreement from the CDFW pursuant to Section 1600 *et. seq.* of the California Fish and Wildlife Code may be required prior to disturbance within such CDFW jurisdiction.

MM 4d: Avoid Disturbance to Protected Trees Adjacent to Disturbance.

Trees that will be preserved within the project area that are located directly adjacent to proposed disturbance shall require the installation of bright colored mesh fencing, flagged stakes or some visible means of physical demarcation around the drip line of the tree(s) in the field prior to issuance of a grading permit. No movement of soil or earth material shall take place within the drip line of trees designated for preservation.

MM 4e: Replacement and Replanting of Removed Protected Trees.

Trees that will be removed within the project area shall comply with the City's ordinance by implementing the following to mitigate for trees to be removed:

A. The applicant/developer shall replace and replant removed trees with an equal number of trees.

B. Minimum/maximum replacement trees shall range from one gallon to forty-eight (48) inch box container sizes mixed to create a natural horizon line.

C. A mix of tree species is preferred (rather than planting the same species throughout the project) to achieve a more natural, native appearance.

D. Hillside development shall preserve trees when feasible or be replanted immediately to prevent erosion. "Immediate" means prior to the issuance of a certificate of occupancy or final inspection.

E. Trees shall be irrigated and maintained by any and all subsequent owners for a minimum period of five years after installation in accordance with the Colfax design guidelines maintenance requirements:

    1. Deposit with the city a maintenance bond, cash, letter of credit or its equivalent, in an amount equal to one-half the market value of landscaping and irrigation guaranteeing the proper care, treatment and maintenance of landscaping for a period of three years; or

    2. Execute an agreement and equitable lien in an amount equal to the full market value of the landscaping and irrigation with the city, guaranteeing the lien shall cause a written letter of notification by the city to the owner of the real property

within ten (10) days that the city will perform or have performed by a reputable landscaper any and all maintenance work it deems necessary and bring legal action against the owner for the frill cost of such maintenance work or foreclose such equitable lien as provided by law.

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5. 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 pursuant to Section 15064.5?	☐	☒	☐	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Setting

The proposed project is located on the western flank of the north-central Sierra Nevada, within the southern portion of the city of Colfax. Bunch Creek bisects the western portion of the property from north to south.

A Cultural Resources Inventory Survey was conducted by Sean Michael Jensen, M.A. of Genesis Society dated April 13, 2020. The project area is located within territory occupied by the Nisenan Native American people also referred to as “Southern Maidu”. Villages were frequently located on flats adjoining streams and were inhabited mainly in the winters as it was usually necessary to go out into the hills and higher elevation zones to establish temporary camps during food gather seasons.

Prehistoric use and occupation focused on major surface water sources and other natural resource areas, with particular emphasis given to stream confluences and to ecotones created at the interface of foothill/valley lands, elements of which are located within and/or near the present study area. Existing records at North Central Information Center indicated that none of the project area had been subjected to previous archaeological investigation and no cultural resources have been documented on the site. An intensive level pedestrian survey was also conducted and no significant prehistoric, historic, or unique archaeological resources were identified on the project site.

Regulatory Context

California Register of Historical Resources - Under Public Resources Code (PRC) Section 21083.2 of CEQA, an important archaeological or historical resource is an object, artifact, structure, site, or district that is listed on, or eligible for listing on, the California Register of Historical Resources (CRHR), is included in a local register of historical resources, or is determined by the lead agency to be historically significant. CRHR Eligible resources are those that can be clearly shown to meet any of the following criteria:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- Is associated with the lives of persons important in California's past.
- 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 value.
- Has yielded, or may be likely to yield, information important in prehistory or history.

Eligibility and significance can be assumed for properties that are already listed on the National Register of Historic Places (NRHP), if evidence supporting the decision is verified and applied. In addition, Points of Historical Interest nominated from January 1998 onward are to be jointly listed as Points of Historical Interest and in the CRHR. Resources listed in a local historical register or that are deemed significant in a historical resources survey, as provided under PRC Section 5024.1(g), are presumed to be historically or culturally significant unless the preponderance of evidence demonstrates that they are not. A resource that is not listed or that is determined to be ineligible for listing on the CRHR, not included in a local register of historical resources, and not deemed significant in a historical resources survey may nonetheless be historically significant, as determined by the lead agency (PRC Section 21084.1 and Section 21098.1).

California Health and Safety Code and Public Resources Code - Broad provisions for the protection of Native American cultural resources are contained in the California Health and Safety Code, Division 7, Part 2, Chapter 5 (Sections 8010 through 8030). Several provisions of the PRC also govern archaeological finds of human remains and associated objects. Procedures are detailed under PRC Section 5097.98 through 5097.996 for actions to be taken whenever Native American remains are discovered. Furthermore, Section 7050.5 of the California Health and Safety Code states that any person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor, except as provided in Section 5097.99 of the PRC. Any person removing human remains without authority of law or written permission of the person or persons having the right to control the remains under PRC Section 7100 has committed a public offense that is punishable by imprisonment. PRC Chapter 1.7, Section 5097.5/5097.9 (Stats. 1965, c. 1136,

p. 2792), entitled Archaeological and Historical Sites, defines any unauthorized disturbance or removal of remains on public land as a misdemeanor.

Impact Discussion

a) Cause a substantial adverse change in the significance of a historical resource as identified in Section 15064.5?

No evidence of historic period resources was identified during the survey. However, the site evaluation and recommendations are based on the findings of an inventory-level surface survey only. **Mitigation Measure 5a** requires archaeological consultation in the event of inadvertent discovery of cultural material. With this mitigation measure, the impact is **less-than-significant.**

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

No evidence of archaeological resources was identified during the survey. However, the site evaluation and recommendations are based on the findings of an inventory-level surface survey only. **Mitigation Measure 5a** requires archaeological consultation in the event of inadvertent discovery of cultural material. With this mitigation measure, the impact is **less-than-significant.**

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

There are no known human remains within the project area, and no indications that the project location has been used for burial purposes in the past. Therefore, it is unlikely that human remains would be encountered during construction. However, ground disturbance and subsurface construction activities such as trenching and grading associated with the proposed project could potentially disturb previously undiscovered human burial sites. Therefore, **Mitigation Measure 5b** would be implemented to reduce impacts to a **less-than-significant** level by ensuring compliance with Section 7050.5 of the California Health and Safety Code and PRC 5097.98.

Mitigation Measures

MM 5a: Consultation in the Event of Inadvertent Discovery of Cultural Material.

If any cultural resources are encountered during ground disturbance or subsurface construction activities (e.g., trenching, grading), all construction activities within a 50-foot radius of the identified potential resource shall cease and archaeological consultation shall be sought immediately. The archaeologist shall determine whether the resource requires further study.

MM 5b: Consultation in the Event of Inadvertent Discover of Human Remains.

If ground-disturbing activities uncover previously unknown human remains, Section 7050.5 of the California Health and Safety Code applies, and State law shall be followed, which includes but is not limited to immediately contacting the County Coroner's office.

There shall be no further excavation or disturbance of the area where the human remains were found or within 50 feet of the find until the Placer County Coroner and the appropriate City representative are contacted. Excavation or disturbance of the area where the human remains were found or within 50 feet of the find shall not be permitted to re-commence until the Coroner determines that the remains are not subject to the provisions of law concerning investigation of the circumstances, manner, and cause of any death.

References

In addition to examining the archaeological site and survey records of Placer 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).
- 1865 GLO T14N, R9E, MDM.
- USGS Colfax, CA 7.5' quadrangle (1949).
- USGS Colfax, CA 7.5' quadrangle (1951).
- USGS Colfax, CA 15' quadrangle (1950).
- NETR Aerials (1946, 1947, 1993, 1998, 2005, 2009, 2010, 2012, 2014, 2016).
- USGS topographic maps (1951, 1953, 1961, 1966, 1975, 1977, 1988, 2012, 2015, 2018).

6. ENERGY

	Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Setting

Energy use relates directly to environmental quality because it can adversely affect air quality and generate greenhouse gas (GHG) emissions that contribute to climate change. Fossil fuels are burned to power vehicles, heat and cool buildings, and create electricity to power buildings and equipment. Transportation energy use is related to the fuel efficiency of cars, trucks, and public transportation; choice of different travel modes such as auto, carpool, and public transit; and miles traveled by these modes.

Electricity and natural gas are two forms of energy uses in the City of Colfax and are provided by PG&E. PG&E has implemented state-wide programs that have resulted or will result in energy efficiency and renewable energy.

Natural gas demand in California, including volumes not served by utility systems, is expected to decrease at a rate of 0.5 percent per year from 2018 to 2035 due to several factors, including moderate growth in natural gas vehicles and across-the-board declines in most other market sectors (California Gas and Electricity Utilities 2018).

Energy demand generated by anticipated vehicles and equipment during construction of the proposed project is qualitatively analyzed herein to determine the project's relative energy consumption during construction. Operational energy demand generated by implementation of the proposed project was calculated using the projected vehicle miles traveled from the Transportation Impact Memo conducted for the proposed project, vehicle fleet mix generated by CalEEMod, and fuel economy factors retrieved from the USEPA-approved Emission Factors 2017 (EMFAC2017) database. The Transportation Impact Memo is included in Appendix B, CalEEMod inputs and

results are included in Appendix B, and operational energy calculations are contained in Appendix C.

Impact Discussion

a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

A building permit is required for this project. The 2019 California Green Building Standards Code requires all applicants to recycle construction waste materials and to construct to Title 24 standards. Therefore, the project would have **less-than-significant** impacts.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

As stated above, a building permit is required for this project and must adhere to the most current California Green Building Standards Code. Therefore, the project would have **less-than-significant** impacts.

Mitigation Measures

None required

7. GEOLOGY AND SOILS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause 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?	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c) Be located on strata or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	☐	☒	☐	☐
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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Setting

Regional Seismicity

The City of Colfax is located within a seismically active region and earthquakes have the potential to cause ground shaking in the area. The California Geological Survey does not include the City on its list of cities that are affected by Alquist-Priolo Fault Zones (Colfax 1997). According to the United States Geologic Survey (USGS), the City of Colfax is positioned between known faults part of the Foothills fault system, the closest of which is approximately seven miles west of city boundaries (USGS 2020). The Foothills fault system is the only fault system that passes nearby the Colfax Planning Area.

Landslides are a result of slope instability and characterized by the movement of soils and bedrock down steep slopes. Movement results from wet weather, seismic shaking, and/or improper construction, grading, and drainage. According to the California Department of Conservation (DOC), the city has not been delineated as an area where local topographic, geological, and geotechnical conditions indicate a substantial potential for landslides (DOC 2020a).

Liquefaction

Poorly consolidated material, such as sand and silt, and a shallow depth to groundwater are the most common conditions which increase the potential for liquefaction during ground-shaking events. Strong earthquakes can also provide sufficient intensity of shaking to cause soil to act as a fluid, resulting in liquefaction. During a liquefaction event, structures can tilt or sink; highway overpasses, levees, and bridge abutments can fail; and lateral ground movement can occur on slopes as low as three percent. Areas of Colfax that are most susceptible to such potential activities would be streambeds or slopes exposures (Colfax 1997).

Subsidence

Subsidence is the downward shift of ground surface relative to sea-level. Subsidence typically occurs as a result of the dissolution of limestone, subsurface mining, extraction of natural gas, earthquakes, groundwater pumping, and fault rupture. In Placer County, the type of subsidence of greatest concern is the settling of ground over abandoned mine workings (Placer County 2016); however, according to the DOC, no abandoned mines are recorded beneath the project site (DOC 2020b).

Impact Discussion

a) Directly or indirectly cause 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 of the area or based on other substantial evidence of a known fault?

The project site is not located in an Alquist-Priolo Special Studies Zone, and no known active faults are mapped as crossing or projecting toward the proposed project site area. As noted above, the California Geological Survey does not include the City on its list of cities that are affected by Alquist-Priolo Fault Zones. As such, impacts related to ground rupture exposing people or structures to adverse effects would be **less-than-significant.**

ii. Strong seismic ground shaking?

Ground motion during an earthquake is an unavoidable hazard for facilities in the Sierra Nevada region. The intensity of such an event would depend on the distance to the epicenter, magnitude, and duration of shaking. Ground shaking withing the project area could cause significant damage to proposed facilities, if not constructed in accordance with California Building Code requirements. The City of Colfax requires structures to obtain a building permit and be built in accordance with CBC and UBC requirements, therefore impacts associated with seismic-related ground shaking will be **less-than-significant.**

iii. Seismic-related ground failure, including liquefaction?

Soil liquefaction is a phenomenon in which loose, saturated, cohesionless soils (silts and sands) below the water table are subject to temporary, but essentially a total loss of strength under the reversing, cyclic-shear strains associated with earthquake shaking. As noted above, the project is not located within a delineated Alquist-Priolo Earthquake Fault Zone and based on the history of past earthquake activity in the area, the potential for soil liquefaction is considered extremely low. Therefore, this impact is considered **less-than-significant.**

iv. Landslides?

The majority of the project sits on moderate to flat slopes and there is no known history of landslide activity on the project site. The possibility of landslides at the project site is considered low due to the topography, vegetation and competent nature of the soil on the site; therefore this impact is **less-than-significant.**

b) Result in substantial soil erosion or the loss of topsoil?

Construction of the project will require site preparation which would expose surface soil materials. To applicant will be required to submit grading, drainage and erosion control plans designed to ensure erosion control impacts are minimized. Accordingly, the project

is not anticipated to result in substantial soil erosion or loss of topsoil. Under the National Pollutant Discharge Elimination System (NPDES), the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) is required for construction activities that would disturb an area of 1 acre or more. The SWPPP must identify potential sources of erosion or sedimentation that may be reasonably expected to affect the quality of stormwater discharges and identify BMPs that ensure the reduction of these pollutants during stormwater discharges. The proposed project would result in the temporary and permanent disturbance greater than one acre and would be required to implement **Mitigation Measure 7a**, which would require the development and implementation of a SWPPP and its associated BMPs. With the implementation of **Mitigation Measure 7a**, impacts associated with substantial soil erosion, or the loss of topsoil is considered **less-than-significant**.

c) Be located on strata or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

As previously discussed, the risk of lateral spreading from landslides and liquefaction is low. These impacts are considered **less-than-significant.**

d) Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code, creating substantial risks to life or property?

Mitigation Measure 7b requires a Geotechnical Report to be submitted to the City Engineer prior to building permit issuance. Grading, compaction, over-excavation, structural design of footings and walls, etc. shall comply with the recommendations of the Geotechnical Report. This impact is **less-than-significant** with mitigation**.**

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?

The proposed project will be connected to the City's sewer system. Therefore, this potential impact is not applicable. **No impact** will occur.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The Cultural Assessment conducted by Genesis Society did not discover any paleontological resources. However, **Mitigation Measure 7c** outlines the necessary steps if paleontological resources are discovered during construction activities such as trenching or grading. With this mitigation measure in place, this impact is reduced to **less-than-significant.**

Mitigation Measures

MM 7a: Obtain Appropriate Stormwater Permit and Implement an Erosion Control Plan.

Prior to the issuance of a grading permit, the applicant shall ensure the project adequately addresses grading, erosion, sediment and pollution control requirements of the Regional Water Quality Control Board (RWQCB). If one acre or more of land will be disturbed, the applicant shall submit a Notice of Intent (NOI) with appropriate fees and a Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB. The SWPPP shall include temporary and permanent Best Management Practices (BMP's).

MM 7b: Obtain Geotechnical Report.

The applicant shall obtain a Geotechnical Report for the project site from a qualified engineer and submit to City Engineer for approval prior to issuance of a grading permit.

MM 7c: Consultation in the Event of Inadvertent Discovery of Paleontological Resources.

If any paleontological resources are encountered during ground disturbance or subsurface construction activities (e.g., trenching, grading), all construction activities within a 50-foot radius of the identified potential resource shall cease and a qualified paleontologist shall be sought immediately to determine the significance of the discovery. The paleontologist shall determine whether the resource requires further study.

8. GREENHOUSE GASES

	Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b)	Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Setting

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans as well as other substantial changes in climate-related systems such as wind patterns, precipitation, and storm patterns and frequency. The term "climate change" is often used interchangeably with the term "global warming;" however, "climate change" is preferred because it conveys that there are other changes in addition to rising average temperatures. The baseline against which these changes are measured originates in historical records identifying temperature changes that have occurred in the past, such as during previous ice ages. The global climate is continuously changing, as evidenced by repeated episodes of substantial warming and cooling documented in the geologic record. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe; however, scientists have observed an acceleration in the rate of warming during the past 150 years. Per the United Nations Intergovernmental Panel on Climate Change (IPCC), anthropogenic influences on the climate has led to a confidence level of 95 percent or greater chance that the global average net effect of human activities has been the dominant cause of warming since the mid-20th century (IPCC 2014).

Gases that absorb and re-emit infrared radiation in the atmosphere are referred to as greenhouse gases (GHG). GHGs are naturally present in the atmosphere, are released by natural sources, and are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO_2), methane (CH_4), nitrous oxides (N_2O), fluorinated gases such a hydrofluorocarbons (HFC) and

perfluorocarbons (PFC), and sulfur hexafluoride (SF_6). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

GHGs are emitted by both natural processes and human activities; CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely by-products of fossil fuel combustion, whereas CH_4 results from agricultural practices and landfills. Observations of CO_2 concentrations, average global temperatures, and rising sea levels are generally within the range of the earlier IPCC projections. The recently observed increases in CH_4 and N_2O concentrations are smaller than those assumed in the scenarios in the previous assessments. Each IPCC assessment has used new projections of future climate change that have become more detailed as the models have become more advanced.

Human-generated GHGs, many of which have greater heat-absorption potential than CO_2, include fluorinated gases and SF_6 (USEPA 2019a). Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale, generally 100 years. Because different GHGs have different heat-absorption potential, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of gas emissions, referred to as "carbon dioxide equivalent" (CO_2e), and is the amount of a GHG emitted multiplied by its GWP. Carbon dioxide has a GWP of one. In comparison, CH_4 has a GWP of 28, meaning its warming effect is 28 times greater than CO_2 on a molecular basis within a 100-year timescale (IPCC 2014).

The presence of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat trapping effect of GHGs, the surface of the earth would be about 34 degrees Celsius (°C) lower (CalEPA [California Environmental Protection Agency] 2006); however, it is believed that emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have increased the concentration of these atmospheric gases beyond the level of naturally occurring concentrations.

Carbon Dioxide

The global carbon cycle is made up of large carbon sources and sinks. Billions of tons of carbon in the form of CO_2 are absorbed by oceans and living biomass (i.e., sinks) and are emitted to the atmosphere through natural processes (i.e., sources). When in equilibrium, carbon flows among these sources and sink are roughly balanced. CO_2 was the first GHG demonstrated to be increasing in atmospheric concentration, with the first conclusive measurements being made in the last half of the 20th century. Concentrations of CO_2 in the atmosphere have risen by approximately 40 percent since the industrial revolution. The global atmospheric concentration of CO_2 has increased from a pre-industrial value of about 280 ppm to 391 ppm (IPCC 2014); however, the Mauna Loa

Observatory located in Hawaii recorded the monthly average for CO_2 concentrations in September 2019 as 408.54 ppm (NOAA 2019a).

Methane

Methane (CH_4) is an effective absorber of radiation. While its atmospheric concentration is less than that of CO_2, its lifetime in the atmosphere is limited to 10 to 12 years. It has a global warming potential (GWP) approximately 28 times that of CO_2 in a 100-year timeframe. Over the last 250 years, the concentration of CH_4 in the atmosphere has increased by 150 percent (IPCC 2014). Although methane emissions appeared to level out following the late 1990s, atmospheric measurements have shown renewed increases since 2007 (IPCC 2014). Anthropogenic sources of CH_4 include domestic livestock, landfills, natural gas and petroleum facilities and uses, agricultural activities, coal mining, wastewater treatment, and certain industrial processes (USEPA 2019a).

Nitrous Oxide

Concentrations of nitrous oxide (N_2O) began to rise at the beginning of the industrial revolution and continue to increase at a relatively uniform growth rate. N_2O is produced by microbial processes in soil and water, including those reactions that occur in fertilizers that contain nitrogen, fossil fuel combustion, and other chemical processes (NOAA 2019b). Use of these fertilizers has increased over the last century. Agricultural soil management and transportation fossil fuel combustion are the major sources of N_2O emissions. The GWP of nitrous oxide is approximately 310 times that of CO_2 over a period of 100 years.

Fluorinated Gases (HFC, PFC, and SF_6)

Fluorinated gases, such as hydrofluorocarbons (HFC), perfluorocarbons (PFC), and SF_6, are powerful GHGs that are emitted from a variety of industrial processes. Fluorinated gases are used as substitutes for ozone-depleting substances, such as chlorofluorocarbons (CFC), hydrochlorofluorocarbons (HCFC), and halons, which have been regulated since the mid-1980s due to their ozone-destroying potential and are phased out under the Montreal Protocol (1987) and Clean Air Act Amendments of 1990. Electrical transmission and distribution systems account for most SF_6 emissions, while PFC emissions result from semiconductor manufacturing and as a by-product of primary aluminum production. Fluorinated gases are typically emitted in smaller quantities than CO_2, CH_4, and N_2O, but these compounds have much higher GWPs. SF_6 is the most potent GHG the IPCC has evaluated and has a 100-year GWP of 23,900 (IPCC 2014).

Methodology

As discussed in Section 3.3, Air Quality, the project is located within PCAPCD jurisdiction; therefore, the PCAPCD GHG thresholds are the most appropriate to use for the proposed project. The PCAPCD has established a bright-line GHG significance threshold of 10,000 metric tons of CO_2e ($MTCO_2e$) per year for project-level construction and a de minimis GHG significance threshold of 1,100 $MTCO_2e$ per year for the project's operational emissions. GHG emissions from

projects that exceed 10,000 $MTCO_2e$ per year would be deemed to have a cumulatively considerable contribution to climate change. The de minimis threshold of 1,100 $MTCO_2e$ per year represents an emissions level which can be considered less than cumulatively considerable and be excluded from further GHG impact analysis (PCAPCD 2016b).

Construction and operational GHG emissions were estimated using CalEEMod Version 2016.3.2. Vehicle trips generated by the proposed project included in the model were taken from the Traffic Memo, included in Appendix B. The model output and assumptions are provided in the AQ Memo conducted for this project, included in Appendix A.

Impact Discussion

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

The project's proposed construction activities, energy use, daily operational activities, and mobile sources (traffic generation) would generate GHG emissions. As mentioned under Section 3.8.2, Methodology, CalEEMod was used to calculate emissions resulting from project construction and long-term operation, the results of which are contained in the AQ Memo in Appendix A.

Construction Emissions - As shown in Table 3.8-1, GHG emissions generated by construction of the proposed project are estimated at 99 MT of CO_2e. Because the PCAPCD as an established bright-line threshold of 10,000 MT of CO_2e per year for project-level construction, construction of the proposed project would not exceed PCAPCD significance thresholds for construction activities.

Table 3.8-1 Estimated Project GHG Emissions During Construction

	Greenhouse Gas Emissions (MT of CO_2e)
PCAPCD Thresholds	10,000
Proposed Project	99.40
Threshold Exceeded?	*No*
Source: PCAPCD 2016; AQ Memo (Appendix A)	

Operational Emissions - As shown in Table 3.8-2, GHG emissions generated by operation of the proposed project are estimated at 85 MT of CO_2e. The PCAPCD as an established de minimis threshold of 1,100 MT of CO_2e per year for project-level operation; therefore, operation of the proposed project would not exceed PCAPCD significance thresholds for operational activities.

Table 3.8-2 Estimated Project GHG Emissions During Operation

Emission Source	Greenhouse Gas Emissions (MT of CO_2e)
Area	<0.01
Energy	30.49
Solid Waste	6.37
Water	9.09
Mobile	
CO_2 and CH_4	38.17
N_2O	0.85
Total	**84.97**
PCAPCD Threshold	1,100
Threshold Exceeded?	*No*
Source: PCAPCD 2016; AQ Memo (Appendix A)	

Operational emissions relate to area sources, energy use, solid waste, water use, and transportation. CalEEMod was used to calculate direct area sources of air emissions associated with the proposed project, including the use of consumer products and landscape maintenance equipment. As shown in Table 3.8-2, area source emissions are estimated at less than 0.01 MT of CO_2e per year.

Operation of the proposed project would also consume electricity and natural gas for building heating and lighting and equipment operation. The generation of electricity through combustion of fossil fuels emits CO_2, and to a smaller extent, N_2O and CH_4. Annual electricity and natural gas emissions can be calculated using default values from the CEC-sponsored California Commercial End Use Survey and Residential Applicant Saturation Survey studies that are built into CalEEMod. As shown in Table 3.8-2, the proposed project would generate approximately 30 MT of CO_2e pe year associated with building electricity and natural gas demand.

The project, at a minimum, would be required to comply with Assembly Bill 939, which is accounted for in CalEEMod. Based on the project information input into CalEEMod, solid waste associated with project operation would generate approximately six MT of CO_2e per year. As shown in Table 3.8-2, the project would also generate approximately nine MT of CO_2e per year associated with the electricity generated to supply the project's water demand.

Mobile source GHG emissions were estimated using the trip generation rates form the Traffic Memo. The proposed project would generate approximately 79,565 annual vehicle miles traveled (VMT). As noted above, CalEEMod does not calculate N_2O emissions related to mobile sources. As such, N_2O emissions were calculated based on the project's VMT using calculations methods provided by the California Climate Action Registry General Reporting Protocol (January 2009). The proposed project would emit an estimated 39 MT of CO_2e per year from mobile sources.

Table 3.8-1 displays the construction GHG emissions associated with the proposed project and Table 3.8-2 displays the operational GHG emissions associated with the proposed project. Because the project would be constructed and fully operational in the same year, construction and operational emissions were combined to measure the project's cumulative GHG impacts against the PCAPCD's cumulatively considerable threshold of 10,000 MT of CO_2e per year. Although the proposed project would become operational in September 2021 and would only be operational for four months in 2021, the project's total operational annual GHG emissions were combined with the project's construction GHG emissions as a conservative assessment. Because the proposed project could emit an estimated 184 MT of CO_2e per year, including both construction and operational emissions, the project would not be considered cumulatively considerable and would not exceed established significance thresholds, potentially resulting in a significant impact on the environment. This impact would be **less-than-significant.**

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

In November 2019, the PCTPA adopted their 2040 RTP, which includes commitments to reduce emissions form transportation sources by promoting compact and infill development. The proposed project involves improvements to a parcel immediately adjacent to development property and would not substantially expand the rural-urban fringe of the Colfax community. As discussed in the Traffic Memo for this project, operation of the project would generate approximately 44 average daily trips. Moreover, the design concept of the proposed project includes the establishment of a pedestrian trail along South Canyon Way that will provide access to the site via alternative modes of transportation. Therefore, the project would not conflict or prevent the implementation of the goals of the PCTPA's RTP. Lastly, the proposed project would also be required to comply with the energy efficiency measures contained in Title 24 of the California Building Code. The proposed project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions and therefore would have a **less-than-significant** impact.

Mitigation Measures

None required

9. HAZARDS AND HAZARDOUS MATERIALS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely-hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

Setting

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. Hazardous materials are grouped into the following four categories, based on their properties:

- Toxic – Causes Human Health Effect
- Ignitable – Has the Ability to Burn
- Corrosive – Causes Severe Burns or Damage to Materials
- Reactive – Causes Explosions or Generates Toxic Gases

Hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. The criteria that define a material as hazardous also define a waste as hazardous. If improperly handled, hazardous materials and hazardous waste can result in public health hazards if released into the soil or groundwater or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer. The California Government Code, Title 22, Sections 66261.20–24 contains technical descriptions of toxic characteristics that could cause soil or groundwater to be classified as hazardous waste.

California Government Code, Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to compile, maintain, and update specified lists of hazardous material release sites. CEQA (California Public Resources Code, Section 21092.6) requires the Lead Agency to consult the list of hazardous materials release sites compiled pursuant to California Government Code, Section 65962.5 to determine whether the proposed project and any alternatives are identified on a federal or State listing database. The required list of hazardous material release sites is commonly referred to as the "Cortese List" after the legislator who authorized the legislation. Since the statute was enacted more than 20 years ago, some of the provisions refer to agency

activities that were conducted many years ago and are no longer being implemented and, in some cases, the information required in the Cortese List does not exist. Those requesting a copy of the Cortese List are now referred directly to the appropriate information resources contained on internet websites hosted by the boards or departments referenced in the statute, including the online EnviroStor database from the Department of Toxic Substances Control (DTSC) and the online GeoTracker database offered by the State Water Resources Control Board (SWRCB). These two databases include hazardous material release sites, along with other categories of sites or facilities specific to each agency's jurisdiction.

A search of EnviroStor and GeoTracker was conducted on April 7, 2020 which revealed two listings within 1,000 feet of the project area. Both listings, identified by GeoTracker, were listed as leaking underground storage tank cleanup sites, listed as Toms Sierra Tire Case #1 and Toms Sierra SS #71 Case #2. The Toms Sierra Tire Case #1 listing is designated as "COMPLETED – CASE CLOSED" as of 1996 and the Toms Sierra SS #71 Case #2 listing is designated as "COMPLETED – CASE CLOSED" as of 2007 (SWRCB 2020).

According to the Federal Aviation Administration (FAA), the nearest public airport or helipad to the project site is the Nevada County Airport, located approximately 9.75 miles north-northwest of the project site (FAA 2020). The nearest private airport or helipad to the project site is the Alta Sierra Airport, located approximately 5.5 miles west-northwest of the project site. (FAA 2020).

The Placer County Local Hazard Mitigation Plan (LHMP) was developed in response to the Disaster Mitigation Act of 2000 so that Placer County would be eligible for the Federal Emergency Management Agency's Pre-Disaster Mitigation and Hazard Mitigation Grant programs (Placer County 2016). Appendix B of the Placer County LHMP details the hazard mitigation planning elements specific to the City of Colfax. Projects specified in the LHMP updates are incorporated into the City's General Plan and implementation is coordinated through the County's local Fire Safe Councils and Placer County Fire. The LHMP is considered a supporting document to the City's General Plan that is incorporated into the Safety Element following each General Plan update (Placer County 2016).

The California Department of Forestry and Fire Protection (CAL FIRE) evaluates fire hazard severity risks corresponding to areas of jurisdictional responsibility (i.e., federal, State, and local). The level of severity that CAL FIRE assigns to different areas is primarily a function of the local climate, available fuel, and topography that would influence the severity of wildfire events. According to CAL FIRE, the City of Colfax is wholly surrounded by very high fire hazard severity zones under State or federal responsibility (CAL FIRE 2008a). In addition to State and federal responsibility areas, CAL FIRE has also recommended fire hazard severity levels for the City of Colfax, which the entire city is zoned for very high fire hazard severity (CAL FIRE 2008b).

Impact Discussion

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

Based on the applicant's project description, the proposed project will not transport, use or dispose of hazardous materials. There is **no impact.**

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

Based on the applicant's project description, the proposed project will not transport, use or dispose of hazardous materials. Accordingly, there is no risk from the release of hazardous materials into the environment. There is **no impact.**

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

Based on the applicant's project description, the proposed project will not transport, use or dispose of hazardous materials. The project site is within the City's highway-commercial zoning district and there are no schools within one-quart mile of the project site. There is **no impact.**

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?

Pursuant to CEQA, the California DTSC maintains a Hazardous Waste and Substances Sites List (Cortese List). The project site is not included on a list of hazardous materials. As a result, there is **no impact.**

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

The nearest public airport to the project site is approximately 9.75 miles. The project is not located within an adopted airport land use plan. There is **no impact**.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The project will not cause any interference with an emergency response plan or emergency evacuation plan. There is **no impact**.

g) 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?

The entire City of Colfax is located within a very high fire hazard severity zone due to the presence of timber, woodlands, brush, steep slopes, dry weather conditions and human activity. However, existing standards for development provide adequate access, fire flows, and other facilities for appropriate levels of fire protection. The project is adjacent to a frontage roadway and Interstate 80 and the project would not be exacerbating the existing wildfire danger. Impacts are **less-than-significant**.

Mitigation Measures

None required

10. HYDROLOGY AND WATER QUALITY

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or offsite;	☐	☐	☒	☐
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv. Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Setting

Drainage of the site is conveyed via sheet flow toward Bunch Creek. All elements of the proposed project are outside of any 100-year floodplain. The property is located within Flood Zone X (Areas determined to be outside of the 500-year floodplain) according to the Flood Insurance Rate Map for the City of Colfax, Map No. 06061C0500H dated 11/02/2018.

Impact Discussion

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Temporary site preparation, grading, and paving activities associated with construction of the project may result in soil erosion that could degrade water quality; however, on-site activities would be required to comply with the requirements of the City of Colfax Municipal Code Chapter 15.30 (Grading, Erosion and Sediment Control) and Chapter 17.122 (California State-Mandated Water Efficient Landscape Regulations), as well as the National Pollutant Discharge Elimination System (NPDES) permit requirements. Because the proposed project would disturb greater than one acre, the applicant would be required to obtain a NPDES Construction General Permit and prepare a Stormwater Pollution Prevention Plan (SWPPP), which would include the implementation of best management practices (BMP) for erosion and sediment control.

The proposed project would increase the amount of impervious surface on the currently undeveloped and fully pervious site through construction of the office and warehouse building, RV and boat self-storage building, and associated parking and driveway areas. Although the project would introduce new impervious surfaces, the site design would introduce a bioretention and infiltration basin that would intercept runoff, filter pollutants potentially carried by runoff, and slow the rate of post-development peak discharge leaving the project site. Compliance with the above referenced regulations in conjunction with the proposed site design would ensure that the proposed project does not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan and that pollutants do not affect water quality. Impacts would be **less than significant**.

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

The Placer County Water Agency (PCWA) provides water service for the City of Colfax, which draws from several surface water supply sources. Surface water sources supplying PCWA purveyor demands includes the American River, Yuba River, Bear River, Canyon Creek, Tributary to Auburn Ravine, South Fork Dry Creek Tributary to Coon Creek, and North Fork Dry Creek Tributary to Coon Creek (PCWA 2015). The PCWA currently does not

employ groundwater supplies to meet water demands; however, the agency's 2015 Urban Water Management Plan discusses the anticipation of using two wells, each with the production capacity of 1,000-acre feet per year, for backup and dry-year supply (PCWA 2015).

The proposed project would tie into 10-inch water main beneath Canyon Way, which is supplied with PCWA water. Since the project will be connected to treated water, it is not anticipated to deplete groundwater supplies or interfere substantially with groundwater recharge. Impacts would be **less than significant.**

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or offsite;

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

iv. Impede or redirect flood flows?

The project includes the construction of two buildings and associated parking and driveway areas adjacent to the existing Bunch Creek. The project would not alter the course of Bunch Creek or any other stream or river and, thus, would not impede or redirect flood flows. The addition of approximately 52,200 square feet of impervious pavement and roofing would change the drainage pattern of the site; however, it would not increase the potential for flooding, erosion, or siltation. Adherence to the City's urban runoff programs and regulations and implementation of design features to capture and treat stormwater runoff would reduce the quantity and level of pollutants within runoff leaving the site. This impact would be **less than significant.**

The proposed project would involve the construction of approximately 52,200 square feet of impervious surfaces, thereby modifying the existing hydrology of the site. Most of the natural runoff from the hillside east of the project site would be collected by a network of stormwater conveyance ditches along the backside of the proposed retaining walls and discharged to the proposed bioretention and infiltration basin. Runoff collected from the improved areas of the site would be treated before infiltrating into the groundwater basin or discharging to the adjacent Bunch Creek. High-flow events that fill the bioretention basin would overflow into the adjacent creek. In the event of overflow of the bioretention basin, the discharge entering Bunch Creek would not be filtered; however, all low-flow discharge from the developed areas

would be filtered through the bioretention basin prior to entering Bunch Creek. Partially filtered stormwater during high-flow events would not be substantially different than background conditions due to the partial filtration from the bioretention basin and the dilution effect during high-flow events and would not introduce additional pollutants to Bunch Creek. Future development projects in the area may result in additional demand on the existing regional stormwater drainage infrastructure; however, no near-term need for expansion of stormwater drainage infrastructure near the proposed project is anticipated at this time. Impacts would be **less than significant**.

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

According to the Federal Emergency Management Agency's (FEMA) National Flood Zone maps, the proposed project is located in an area designated as an Area of Minimal Flood Hazard (FEMA 2018). In addition, the proposed project involves the construction of an office and warehouse building intended for contractor business and equipment storage, a self-storage building intended for RV and boat storage, and associated parking and driveway areas. Operation of the proposed project would result in the on-site storage of minimal quantities of fuel, cleaners, and other hazardous materials. The proposed project would not introduce the routine use or storage of substantial amounts of hazardous materials on site which may result in the release of pollutants during a flood event. Because of the nature and location of the proposed project, this impact would be **less than significant**.

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

The project does not conflict or obstruct implementation of a water quality control plan or management plan. There is **no impact**.

Mitigation Measures

None required

11. LAND USE AND PLANNING

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Setting

The subject property is a 3.0-acre parcel that fronts Canyon Way to the west, a frontage road for Highway 80. The subject property is bordered to the north by a private residence and Plaza Tire and Auto Service, to the east by a private residence, and to the south by the Cedar's Apartments.

The City's General Plan designates the subject property as Commercial. The subject property is zoned as CH – Commercial Highway.

Impact Disccussion

a) Physically divide an established community?

The proposed project would be served off an existing roadway (Canyon Way) within an already established commercial zoning district. There is **no impact.**

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed project is consistent with the City's General Plan and zoning. The proposed project would not conflict with any applicable land use plan, policy; therefore, there would be **no impact.**

Mitigation Measures

None required

12. MINERAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Impact Discussion

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

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No mineral extraction activities exist on or near the project site and mineral extraction is not included as a part of the proposed project. The proposed project does not lie within a resource conservation area designated in the City of Colfax General Plan. There is **no impact.**

Mitigation Measures

None required

13.NOISE

Would the Project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Setting

Characteristics of Noise

Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound. The zero point on the dB scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Audible increases in noise levels generally refer to a change of 3 dB or more, as this level has been found to be barely perceptible to the human ear in outdoor environments. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a 10-fold increase in acoustic energy, while 20 dB is 100 times more intense, and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness.

Sound intensity is normally measured through the A-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for a number of various sound level metrics, including the day/night sound level (Ldn) and the Community Noise Equivalent Level (CNEL), both of which represent how humans are more sensitive to sound at night. In addition, the equivalent continuous sound level (Leq) is the average sound energy of time-varying noise over a sample period and the Lmax is the maximum instantaneous noise level occurring over a sample period. Table 3-1 illustrates the noise level guidelines published by the California Department of Health Services, which is contained in and adopted by the City's General Plan Noise Element.

Existing Ambient Noise Levels

The existing noise environment in the project area is characterized primarily by Interstate 80 due to its proximity to the project site and the lack of development in the immediate area. Traffic noise depends primarily on traffic speed (tire noise increases with speed) and the proportion of truck traffic (trucks generate engine, exhaust, and wind noise in addition to tire noise). Ambient noise levels at the project site are expected to be in the range of 59 to 63 dB.

Vibration Standards

Vibration is like noise such that noise involves a source, a transmission path, and a receiver. While related to noise, vibration differs in that noise is generally considered to be pressure waves transmitted through air, whereas vibration usually consists of the excitation of a structure or surface. As with noise, vibration consists of an amplitude and frequency. A person's perception to the vibration depends on their individual sensitivity to vibration, as well as the amplitude and frequency of the source and the response of the system that is vibrating.

Vibration can be measured in terms of acceleration, velocity, or displacement. A common practice is to monitor vibration measures in terms of peak particle velocities in inches per second. Standards pertaining to perception as well as damage to structures have been developed for vibration levels defined in terms of peak particle velocities. The City does not have specific policies pertaining to vibration levels. However, vibration levels associated with construction activities and proposed project operations are addressed as potential noise impacts associated with the proposed project implementation.

Human and structural response to different vibration levels is influenced by a number of factors, including ground type, distance between source and receptor, duration, and the number of perceived vibration events. Table 3-2 summarizes the general threshold at which human annoyance could occur is noted as 0.1 inches per second peak particle velocity (in/sec PPV). Table 3-3 indicates that the threshold for damage to structures ranges from 0.12 to 2.0 in/sec PPV depending on the structure type and condition.

Table 3-1 Noise and Land Use Compatibility Matrix

Community Noise Exposure Level (CNEL)							
Land Use Receiving the Noise	55	60	65	70	75	80	
Residential – Low Density Single-Family, Duplex, Mobile Homes							
Residential-Multifamily							
Transient Lodging, Motels, Hotels							
Schools, Libraries, Churches, Hospitals, Nursing Homes							
Auditoriums, Concert Halls, Amphitheaters							
Sports Arena, Outdoor Spectator Sports							
Playgrounds, Neighborhood Parks							
Golf Courses, Riding Stables, Water Recreation, Cemeteries							
Office, Business, Retail Commercial							
Industrial Manufacturing, Agriculture, Utilities							

Source: City of Colfax 1997

Normally Acceptable
Specified land use is satisfactory, based on the assumption that any buildings involved are of normal construction, without any special noise insulation requirements.

Conditionally Acceptable
New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation feature included in the design.

Normally Unacceptable
New construction of development should be discouraged. If new construction of development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

Clearly Unacceptable
New construction or development clearly should not be undertaken.

Table 3-2 Guideline Vibration Annoyance Potential Criteria

Human Response	Maximum PPV (in/sec)	
	Transient Sources	Continuous/Frequent Sources
Barely Perceptible	0.04	0.01
Distinctly Perceptible	0.25	0.04
Strongly Perceptible	0.90	0.10
Severe	2.00	0.40

Notes: Transient sources create a single, isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.
Source: California Department of Transportation 2013

Table 3-3 Guideline Vibration Damage Potential Criteria

Structure and Condition	Maximum PPV (in/sec)	
	Transient Sources	Continuous/Frequent Sources
Extremely Fragile Historic Buildings, Ruins, Ancient Monuments	0.12	0.08
Fragile Buildings	0.20	0.10
Historic and Some Old Buildings	0.50	0.25
Older Residential Structures	0.50	0.30
New Residential Structures	1.00	0.50
Modern Industrial/Commercial Buildings	2.00	0.50

Notes: Transient sources create a single, isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.
Source: California Department of Transportation 2013

Noise Regulatory Framework

The Noise Element of the City of Colfax General Plan identifies land use compatibility noise standards for noise-sensitive land uses affected by all noise sources. As shown in Table 3-1, for noise sensitive land uses, including office, business, and retail commercial uses, that are affected by noise sources, the “normally acceptable” exterior noise level is 70 dBA CNEL. Exterior noise levels of up to 77.5 dBA CNEL for commercial land uses is considered “conditionally acceptable” provided needed noise mitigation measures have been incorporated and interior noise levels are maintained within “normally acceptable” levels. Maximum acceptable interior noise standards for commercial land uses have not been established (Colfax 1997). The City has adopted policies in the General Plan to reduce exposure of unacceptable noise levels to the residents of the City. The following policies are applicable to the proposed project:

General Plan Policy 4.8.1.1. Locate new noise sensitive land uses away from noise sources unless mitigation measures are included in development plans.

City of Colfax Municipal Code Chapter 8.28.010.A.9 Construction and Repair of Buildings

a. The performance of any construction, alteration or repair activities which require the issuance of any building, grading or other permit may occur only during the following hours:
    i. Monday through Friday: six a.m. to six p.m.;
    ii. Saturdays: eight a.m. to five p.m.;
    iii. Sundays and observed holidays: eight a.m. to five p.m.
b. Any noise from the above activities, including from any equipment used therewith, shall not produce noise levels in excess of the following:
    i. Saturdays: eighty (80) dBA when measured at the property line or at a distance of twenty-five (25) feet, whichever is greater.
    ii. Sundays and observed holidays: seventy (70) dBA when measured at the property line or at a distance of twenty-five (25) feet, whichever is greater.
c. The building official may grant a permit for building activities during other time periods for emergency work or extreme hardship. "Emergency work" means work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger. Any permit so granted shall be of specified limited duration and may be subject to any conditions necessary to limit or minimize the effect of any noise permitted thereby.

Sensitive Receptors

The closest noise receptors consist of single-family residential properties located to the east and northeast and multi-family residential properties located to the south, each adjacent to the proposed project.

Impact Discussion

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?

Noise from construction (short-term) of the proposed project would be generated by construction of the new buildings and paved areas, which is expected to occur over a period of four months, between May 2021 and September 2021. Project construction would require a variety of heavy construction equipment and could cause a temporary increase in ambient noise levels at the project site and adjacent properties.

The nearest sensitive receptor to the project is the residence located approximately 80 feet to the northeast of the property line. Typical construction equipment noise levels at 50 feet away are shown in Table 3-4.

Table 3-4 Typical Noise Levels Generated by Construction Equipment

Construction Equipment	Combined Maximum Hourly Noise Levels (dBA Leq) at 50 Feet
Dozer	85
Paver	89
Jackhammer	88
Truck	88
Loader	85
Source: Federal Transit Administration 2016	

As expressed in Colfax Municipal Code Chapter 8.28.010.A.9, any noise from construction activities is prohibited from exceeding 80 dBA on Saturdays and 70 dBA on Sundays when measured at the property line or at a distance of 25 feet, whichever is greater. As shown in Table 3-4, short-term construction noise levels are expected to range from 85 to 89 dBA Leq at 50 feet from active project construction activities; however, these noise levels would be intermittent throughout the day and would cease upon completion of project construction. Moreover, the project would be required to comply with the Colfax Municipal Code, which confines construction activities to the timeframes listed above.

Following construction, noise associated with the operation of the project (long-term) would primarily result from project-added traffic on South Canyon Way. The project also includes the operation of equipment and vehicles typical for RV and boat self-storage facilities and construction and engineering contractor businesses. Operation of equipment and vehicles on the project site during project operation would be intermittent and not continuous, and operation of the project would be required to comply with Colfax Municipal Code Chapter 8.28, Noise Standards. Colfax Municipal Code Chapter 8.28.010 states that it is unlawful for any person to make or continue or cause to be made or continued, any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injuries or endangers the comfort, repose, health, safety or peace of others within the City when not in the normal or usual conduct of commercial or industrial business. As a result, operation of the proposed project would not result in a substantial permanent increase in ambient noise levels. This impact is **less than significant**.

b) Generation of excessive groundborne vibration or groundborne noise level?

Colfax Municipal Code Chapter 17.120.080, Vibrations, states that no vibration other than from a transportation facility or temporary construction work shall be permitted which is discernible without instruments at the point of measurement set forth in Section 17.120.060.

Construction of the project is anticipated to generate vibration primarily during grading and paving activities; however, construction activities would be short-term and limited to the timeframes identified above. Therefore, the proposed project would not generate excessive groundborne vibration or noise levels and this impact would be **less than significant.**

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?

As discussed under Section 3.9, Hazards and Hazardous Materials, the proposed project is not located within an airport land use plan or within two miles of a public airport or private airstrip. Therefore, there is **no impact.**

Mitigation Measures

None required

14. POPULATION AND HOUSING

	Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?	☐	☐	☐	☒
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Setting

No displacement of existing housing or people is proposed with this project. The project would be served by existing utilities in the adjacent roadway including sewer, water and dry utilities. The property is zoned for commercial was anticipated for commercial development in the City's General Plan.

Impact Discussion

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The proposed project does not require any significant offsite improvements or extension of roads or utilities (other than a private driveway and utility services). There is **no impact.**

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The property is undeveloped and proposes construction of commercial uses, compatible with existing zoning. There is **no impact**.

Mitigation Measures

None required

15. PUBLIC SERVICES

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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:				
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

Impact Discussion

a) 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:

Fire protection?

Police protection?

Schools?

Parks?

Other public facilities?

Fire and Police protection

There would be no increased demand for fire or police protection as a result of the proposed project. The proposed project does not involve residential use, and no people would reside on the project site. The proposed project would be in compliance with all federal, State, and local regulations, reducing the risk of an on-site fire. There are **no impacts** to fire and police protection.

Schools

The proposed project does not include residential uses that would induce population growth or increase student enrollment in the project area. The proposed project would not require the construction of new or expansion of existing school facilities. Therefore, the proposed project would have **no impact** on school facilities.

Parks

The proposed project does not include residential uses that would induce population growth in the project area. Therefore, the proposed project would have **no impact** on park facilities.

Other Public Facilities

The proposed project would not include residential uses that would induce population growth in the project area. No significant increases of public facilities are anticipated and the proposed project would not require the construction or expansion of other public facilities. Therefore, there would be **no impact** to other public facilities.

Mitigation Measures

None required

16. RECREATION

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Impact Discussion

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The proposed project does not include residential units and is not anticipated to increase the use of existing park facilities in the area. There is **no impact**.

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The proposed project would generate the need for additional recreational facilities. There is **no impact**.

Mitigation Measures

None required

17. TRANSPORTATION AND TRAFFIC

	Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☐	☒
b)	Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
c)	Substantially increase hazards to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d)	Result in inadequate emergency access?	☐	☐	☒	☐

Impact Discussion

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

The proposed project would not conflict with a plan, ordinance or policy related to the City's circulation system. There is **no impact**.

b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

The proposed project would not impact local circulation due to the relatively few construction vehicles required for short-term. From a Vehicle Miles Traveled perspective, the City has not adopted screening thresholds to date; however using recommendations from the Office of Planning and Research, projects that generate fewer than 110 vehicle trips per day, generally may be assumed to cause a less-than-significant impact on transportation. The proposed project is anticipated to generate approximately 44 vehicle trips per day which is far below the threshold; therefore, the impact is considered **less-than-significant**.

c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The proposed project would not substantially increase hazards due to a transportation design feature or incompatible uses. No change to current roadway design would result from the proposed project. Therefore, the impacts are **less-than-significant**.

d) Result in inadequate emergency access?

The proposed project would not interfere with emergency access during construction. The proposed driveway will not exceed the dead-end road lengths for emergency vehicles and the parking area is required to meet the City standards for drive-aisle widths and circulation. Therefore, the proposed project would not result in inadequate emergency access and the impacts are **less-than-significant**.

Mitigation Measures

None required

18. TRIBAL CULTURAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined by Public Resources Code section 21047 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:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Setting

Refer to Cultural Resources section for the natural setting and regulatory setting for the identification of cultural resources.

AB 52 Consultations

The goal of AB 52 is to promote the involvement of California Native American Tribes in the decision-making process when it comes to identifying and developing mitigation for impacts to resources of importance to their culture. To reach this goal, the bill establishes a formal role for tribes in the CEQA process. CEQA lead agencies are required to consult with tribes about potential tribal cultural resources in the project area, the potential significance of project impacts, the development of project alternatives, and the type of environmental document that should be prepared. AB 52 specifically states that a project that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.

Ethnographic Context

The project site is located within the ethnographic territory of the Nisenan (Wilson and Towne 1978) Native American peoples also referred to as "Southern Maidu". The Penutian-speaking peoples occupied the drainage of the southern Feather River and Honcut Creek in the north, through Bear River and the Yuba and American River drainages and into the Sierra Nevada foothills and the project area. Villages were frequently located on flats adjoining streams, and were inhabited mainly in the winter as it was usually necessary to go out into the hills and higher elevation zones to establish temporary camps during food gathering seasons (i.e., spring, summer and fall).

As with all northern California Indian groups, economic life for the Nisenan revolved around hunting, fishing and the collecting of plant foods. The Nisenan were very sophisticated in terms of their knowledge of the uses of local animals and plants, and of the availability of raw material sources that could be used in manufacturing an immense array of primary and secondary tools and implements. Unfortunately, only fragmentary evidence of the material culture of these people remains, due in part to perishability, and in part to the impacts to archaeological sites resulting from later (historic) land uses.

Relations between Euro-Americans and Native Americans in the Sacramento Valley foothills 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 (Work 1945; Cook 1976).

Impact Discussion

This section discusses potential impacts associated with the proposed project and provides mitigation measures where necessary.

a) **Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined by Public Resources Code Section 21047 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:**

   i) **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**

   The proposed project is not listed or eligible for listing in the California Register of Historical Resource. There is **no impact.**

   ii) **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?**

   The archival records search performed as part of the cultural resources analysis resulted in the identification of no known tribal cultural resources within or near the study area. Furthermore, initial field review of the project area noted that the project site is previously disturbed and did not exhibit any signs of previously unidentified subsurface tribal cultural resources within or adjacent to the project area.

   Local tribes or tribal representatives are the authority on identifying tribal cultural resources. An information request letter was delivered to the Native American Heritage Commission (NAHC) on April 6, 2020 requesting a review of their Sacred Lands Files (SLF), and a list of Native American Contacts for the project area. The NAHC responded on April 7, 2020, indicating that a search of the SLF produced negative results.

   However, subsurface construction activities such as trenching and grading associated with the proposed project could potentially damage or destroy previously undiscovered unique tribal cultural resources. Therefore, **Mitigation Measure 5a and 5b** require the implementation of standard inadvertent discovery procedures. Potential impacts to tribal cultural resources are **less-than-significant with mitigation**.

Mitigation Measures

See MM 5a and 5b.

19. UTILITIES AND SERVICE SYSTEMS

	Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental impacts?	☐	☐	☐	☒
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☐	☒
c)	Result in a determination by the wastewater treatment provider that serves or may serve the proposed project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e)	Comply with federal, State, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Impact Discussion

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental impacts?

The project would not construct any water or wastewater facilities or electric/gas facilities. The project will be served by the municipal sewer system and no expansion of the system will be required to serve the project. Storm water runoff from impervious surfaces will be handled

on-site through retention, detention or infiltration facilities and no discharge into the municipal storm water drains will occur. Therefore, there is **no impact**.

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

PCWA will serve the project with water and has indicated sufficient capacity. There is **no impact.**

c) Result in a determination by the wastewater treatment provider that serves or may serve the proposed project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

The project will be served by the municipal sewer system and the has sufficient capacity to serve the project. There is **no impact**.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

There will be an increase in trash generated as a result from the construction of the project and from operation of the commercial building. The applicant is required to comply with the California Solid Waste Reuse and Recycling Access Act (PRC 42900 through 42911) and Waste Management requirements for solid waste and recycling. The local transfer station has adequate capacity for the solid waste generated by the project. Since the small increase in volume of trash can be accommodated by the local transfer stations (Grass Valley and/or Meadow Vista), this impact is **less-than-significant.**

e) Comply with federal, State, and local statutes and regulations related to solid waste?

The project would comply with federal, state, and local statutes and regulations related to solid waste. There is **no impact**.

<u>Mitigation Measures</u>

None required

20. WILDFIRE

	If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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 on-going impacts to the environment?	☐	☐	☐	☒
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Setting

Due to the presence of heavier timber, woodland and brush, the Colfax region has a generally high potential for wildland fires of devastating intensity. Steep slopes, dry weather conditions and human activity are also factors that increase fire hazards and risks. Although the entire City limits of Colfax are included in the "Very High" fire hazard zone, the subject property is located in close proximity to Interstate 80 and has a frontage road access which exceeds a fire safe road standard.

Impact Discussion

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

The project will not substantially impair an adopted emergency response plan or emergency evacuation plan. **No impact** will occur.

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?

The proposed project would not exacerbate wildfire risks and thereby expose occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. **No impact** will occur.

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 on-going impacts to the environment?

The proposed project would not require installation or maintenance of infrastructure such as roads, fuel breaks, emergency water sources, power lines or other utilities that may exacerbate fire risk. There is **no impact.**

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff post-fire slope instability, or drainage changes?

The project will not expose people or structures to significant risks as a result of runoff post-fire slope instability, or drainage changes. There is **no impact.**

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b)	Does the project have impacts that are individually limited, but cumulative considerable? ("Cumulative considerable" means that the incremental impacts of a project are considerable when viewed in connection with the impacts of past projects, the impacts of other current projects, and the effects of probable future Projects)?	☐	☒	☐	☐
c)	Does the project have environmental impacts which will cause substantial adverse impacts on human beings, either directly or indirectly?	☐	☒	☐	☐

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

As evaluated in this IS/MND, the proposed project would not substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory. Mitigation Measures have been incorporated herein to lessen the significance of potential impacts to less than significant.

b) Does the project have impacts that are individually limited, but cumulative considerable? ("Cumulative considerable" means that the incremental impacts of a project are considerable when viewed in connection with the effects of past projects, the impacts of other current projects, and the impacts of probable future projects)?

The proposed project would not result in any cumulative impacts from past or future projects.

c) Does the project have environmental impacts which will cause substantial adverse impacts on human beings, either directly or indirectly?

All impacts identified in this IS/MND are either less than significant or less than significant after mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human beings either directly or indirectly.

APPENDICIES

Appendix A: Air Quality and Greenhouse Gas Emissions Memorandum

Appendix B: Traffic Generation Memorandum

Appendix C: Biological Resources Assessment

Appendix D: Cultural Resources Inventory Survey

APPENDIX A

Air Quality & Greenhouse Gas Memo

To: City of Coflax
Attn. Amy Feagans
33 South Main St.
Colfax, California 95713

From: Millennium Planning & Engineering
471 Sutton Way, Suite 210
Grass Valley, California 94545

Date: May 19, 2020

Re: Osborn Commercial Development Project
1836 South Canyon Way
Colfax, California 95713

Ms. Amy Feagans,

The following Air Quality and Greenhouse Gas Emissions Memorandum (AQ Memo) is in support of the Osborn Commercial Development Project Initial Study Mitigated Negative Declaration.

The City of Colfax has requested an AQ Memo for a proposed 6,000 square foot commercial building for warehouse and office spaces and 7,500 SF building for recreational vehicle (RV) and boat self-storage located at 1836 South Canyon Way, Colfax, California. The proposed project includes 32 parking stalls, an approximately 3,700 square foot detention basin, and 5,300 square feet of landscaping. Project air pollutant emissions were quantified using the California Emissions Estimator Model (CalEEMod, Version 2016.3.2). CalEEMod worksheets showing model inputs and results are provided in Appendix A to this AQ Memo.

For the City's review, Millennium Planning & Engineering has prepared an AQ Memo to illustrate the proposed project's construction and operational emissions.

Air Quality Emissions

Construction Emissions

CalEEMod quantifies construction emissions associated with the use of off-road equipment, on-road worker commute, construction delivery and haul trucks, and application of architectural coatings. The software calculates construction emissions by construction phase based primarily on anticipated equipment use (e.g., graders, dozers, forklifts), hours of use, estimated area of disturbance, number of vehicle trips, and distance of vehicle trips. Grading required during project construction is designed in a way to ensure that cut and fill materials are balanced on site. Table 1 displays the estimated areas of disturbance under implementation of the proposed project.

Table 1 Areas of Disturbance

Project Feature	Square Feet
Entrance Driveway	2,880
Warehouse/Office Building Envelope	6,000
RV and Boat Storage Building Envelope	7,500
Parking/Driveway Areas	35,825
Detention Basin	3,690
Landscaping	5,300
Total Impervious Areas	52,205
Total Area of Disturbance	61,195
Note: Square footages shown herein are estimates retrieved from the project's Preliminary Site and Grading Plan (Lincoln & Long 2019) and Conceptual Site Development Plan (TR-Architecture 2019).	

Operation of off-road construction equipment and vehicles, mobile sources (e.g., delivery vehicles, construction worker vehicles), and architectural coatings generate particulate matter (PM), nitrogen oxides (NO_X), and volatile organic compound (VOC) emissions. Generation of these emissions are a function of the types and number of heavy-duty and off-road equipment used and the intensity and frequency of their operation, as well as vehicle trips per day associated with delivery of construction materials, the importing and exporting of soil, vendor trips, and worker commute trips, and the VOC concentration of architectural coatings. Fugitive dust emissions are also among the pollutants of greatest concern during construction activities and depend greatly on required operations, number and type of vehicles, vehicle speeds, local soil and weather conditions, and extent of site disturbance.

The proposed project would involve site preparation, grading, excavation, paving, and architectural coating application using typical construction equipment. Maximum daily construction emissions are presented in Table 2.

Table 2 Estimated Maximum Daily Construction Emissions

	Maximum Daily Emissions (lbs./day)					
	VOC	NO_X	CO	SO_X	$PM_{2.5}$	PM_{10}
Project Construction						
Maximum Daily Emissions	5.56	17.44	15.86	0.03	3.69	6.67
Notes: Values may not precisely match modeling results due to rounding. Maximum daily emissions for each pollutant represent the highest value from both Winter and Summer modeling results.						

Operational Emissions

Operational emissions associated with on-site development were also estimated using CalEEMod. Operational emissions include mobile source emissions, energy use emissions, and area source emissions associated with energy consumption. Mobile source emissions are generated by motor vehicle trips to and from the project site associated with operation of the project. Project trip generation rates and average vehicle travel distance used in CalEEMod were taken from the *Traffic Generation Memorandum* (Traffic Memo), prepared by Millennium Planning & Engineering in May 2020. Energy use emissions are generated by natural gas consumption for space and water heating and cooling. Area source emissions are generated by landscape maintenance equipment, consumer products, and architectural coatings.

Vehicle trip generation rates from the Institute of Transportation Engineers' (ITE) Trip Generation Manual 10th Edition were used in the Traffic Memo conducted for this project, and subsequently used in this AQ Memo. As displayed in Table 3, the ITE Category Mini-Warehouse is applied to the 7,500 square foot RV and boat storage

building and the ITE Category Small Office Building is applied to 2,000 square feet of the contractor office and warehouse building.

Table 3 Project Trip Generation

Land Use	Square Feet	ITE Trip Generation Rates (per 1,000 square feet)			Trips Generated by the Project		
		Daily	AM Peak Hour	PM Peak Hour	Daily	AM Peak Hour	PM Peak Hour
Office Space	2,000	16.19	1.92	2.45	32.38	3.84	4.90
Self-Storage	7,500	1.51	0.10	0.17	11.33	0.75	1.28
Totals	**-**	**-**	**-**	**-**	***43.71***	***4.59***	***6.18***
Source: Millennium Planning & Engineering 2020							

Long-term operational emissions associated with the proposed project are those attributed to vehicle trips and the use of natural gas and electricity, consumer products, architectural coatings, and landscaping equipment. CalEEMod was used to calculate emissions based on the proposed land uses for the project site and the estimated average daily trips from the Traffic Memo. Pollutant emissions generated during operation of the proposed project are displayed in Table 4.

Table 4 Estimated Maximum Daily Operational Emissions

	Maximum Daily Emissions (lbs./day)					
	VOC	NO_X	CO	SO_X	$PM_{2.5}$	PM_{10}
Full Project Implementation						
Maximum Daily Operational Emissions	0.42	0.46	0.67	<0.01	0.05	0.17
Notes: Values may not precisely match modeling results due to rounding. Maximum daily emissions for each pollutant represent the highest value from both Winter and Summer modeling results.						

Greenhouse Gas Emissions

Calculations of carbon dioxide (CO_2), methane (CH_4), and nitrous oxides (N_2O) emissions are provided to identify the magnitude of potential project effects. These calculations focus on CO_2, CH_4, and N_2O since these comprise 98.9 percent of all greenhouse gas (GHG) emissions by volume (Intergovernmental Panel on Climate Change [IPCC] 2007) and are the GHG emissions that the project would emit in the greatest quantities. Fluorinated gases, such as HFC, PFCs, and SF_6 were not quantified in this analysis, as they are primarily associated with industrial processes and the proposed project involves commercial development and does not include an industrial component. Emissions of all GHGs are converted into metric tons of carbon dioxide equivalent (MT of CO_2e), which presents the volume of GHGs equivalent to the global warming effect of CO_2. While minimal amounts of other GHGs, such as chlorofluorocarbons (CFC), would be emitted, they would not substantially add to the calculated CO_2e quantities. Calculations are based on the California Air Pollution Control Officers Association (CAPCOA) *CEQA & Climate Change* white paper (CAPCOA 2008).

Construction Emissions

Construction of the proposed project would generate temporary GHG emissions due to the operation of construction equipment and truck trips. Construction emissions were estimated using CalEEMod based on modeling inputs for the land uses and area of disturbance, as well as model defaults for construction phase length, equipment used, haul trip lengths, and other parameters. No imported or exported fill material is anticipated for this project. Project construction would generate GHG emissions primarily associated with construction equipment and construction vehicle trips. As shown in Table 5, construction of the project would generate an estimated 99 MT of CO_2e.

Table 5 Estimated GHG Construction Emissions

Project Phase	GHG Emissions (MT of CO_2e)
Construction GHG Emissions	99.40
Note: CalEEMod results and calculation sheets are included in Appendix A to this AQ Memo.	

Operational Emissions

CalEEMod provides operational emissions of CO_2 and CH_4. Emissions from energy use include emissions from electricity and natural gas use. Electricity Emissions are calculated by multiplying the energy use with the carbon intensity of the utility district per kilowatt hour (CAPCOA 2010). The default electricity consumption values in CalEEMod include the California Energy Commission (CEC)-sponsored California Commercial End User Survey and Residential Appliance Saturation Survey studies.

Operational GHG emissions calculated in CalEEMod are derived from area sources, waste generation, water use, and mobile sources. GHG emissions associated with area sources, including consumer products, landscape maintenance, and architectural coatings, utilize standard emission rates from the California Air Resources Board, the U.S. Environmental Protection Agency, and the Placer County Air Pollution Control District-supplied emission factor values (CAPCOA 2010). Waste generation emissions are based on the IPCC's methods for quantifying GHG emissions from solid waste using the degradable organic content of waste (CAPCOA 2017). Waste disposal rates by land use and overall composition of municipal solid waste in California was primarily based on data provided by the California Department of Resources Recycling and Recovery. Water and wastewater usage are based on the default electricity intensity from the CEC's 2006 Refining Estimates of Water-Related Energy Use in California, using the average values of Northern and Southern California.

CalEEMod quantifies CO_2 and CH_4 emissions from project vehicle trips. For consistency with the Traffic Memo prepared for the proposed project in May 2020 by Millennium Planning & Engineering, CalEEMod was adjusted to incorporate 44 ADT with an average employee travel distance of five miles upon final implementation of the project. Because CalEEMod does not calculate N_2O emissions from mobile sources, N_2O emissions were quantified using the California Climate Action Registry (CCAR) General Reporting Protocol (CCAR 2009) direct emissions factors for mobile combustion, VMT for each trip-generating land use, and the vehicle fleet mix. N_2O calculations and conversion into MT of CO_2e are provided in Appendix A to this AQ Memo.

As shown in Table 6, the net operational emissions would total approximately 84 MT of CO_2e per year. This is likely a conservative estimate of future project operational GHG emissions as CalEEMod does not incorporate emission reductions resulting from the proposed project's installation of electric vehicle recharging stations and recently adopted or anticipated statewide policies included in the 2017 Scoping Plan, such as improved fuel efficiencies, promotion of hybrid and zero-emission vehicles, and renewable portfolio standards.

Table 6 Estimated GHG Operational Emissions

Project Phase	GHG Emissions (MT of CO_2e)
Fully Operational in 2022	
Operational GHG Emissions	84.13
Note: CalEEMod results and calculation sheets are contained in Appendix A to this AQ Memo.	

References

California Air Pollution Control Officers Association (CAPCOA). 2008. *CEQA & Climate Change*. Available at: http://www.capcoa.org/wp-content/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf.

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California Climate Action Registry (CCAR). 2009. *California Climate Action Registry General Reporting Protocol, Version 3.1*. January 2009. Available at: https://sfenvironment.org/sites/default/files/fliers/files/ccar_grp_3-1_january2009_sfe-web.pdf.

Millennium Planning & Engineering. 2020. *Traffic Generation Memorandum*. May 2020.

Appendix A

CalEEMod Results and Calculation Sheets

APPENDIX B

Traffic Memo

Traffic Generation Memorandum

To: City of Colfax
Attn. Amy Feagans
33 South Main St.
Colfax, California 95713

From: Millennium Planning & Engineering
471 Sutton Way, Suite 210
Grass Valley, California 94545

Date: May 16, 2020

Re: Osborn Commercial Development Project
1836 South Canyon Way
Colfax, California 95713

Ms. Amy Feagans,

The following traffic trip generation memorandum is in support of the Osborn Commercial Development Project Initial Study Mitigated Negative Declaration.

The City of Colfax has requested a trip generation memo for a proposed 6,000 square foot commercial building for warehouse and office spaces and 7,500 SF building for recreational vehicle (RV) and boat self-storage located at 1836 South Canyon Way, Colfax, California. The proposed project includes 32 parking stalls for passenger vehicles and four truck loading docks with site access via South Canyon Way.

For the City's review, Millennium Planning & Engineering has prepared a trip generation memo to illustrate the proposed site's trip generation under future conditions.

Trip Generation Analysis

For Traffic Impacts and Analysis, the City of Colfax requires the use of Institute of Transportation Engineers' (ITE) Trip Generation rates or other approved data sources. The following analysis of trips generated from the proposed project was determined with ITE Trip Generation Manual 10th Edition generation rates.

Future Traffic – Post Development

ITE Categories Small Office Building (712) and Mini-Warehouse (151) were used for the contractor office space and self-storage building, respectively. According to the ITE Trip Generation Manual 10th Edition, these categories are defined as follows:

Land Use: 712 Small Office Building

A small office building houses a single tenant and is less than or equal to 5,000 gross square feet in size. It is a location where affairs of a business, commercial or industrial organization, or professional person or firm are conducted.

Land Use: 151 Mini-Warehouse

A mini-warehouse is a building I which a number of storage units or vaults are rented for the storage of goods. They are typically referred to as "self-storage" facilities. Each unit is physically separated from other units, and access is usually provided through an overhead door or other common access point.

As displayed in Table 1, the ITE Category Mini-Warehouse is applied to the 7,500 square foot RV and boat storage building and the ITE Category Small Office Building is applied to 2,000 square feet of the contractor office and warehouse building. While the contractor office and warehouse building totals 6,000 square feet and would host up to three tenants, the 4,000 square feet of warehouse is intended to provide space for equipment storage for the three building tenants and would not generate vehicle trips in addition to what is generated by the businesses occupying the office space. Furthermore, the three tenants would share a gross 2,000 square feet of office space; therefore, we feel the application of the ITE Category Small Office Building is appropriate for this portion of the proposed project.

Table 1 Project Trip Generation

Land Use	Square Feet	ITE Trip Generation Rates (per 1,000 square feet)			Trips Generated by the Project		
		Daily	AM Peak Hour	PM Peak Hour	Daily	AM Peak Hour	PM Peak Hour
Office Space	2,000	16.19	1.92	2.45	32.38	3.84	4.90
Self-Storage	7,500	1.51	0.10	0.17	11.33	0.75	1.28
Totals	**-**	**-**	**-**	**-**	***43.71***	***4.59***	***6.18***

Source: Email correspondence between Millennium Planning & Engineering and Price Consulting Services on May 1, 2020.

Conclusion

As shown in Table 1, implementation of the proposed project would generate an estimated 44 daily vehicle trips. Peak hour trips are anticipated to be an estimated five vehicle trips during each a.m. peak hour and six vehicle trips during each p.m. peak hour. In addition, the City's General Plan and Municipal Code do not state a threshold for the need to conduct a Transportation Impact Analysis; therefore, no Transportation Impact Analysis was conducted for this project.

APPENDIX C

Biological Resources Assessment

Osborn Commercial Project

Biological Resources Assessment

Prepared for:
Millennium Planning & Engineering, Inc.
471 Sutton Way, Suite #210
Grass Valley, CA 95945

Prepared by:
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Greg Matuzak Environmental Consulting LLC
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Report Summary

The Biological Resources Assessment Report includes the biological results of the background research, biological resources field surveys, data analysis, and impact assessment for the Project area. The key findings of this report include the following:

- Bunch Creek within the western section of the Project area includes an intermittent stream and riparian vegetation. The stream does not contain suitable habitat for the foothill yellow-legged frog (*Rana boylii*), a California State Candidate for listing under CESA. This species has never been observed within the Project area or adjacent to it given the lack of suitable habitat for the species.
- No California Native Plant Society (CNPS) List 1, 2, 3, or 4 species have been documented and mapped within the Project area based on background research and the results of the special-status plant surveys conducted within the entirety of the Project area during the blooming period for each of the special-status plant species previously identified within 3 miles of the Project area.
- The disturbed central areas within the Project area contain marginal suitable habitat for the coast horned lizard (*Phrynosoma blainvillii*), a California Species of Concern. The coast horned lizard has not been observed within the Project area; however, a pre-construction survey to avoid impacting the species is recommended.
- No fill or dredge material will be placed in a "waters of the U.S.", including wetlands, or "waters of the State of California" from the implementation of the proposed Project. Therefore, a Clean Water Act permit and compensatory mitigation for the placement of small culvert within Bunch Creek will not be required.
- The access road crossing of Bunch Creek will have a limited impact on riparian vegetation adjacent to the creek within the Project area. Reseeding any disturbed riparian vegetation and the placement of erosion control measures such as straw within any such disturbed area adjacent to the creek is recommended.

1 INTRODUCTION

At the request of Millennium Planning & Engineering, Inc. ("Millennium"), Mr. Greg Matuzak was retained to prepare a Biological Resources Assessment Report ("Biological Report") for the Osborn Commercial Project ("Project") located in the City of Colfax, Placer County, California (see Appendix A). The Biological Report includes an evaluation of sensitive biological resources within the Project area, including sensitive biological resources under the jurisdiction of the California Department of Fish and Wildlife ("CDFW"), United States Fish and Wildlife Service ("USFWS"), United States Army Corps of Engineers ("Corps"), and the City of Colfax Planning Department. Preparation of the Biological Report included background research, field biological resources surveys, and reporting as detailed herein.

Mr. Greg Matuzak, Principal and owner of Greg Matuzak Environmental Consulting LLC is a wetlands ecologist and wildlife biologist with 20 years of experience conducting aquatic resources delineations and biological resources assessments in Northern California. Mr. Matuzak is 40-hour Wetland Delineation Certified (Wetland Training Institute) and has conducted aquatic resources delineations for 100's of linear miles of projects and 1000s of acres of site development projects. Additionally, Mr. Matuzak has conducted special-status biological resources surveys and developed biological resources assessments for dozens of projects in Nevada and Placer Counties. Mr. Matuzak has lived and worked in Nevada County for over 13 years. Mr. Matuzak was responsible for the field data collection and assessment developed as part of the development of this Biological Report. Mr. Matuzak is on the Nevada County Planning Department's list of Qualified Biological Resources Consultants and is a Qualified Biologist per the CDFW's definition.

1.1 Project Location

The proposed Project is located in the Commercial Highway CH District, as defined by the City of Colfax's General Plan. The proposed Project would be located at 1836 Canyon Way, Colfax, California (APN 101-132-010), which fronts Canyon Way to the west, a frontage road for Highway 80. The subject parcel is bordered to the north by a vacant parcel and Plaza Tire and Auto Service, to the east by a private residence, and to the south by the Cedar's Apartments. The subject parcel is currently zoned as CH – Commercial Highway and designated by the City's General Plan as Commercial. Surrounding property zones include CH – Commercial to the north, R-1-5 - Residential 5,000 Square Foot Maximum to the north and east, RM2 – Multiple Family Residential High Density to the southeast, and CH – Commercial Highway to the south.

The City of Colfax's General Plan designates the properties immediately adjacent to the north and south as Commercial and the properties to the east as Medium Density

Residential. Public rights-of-way exist to the west of the subject property where Canyon Way and Highway 80 run parallel to each other and the property. The current access to the Project area is off of Plute's Way from the northern end of the Project area. See Appendix A for a Vicinity and a Project Location Figure.

1.2 Project Understanding

The Project involves construction of an approximately 6,000 SF contractor's warehouse/office building, an approximately 7,500 SF RV and boat storage building, and associated improvements on a 3.0-acre parcel on the east side of South Canyon Way and south of Plute's Way in Colfax, California. Conceptually, the contractor's warehouse/office building would be located near the southern boundary of the property, facing South Canyon Way. The RV and boat storage building would be constructed near the northern boundary of the property, and parking spaces would be provided primarily surrounding the warehouse and office building. The project would access Canyon Way via a new driveway over Bunch Creek. A culvert would be constructed beneath the new driveway to facilitate a flow path for Bunch Creek. See Appendix B for a Site Plan identifying the location of Bunch Creek and the proposed Project components within the subject parcel.

The proposed Project would involve the development of a vacant, vegetated, and partially sloped parcel. The subject parcel hosts a densely wooded and steeply sloped area running north-south along the eastern boundary of the parcel. A segment of Bunch Creek runs north-south through the western portion of the parcel, generally parallel to Canyon Way. Due to site topography, implementation of the proposed Project would include the construction of a retaining rock wall to protect the steep slopes on the east of the development and Bunch Creek to the west of the development. Grading would be equalized on the site so no fill would need to be imported or exported.

The purpose of the proposed Project is to provide greater commercial leasing options for businesses in the area as well as provide a new operating location for the project applicant, Osborn Engineering and Construction, Inc. The building planned for RV and boat storage spaces will additionally provide local Colfax residents with storage options for vehicles and boats.

1.3 Biological Resources Assessment Purpose

The purpose of the Biological Report is to identify the location and extent of sensitive biological resources within the Project Area, including special-status plant and wildlife species. Additionally, this Biological Report includes an impact assessment to such sensitive biological resources based on the Project Understanding outlined in Section 1.2 above. Section 6 includes avoidance, minimization, and mitigation measures to ensure

that the Project Area disturbance, based on the Project Understanding, would not have a significant impact on such sensitive biological resources. This Biological Report also satisfies the City of Colfax Code of Ordinances requirements for the protection of trees (Ordinance Code 12.16), the City of Colfax General Plan related to the protection of sensitive biological resources, and for the development of such biological resource assessments as they pertain to projects undertaken within the City of Colfax and subject to the California Environmental Quality Act (CEQA).

2 REGULATORY OVERVIEW

2.1 Federal Regulations

2.1.1 Section 404 of the Clean Water Act

The U.S. Army Corps of Engineers ("Corps") and the Environmental Protection Agency ("EPA") regulate the discharge of dredge or fill material into "waters of the U.S." under Section 404 of the Clean Water Act. "Waters of the U.S." include wetlands and lakes, rivers, streams, and their tributaries. Wetlands are defined for regulatory purposes as areas "…inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated solid conditions" as specified in 33 Code of Federal Regulations [CFR] 328.3, 40 CFR 230.3.

Generally, wetlands include swamps, marshes, bogs, and similar areas. Lakes, rivers, and streams are defined as "other waters of the U.S." Jurisdictional limits of these features are typically noted by the Ordinary High Water Mark ("OHWM"). The OHWM is the line on the shore established by the fluctuations of water and indicated by physical characteristics such as mark a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas (33 CFR 328 and 33 CFR 329).

Isolated ponds or seasonal depressions had been previously regulated as waters of the U.S. However, in *Solid Waste Agency of Northwestern Cook County* (SWANCC) *v. USACE et al.* (January 8, 2001), the U.S. Supreme Court ruled that certain "isolated" wetlands (e.g., non- navigable, isolated, and intrastate) do not fall under the jurisdiction of the CWA and are no longer under the jurisdiction of the Corps. Some circuit courts (e.g., *U.S. v. Deaton*, 2003; *U.S. Rapanos*, 2003; *Northern California River Watch v. City of Healdsburg*, 2006), though, have ruled that SWANCC does not prevent CWA jurisdiction if a "significant nexus" such as a hydrologic connection exists, whether it be man-made (e.g., roadside ditch) or natural tributary to navigable waters, or direct seepage from the wetland to the navigable water, a surface or underground hydraulic connection, an ecological connection (e.g., the same bird, mammal, and fish populations are supported by both the wetland and the navigable water), and changes to chemical concentrations in the navigable water is present due to water from the wetland.

Areas considered to be non-jurisdictional waters include non-tidal drainage and irrigation ditches excavated on dry land, artificially-irrigated areas, artificial lakes or ponds used for irrigation or stock watering, small artificial water bodies such as swimming pools, and water-filled depressions with no outlet for drainage (33 CFR, Part 328).

The *Clean Water Rule* is a 2015 regulation published by the EPA and Corps to clarify water resources management in the United States under a provision of the CWA. The regulation defined the scope of federal water protection in a more consistent manner, particularly over streams and wetlands, which have a significant hydrological and ecological connection to traditional navigable waters, interstate waters, and territorial seas. It is also referred to as the *Waters of the United States* rule, which defines all bodies of water that fall under U.S. federal jurisdiction. The rule has been contested in litigation and in 2017 the Trump administration announced its intent to review and rescind or revise the rule. Following a Supreme Court ruling on January 22, 2018 that lifted a nationwide stay on the rule, the Trump administration formally suspended the rule until February 6, 2020, thereby giving the EPA time to issue a draft proposal of replacement water regulatory requirements.

On October 22, 2019, the EPA and the Corps published a final rule to repeal the 2015 Clean Water Rule: Definition of "Waters of the United States" ("2015 Rule"), which amended portions of the Code of Federal Regulations (CFR), and to restore the regulatory text that existed prior to the 2015 Rule. The final rule will become effective on December 23, 2019. The EPA and the Corps will implement the pre-2015 Rule regulations informed by applicable agency guidance documents and consistent with Supreme Court decisions and longstanding agency practice.

2.1.2 Section 401 of the Clean Water Act

Section 401 of the CWA requires an applicant, for any federal permit which may result in a discharge into waters of the U.S., to obtain a certification from the state that the discharge will comply with provisions of the CWA. The nine regions of the State Water Quality Control Board administer this program. Any condition of water quality certification would be incorporated into the Corps permit. California has a policy of no-net-loss of wetlands and typically requires mitigation for impacts to wetlands before it will issue a water quality certification. This Project is located under the jurisdiction of Region 5, the Central Valley Regional Water Quality Control Board ("RWQCB").

2.1.3 Endangered Species Act of 1973

For the Project area, consultation with the USFWS would be necessary if a proposed action may affect a federally listed species or occupied habitat. This consultation would proceed under Section 7 of the Endangered Species Act (ESA) if a federal action is part of the proposed action or through Section 10 of the ESA if no such nexus were available (USFWS, 1973). There is a single federally protected plant species listed under the ESA that has previously been documented within 3 miles of the Project area (CDFW 2020), which is the Scadden Flat checkerbloom (*Sidalcea stipularis*), an ESA listed species as Endangered. The species is not known to occur within the Project area

and has a very low likelihood of occurring within the Project area given the lack of marsh habitat within the Project area that the species requires.

2.1.4 Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (BAGEPA) (16 USC Section 668) protects bald and golden eagles and their nests from direct "take" (i.e. harm or harassment as described above). BAGEPA prohibits the take or commerce of any part of the bald or golden eagles (USFWS, 1940). The USFWS administers the Act and reviews actions that may affect species protected under the Act.

2.2 State Regulations

2.2.1 California Endangered Species Act

The California Department of Fish and Wildlife (CDFW) has jurisdiction over plant and wildlife species listed as threatened or endangered under section 2080 of the CDFW Code. The California Endangered Species Act (CESA) prohibits take of state-listed threatened and endangered species. The state Act differs from the federal Act in that it does not include habitat destruction in its definition of *take*. The CDFW defines *take* as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The CDFW may authorize *take* under the CESA through Section 2081 agreements. If the results of a biological survey indicate that a state-listed species would be affected by the project, the CDFW would issue an Agreement under Section 2081 of the CDFW Code and would establish a Memorandum of Understanding for the protection of state-listed species.

CDFW maintains lists for Candidate-Endangered Species and Candidate-Threatened Species. Scadden Flat checkerbloom (*Sidalcea stipularis*) is State ESA listed species as Endangered. This plant has been known to occur within 3 miles of the Project area (CDFW 2020); however, the CESA listed plant species has not been documented within the Project area and suitable habitat for the species is lacking within the Project area. The foothill yellow-legged frog (*Rana boylii*) is a Candidate for listing as a Threatened species under the State ESA and is discussed in this Biological Report given the species is known to occur within 3 miles of the Project area (CDFW 2020). The foothill yellow-legged frog is unlikely to occur within Bunch Creek given the lack of suitable habitat such as the required shade and rocky substrate that are lacking within the creek.

2.2.2 Streambed Alteration Agreements: CDFG Code Section 1600 et seq.

CDFW has jurisdictional authority over substantial alterations to the bed or bank of rivers, streams, and lakes under Sections 1600–1616. CDFW has the authority to regulate

all work under the jurisdiction of the State of California that would substantially divert, obstruct, or change the natural flow of a river, stream, or lake; substantially change the bed, channel, or bank of a river, stream, or lake; or use material from a streambed.

Bunch Creek, an apparent intermittent (seasonal) stream within the Project area would most likely be regulated by CDFW. Therefore, a CDFW Streambed Alteration Agreement may be required for encroachment into the bed and bank of Bunch Creek located within the western section of the Project area.

2.2.3 Porter-Cologne Water Quality Control Act & Section 1601 and Section 1607 of CDFG Code

These acts and codes pertain to projects with potential impacts to water quality or waterways. The Project area does contain Bunch Creek, which is a waters of the State as defined by the State Water Resources Board (State Board 2014). Bunch Creek is mapped within the Project area (see Appendix B).

2.2.4 State Water Resources Control Board Wetland Policy (April 2019)

On April 2, 2019, the State Water Resources Control Board (State Water Board) adopted rules to protect wetlands and other environmentally sensitive waterways throughout the state. More than 90 percent of California's historic wetlands have been lost to development and other human activity. Wetlands are a critical natural resource that protect and improve water quality, provide habitat for fish and wildlife, and buffer developed areas from flooding and sea-level rise. The newly adopted rules provide a common, statewide definition of what constitutes a wetland. They also provide consistency in the way the State Water Board and nine regional water boards regulate activities to protect wetlands and other waterways, such as rivers and streams, and bays and estuaries. The State of California waters of the state are, by definition, broader than "waters of the United States" covered by federal regulation. The newly adopted rules do not change that and will ensure that waters of the state will continue to be protected even if protections for federal waters are narrowed by administrative actions or the courts.

The new definition clarifies what is considered a wetland – and what is not – for the entire state, provides a common framework for monitoring and reporting the quality of California's remaining wetlands, helps ensure no overall net loss, and promote an increase, in the quantity, quality, and sustainability of waters of the state, including wetlands, improves transparency and consistency across the State Water Board and the nine Regional Water Quality Control Boards in how discharges of dredged or fill material in sensitive waterways are monitored and regulated, and avoids duplicative work and streamline requirements to cover all waters of the state, so both state and federal

environmental concerns are addressed at once.

2.2.5 California Department of Fish and Game Code Sections 3503, 3503.5, and 3800: Nesting Migratory Bird and Raptors

Sections 3503, 3503.5, and 3800 of the CDFG Code prohibit the take, possession, or destruction of birds, their nests or eggs. Implementation of the take provisions requires that project-related disturbance within active nesting territories be reduced or eliminated during critical phases of the nesting cycle (approximately March 1 – August 31). Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g. killing or abandonment of eggs or young), or the loss of habitat upon which birds are dependent, is considered "taking", and is potentially punishable by fines and/or imprisonment (LCC 2013).

2.2.6 California Special Species of Concern, Fully Protected, and Special Status Species

California designates Species of Special Concern (SSC) as species of limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational or educational values. These species do not have the same legal protection as listed species but may be added to official lists in the future (CDFW 2014). For example, the coast horned lizard (*Phrynosoma blainvillii*) is designated as SSC and the species is evaluated as part of this Biological Report since it has been identified within 3 miles of the Project area.

In the 1960's California created a designation to provide additional protection to rare species. This designation remains today and is referred to as "Fully Protected" species, and those listed "may not be taken or possessed at any time" (CDFW 2014). There are no species designated as a Fully Protected species known to occur within or adjacent to the Project area.

California special status species are identified by the California Natural Diversity Database (CNDDB) and includes those species considered to be of greatest conservation need by the CDFW.

2.2.7 California Environmental Quality Act Guidelines Section 15380

California Environmental Quality Act (CEQA) Guidelines section 15380(b) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain specific criteria. This section was included in the guidelines to deal primarily with situations in which a public agency is reviewing a project that may have a significant effect on, for example a "candidate species" that has not yet been listed by the USFWS or CDFW. CEQA,

therefore, enables an agency to protect a species from significant project impacts until the respective government agencies have had an opportunity to list the species as protected, if warranted (CNRA 2012).

Plants appearing on the California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) are considered to meet CEQA's Section 15380 criteria. Ranks include: 1A) plants presumed extirpated in California and either rare or extinct elsewhere, 1B) plant rare, threatened, or endangered in California and elsewhere, 2A) plants presumed extirpated in California, but more common elsewhere, and 2B) plants rare, threatened, or endangered in California, but more common elsewhere. Impacts to these species would therefore be considered "significant" requiring mitigation.

2.2.8 State Oak Woodland Regulations

State laws that regulate protection of oak woodlands include Professional Forester's Law (PFL) and CEQA according to Public Resources Code Section 21083.4. Oak woodlands are defined as areas having 10% oak canopy cover or greater. "Oaks" are defined in Public Resources Code Section 21083.4 as a native tree species in the genus *Quercus*, that is 5 inches diameter at breast height (DBH) or greater. The Oak Woodlands Conservation Act (SB 1334) provides funding for the conservation and protection of oak woodlands in California. Oak trees and oak woodland habitats are protected under both the State and the Nevada County landmark groves and landmark oak tree regulations as discussed below.

2.3 Local Regulations

2.3.1 City of Colfax Tree Removal Regulations (Code of Ordinances 12.16)

Article II - Tree Preservation Guidelines

12.16.080 - Purpose and intent.

The purpose of establishing tree preservation guidelines is to maintain natural scenic beauty, improve air quality, water quality, reduce soil erosion, preserve significant natural heritage values, preserve wildlife habitat and help to reduce energy consumption for air cooling by providing shade. As development of vacant land occurs, loss of some tree cover may be unavoidable. The city's intent is to reduce the loss of tree to reasonably acceptable levels while encouraging cooperation between the development community, citizens and the city in attempting to retain tree cover within the city to the maximum extent possible. In the spirit of reasonableness these guidelines shall not categorically prohibit tree removal. It is

recognized that development of foothill topography and project-specific terrain may dictate tree removal. It shall be the policy of the city to preserve trees whenever feasible through the review of all proposed development activities where trees are present, while recognizing individual rights to develop property in a reasonable manner. (Ord. 472 § 1, 2000)

12.16.090 - Authority.

The city has an established planning application review process. The planning commission shall oversee enforcement of the tree preservation guidelines through project conditions of approval in conjunction with granting planning application approval. In the event planning commission approval is not required of the application the city manager or his or her designee shall oversee enforcement of the tree preservation guidelines. (Ord. 472 § 2, 2000)

12.16.100 – Tree identification.

Planning applications submitted to the city shall identify all trees on the property in excess of six inches in diameter, measured four and one-half feet from ground level. Trees to be saved and removed shall be clearly designated on the plan. Clearing of trees over six inches in diameter measured four and one-half feet from the ground is prohibited prior to issuance of a grading permit. (Ord. 472 § 3, 2000)

12.16.110 – Tree preservation requirements.

Innovative techniques or alternative project design shall be considered to preserve trees to the maximum extent feasible to retain conifers, oaks, maples and cedars. Preserving trees shall require installing bright colored mesh fencing, flagged stakes or some visible means of physical demarcation around the drip line of the tree(s) in the field prior to issuance of a grading permit. The drip line of a tree is the outermost edge of a tree's canopy. No movement of soil or earth material shall take place within the drip line of trees designated for preservation. (Ord. 472 § 4, 2000)

12.16.120 – Tree replacement requirements.

Trees enhance the aesthetic appearance of any project. When tree removal is unavoidable:

A. The applicant/developer shall replace and replant removed trees with an equal number of trees.

B. Minimum/maximum replacement trees shall range from one gallon to forty-eight (48) inch box container sizes mixed to create a natural horizon line.

C. A mix of tree species is preferred (rather than planting the same species throughout the project) to achieve a more natural, native appearance.

D. Hillside development shall preserve trees when feasible or be replanted immediately to prevent erosion. "Immediate" means prior to the issuance of a certificate of occupancy or final inspection.

E. Trees shall be irrigated and maintained by any and all subsequent owners for a minimum period of five years after installation in accordance with the Colfax design guidelines maintenance requirements:

1. Deposit with the city a maintenance bond, cash, letter of credit or its equivalent, in an amount equal to one-half the market value of landscaping and irrigation guaranteeing the proper care, treatment and maintenance of landscaping for a period of three years; or

2. Execute an agreement and equitable lien in an amount equal to the full market value of the landscaping and irrigation with the city, guaranteeing the lien shall cause a written letter of notification by the city to the owner of the real property within ten (10) days that the city will perform or have performed by a reputable landscaper any and all maintenance work it deems necessary and bring legal action against the owner for the frill cost of such maintenance work or foreclose such equitable lien as provided by law.

3 METHODOLOGY

In order to evaluate the Project area for the presence of any sensitive biological resources, baseline information from databases and reporting for similar projects in the City of Colfax and Placer County was collected and reviewed prior to conducting reconnaissance-level field biological surveys. The database searches, background research, and habitat level field surveys characterized the baseline conditions of the Project area. Based on the baseline conditions of the Project area, an assessment was implemented to determine if any special-status plant or wildlife species use the Project area at any time during their life cycle. The baseline conditions also identified the presence of any sensitive habitat or communities, including "waters of the U.S.," including wetlands, that have been identified and mapped within the Project area.

3.1 Sensitive Biological Resources Background Review

The following information was used to identify potential sensitive biological resources, including the presence of special-status plant and wildlife species, within the Project area region that could be found to use the Project area:

- California Department of Fish and Wildlife's California Natural Diversity Database records search of 3-mile buffer around the Project area (CDFW, 2020);
- The California Native Plant Society's online Inventory of Rare and Endangered Plants of California for the Project area and Placer County (CNPS, 2020);
- The U.S. Fish and Wildlife Service Information, Planning, and Consultation System (IPaC) for endangered, threatened, and proposed listed species for the Project area (USFWS, 2020);
- National Wetland Inventory map of the Project area (NWI, 2020);
- United States Department of Agriculture (USDA) Soils Mapper of the Project area (USDA, 2020);
- Natural Resources Conservation Service (NRCS) Hydric Soils List for Placer County (NRCS, 2020); and
- City of Colfax Municipal Code, Ordinances, and General Plan.

3.2 Reconnaissance Level Biological Resources Field Surveys

Reconnaissance-level biological resources field surveys were conducted on foot for the entirety of the Project area (3.00 acres) by Greg Matuzak, Principal Biologist and owner of Greg Matuzak Environmental Consulting LLC. Initial field surveys were conducted on January 24th and February 5th, 2019. Follow up reconnaissance-level biological resources field surveys were conducted by Greg Matuzak for potential special-

status species and their habitats within the Project area on May 4th, 2020. The purpose of the surveys completed in January and February 2019 was to identify habitat and vegetation types and to determine the potential for any special-status plant and wildlife species identified in the desktop analysis and background research to occur within the Project area. Additionally, the presence of Bunch Creek and associated riparian habitat was mapped and included within the attached Site Plan (see Appendix B).

Further evaluation of the Project area conducted in early May 2020 included a botanical survey within the entirety of the Project area. The follow up botanical surveys were conducted during the time of year when the target special-status plant species with potential to occur within the Project area are known to be in bloom and identification of each is most likely.

3.3 Project Area Characterization

The Project area has been disturbed by historic cut and fill practices, public access, and ongoing management for many years which is the baseline condition for the Project area. Within the Project area, the dumping of soils, landscape materials, and other miscellaneous items has also occurred for many years and the current circumstances are the baseline conditions. A large section of the Project area located in the central section of the Project area would be characterized as disturbed given the amount of fill material present and the historic cut of the Project area making the central area relatively flat in comparison to the eastern and western sections of the Project area. Areas not subject to this regular type of previous disturbance are dominated by mostly native habitat and, therefore, are also the baseline condition within the Project area.

All vascular plant species identified at the time of the surveys were recorded using keys and descriptions in *The Jepson Manual* (Baldwin et al., 2012). Additionally, vegetation types have been classified by wildlife habitats/vegetation types using the California Department of Fish and Game's (CDFG) *A Guide to Wildlife Habitats* (Mayer and Laudenslayer, 1988). A list of plant and wildlife species identified within the Project area as part of the development of this Biological Report is located in Appendix E.

4 ENVIRONMENTAL SETTING

4.1 Environmental Setting

The Project area is located in Placer County, CA in the northern-central Sierra Nevada foothills. The Sierra Nevada foothills lie between the western edge of the Sierra Nevada and the eastern border of the Central Valley. The foothills form a belt 10 to 30 miles wide that ranges from 500 to 5,000 feet in elevation in a series of northwest to north-northwest aligned ridges that decline in elevation from northeast to southwest. Many rapidly flowing rivers and streams run westerly in deeply incised canyons with bedrock channels to the Central Valley and eventually to the Pacific Ocean. Alluvial fans, floodplains, and terraces are not extensive; and all but the largest streams are generally dry during the summer. Dominant vegetation communities include grasslands, oak woodlands, and chaparral.

Vegetation communities within the Project area are typical of the lower Sierra Nevada foothills. However, the terrain within the central section of the Project area is not typical of the lower Sierra Nevada foothills that normally vary between flat ridges and valleys to gently and moderately sloping hillsides given the high level of disturbance within the central section of the Project area where cut and fill impacts have occurred historically. The Project area elevation ranges from approximately 2,180 to 2,280 feet above mean sea level (MSL).

Natural hydrological sources for the Project area include precipitation and surface run-off from adjacent lands. Mean annual rainfall in the area is 47.06 inches (NRCS, 2020). During rain events over the previous month prior to the field surveys, very little surface water was identified except for water within Bunch Creek. Bunch Creek runs from north to south within the western section of the Project area. The creek is not shown as a blue line feature or stream on any USGS or NWI maps that include the Project area.

4.2 Project Area Soil Types

The USDA Soil Survey Mapper (USDA, 2020) identifies three soil types within the Project area. USDA soil mapping for the Project area is included in Appendix C and indicates that the Project area contains the following soil types: Mariposa-Rock outcrop complex on 5 to 50 percent slopes, Xerofluvents, frequently flooded, and Xerorthents, cut and fill areas. These soil types are described in detail below and are shown in Appendix C:

- **Mariposa-Rock outcrop complex on 5 to 50 percent slopes (167).** The Mariposa series is not generally found on prime farmland and is a well drained soil type. This soil type is generally found along hills and foothills and is considered to have high runoff.

- **Xerofluvents, frequently flooded (194).** This soil type is found in generally poorly drained recent alluvium adjacent to stream channels. The Project area does not contain a FEMA flood elevation and regulated floodway. This mapped soil type is located in the central section of the Project area that is considered to be highly disturbed and contains fill material.

- **Xerorthents, cut and fill areas (196).** Xerorthents consist of mechanically removed and mixed soil material in cut and fill areas used primarily for highways and urban development. Given the location of the Project area in proximity to Interstate 80, this soil type has been mapped adjacent to the highway and Canyon Way. However, the soil mapping is located in the western section of the Project area where Bunch Creek is located.

4.3 Project Area Vegetation Communities

Vegetation community types within the Project area are described below.

Disturbed

The central section within the Project area is considered a disturbed habitat type. These areas contain a mix of fill material, asphalt, and gravel that have created a mix of non-native ruderal grassland vegetation and areas of barren ground. The disturbed area encroaches towards Bunch Creek within the western section of the Project area. The riparian vegetation ends at the top of the bank of Bunch Creek and a dense area dominated mostly by invasive Himalayan blackberry shrubs (*Rubus armenicus*) is located at the top of the creek's bank and extends eastward into the disturbed, central section of the Project area.

Montane Hardwood-Conifer

Montane hardwood-conifer habitat in the Sierra Nevada occurs at elevations between 1,000 and 4,000 feet above MSL and is comprised of a mosaic of hardwoods and conifers. The Project area is likely a midpoint on the gradient between hardwood forest and conifer forest containing both hardwood and conifer tree species, often in a mosaic pattern with small pure stands of conifers interspersed with small stands of hardwoods. Species associated with montane hardwood-conifer habitat type within the Project area include ponderosa pine (*Pinus ponderosa)*, California black oak (*Quercus kelloggii)*, madrone (*Arbutus menziesii)*, incense cedar (*Calocedrus decurrens)*, canyon live oak (*Quercus chrysolepis*), and Douglas fir (*Pseudotsuga menziesii)*. In the Project area the more common understory shrubs are white leaf manzanita (*Arctostaphylos viscida* ssp. *viscida)*, poison oak *(Toxicodendron diversilobum)*, and honeysuckle

(*Lonicera hispidula)*. These understory shrubs form often dense stands, especially on open rocky slopes, and in areas of recent disturbance. This vegetation community has been mapped within the eastern section of the Project area along the steep sloped area where no development is planned.

Montane Riparian

A structural gradient generally occurs from neighboring vegetation into montane riparian, resulting in oaks or pines grading in with the more riparian species. This vegetation type is characterized by black cottonwood (*Populus tremuloides),* redwillow (*Salix laevigata),* arroyo willow *(Salix lasiolepis),* and occasionally ponderosa pine in the overstory. Dense thickets are often resultant with Himalayan blackberry and Baltic rush (*Juncus balticus* ssp. *atar)* in the herbaceous layer. The montane riparian vegetation along both sides of Bunch Creek also contains some larger California black walnut *(Juglans californica)* trees with other overstory species from adjacent vegetation types, including California black oak, pine, and Douglas fir. The understory of montane riparian along the stream is dominated by Himalayan blackberry. This vegetation type forms a very narrow band along both banks of the creek within the Project area.

5 RESULTS

Special-status species were considered for the Project area based on a current review of the CNDDB and database information provided by the United States Fish and Wildlife Service and California Native Plant Society as well as the reconnaissance-level biological resources surveys.

5.1 Special-Status Plant Species

Based on the results of the database searches, four (4) special-status plant species were identified as previously occurring within 3 miles of the Project area. A description of the special-status plant species previously known to occur within 3 miles of the Project area (CNDDB, 2020) are discussed below (see Appendix G for a CNDDB 3-mile buffer figure). No special-status plant species were identified within the Project area during reconnaissance-level surveys and given the disturbed nature of the site and lack of suitable habitat for such species, special-status plant species have a very low potential to occur within the Project area. In addition, no USFWS Designated Critical Habitat (DCH) has been mapped by USFWS for any federally listed species within the vicinity of the Project area.

Scadden Flat checkerbloom (Sidalcea stipularis) – Federally and CA State Endangered and California Native Plant Society List 1B.1

Scadden Flat checkerbloom inhabits marshes and swamps between July and August. It is found in wet montane marshes fed by springs, normally between 2,295 and 2,395 feet above MSL. The species has been documented approximately 3 miles to the north of the Project area. Suitable habitat for this species does not occur within the Project area. Additionally, this species was not documented during the 2019 or 2020 surveys that included the Project area. Therefore, the potential for this species to occur within the Project area is considered nil to very low.

Brandegee's Clarkia (*Clarkia biloba ssp. brandegeeae*) – California Native Plant Society List 4.2

Brandegee's clarkia inhabits chaparral, cismontane woodland, and lower montane coniferous/mixed conifer forest habitats. It is most often found in road cuts between 75 and 915 meters above MSL. The species has been documented in several locations within 3 miles of the Project area. During field surveys this species was not identified within the Project area and suitable habitat for this species is considered to be lacking within the Project area for this species. Given that this species is most likely found on or near road cuts on north facing slopes, the likelihood of this species occurring within the Project area is considered very low given the Project area does not include any road cuts on north facing slopes.

Sierra blue grass (Poa sierra) – California Native Plant Society List 1B.3

Sierra blue grass is found in openings in lower montane coniferous forest, between 1,195 and 4,920 feet above MSL and blooms between April and July. There is only marginal suitable habitat for this species in the Project area, primarily in the montane hardwood-conifer forests located within the eastern section of the Project area where no disturbance or development is proposed. The species has been documented approximately 3 miles to the northeast of the Project area (CNDDB 2020). The species was not observed during the 2019 and 2020 field surveys and the potential for the species to occur within the Project area is considered very low given the level of disturbance within the Project area. As stated above, no proposed disturbance or development is planned within the eastern section of the Project area where the forested habitat is located.

Red Hills soaproot (Chlorogalum grandiflorum) – California Native Plant Society List 1B.2

Red Hills soaproot is found in chaparral, cismontane woodland, lower montane coniferous forests on serpentinite and gabbroic substrates, between 800 and 5,545 feet above MSL and blooms between May and June. The species was documented southeast of the Project area within 3 miles of the Project area (CNDDB 2020). The species was not observed during the 2019 and 2020 field surveys. Potential for occurrence of this species is considered very low and not expected to occur within the Project area given the lack of mixed chaparral vegetation in gabbroic soils within the Project area.

5.2 Special-Status Wildlife Species

Based on the results of the database searches, four (4) special-status wildlife species were identified as previously occurring within 3 miles of the Project area. A description of the special-status wildlife species previously identified within 3 miles of the Project area (CNDDB, 2020) are discussed below (see Appendix G for a CNDDB 3-mile buffer figure). No special-status wildlife species were identified within the Project area during reconnaissance-level surveys and given the disturbed nature of the site and lack of suitable habitat for such species, special-status wildlife species have a very low potential to occur within the Project area. In addition, no USFWS Designated Critical Habitat (DCH) has been mapped by USFWS for any federally listed species within the vicinity of the Project area.

Coast horned lizard (Phrynosoma blainvillii) – CA State Species of Concern

The coast horned lizard occurs in open sandy areas, scattered low bushes, chaparral, manzanita, and oak woodland habitats. It is found in the Sierra Nevada foothills from Butte County to Kern County and throughout the central and southern California coast. Coast horned lizards forage on the ground in open areas, usually

between shrubs and often near ant nests. The species relies on camouflage for protections. Predators and extreme heat are avoided by burrowing into loose soil. Periods of inactivity and winter hibernation are spent burrowed in the soil under surface objects such as logs or rocks, in mammal burrows, or in crevices (Zeiner et al., 2000). They inhabit mostly open country, especially sandy areas, washes, flood plains and wind- blown deposits in a wide variety of habitats and can be found at elevations up to 8,000 feet (2,438 meters) (CaliforniaHerps, 2014).

This species has been documented within 3 miles of the Project area. There is marginal suitable habitat within the open disturbed areas within the Project area. As the central portion of the Project area contains the required open areas of exposed, sandy soils for this species, this species would be considered to have at least a very low potential to occur within the Project area. However, given the disturbed and developed nature of the Project area and surrounding parcels and given that no coast horned lizards were observed during the January or February 2019 site visits or during reconnaissance level biological surveys conducted in May 2020 within the Project area, it is very unlikely that this species would occur within the Project area.

Foothill yellow-legged frog (Rana boylii) – Candidate as Threatened under CESA

Foothill yellow-legged frogs inhabit partly shaded, shallow streams and riffles with a rocky substrate in a variety of habitats. The species requires at least some cobble-sized substrate for egg laying. The species requires at least 15 weeks to attain metamorphosis. These frogs are ectothermic, so ambient temperature affects the likelihood of detection of this species. Whether the life form is larval or subadult, both stages will shelter in place under substrate and emerge and become active with warmth (i.e., detection probability increases with temperature).

This species has been identified in several locations within 3 miles of the Project area, including locations within the Bear River, North Fork American River, and southeast of the Project area within Smuthers Ravine. However, the species was not identified during reconnaissance-level biological surveys conducted within the Project area. Additionally, given the lack of shade of rocky substrate within Bunch Creek within the Project area, it is unlikely that this species would occur within the Project area.

Western bumble bee (Bombus occidentalis) – CDFW S1

Western bumble bee was last documented approximately 5 miles east of the City of Colfax on the eastern side of the North Fork American River in 1951, over half a century ago. It is only known from a single collection on July 28th of that year. Given the species has only been documented a single time within 5 miles of the Project area in 1951, there is an extremely low potential of the species occurring within the Project area.

Obscure bumble bee (Bombus caliginosus) – CDFW S1

Obscure bumble bee was last documented within the vicinity of the City of Colfax in 1949, over half a century ago. It is only known from a collection of five individuals on June 1st of that year. Given the species has only been documented a single time within 3 miles of the Project area in 1949, there is an extremely low potential of the species occurring within the Project area.

Nesting raptors and other migratory bird species - Protected under CA State DFG Code Sections 3503, 3503.5, and 3800

There is a low potential for nesting raptors and other nesting migratory bird species to occur within and directly adjacent to the Project area. The Project area contains suitable nesting habitat for bird species, such as tree nesting species (Cooper's hawk and other common raptors) and ground nesting species like the spotted towhee (*Pipilo maculatus*) and dark-eyed junco (*Junco hyemalis*). Additional species that are known to nest in shrub and tree habitat have the potential to nest within the Project area though the likelihood is considered low given the level of disturbance within and adjacent to the Project area. The nesting season for raptors and other protected nesting birds within the Project area occurs between March 1st and August 31st.

6 CONCLUSIONS AND RECOMMENDATIONS:

These conclusions and recommendations are based on the findings of this Biological Report and the impact assessment based on the Project Understanding outlined in Section 1.2 above. The impact assessment and recommendations below are based on the proposed Project components that would require disturbance within the Project area. These project components area included in the Site Plan attached in Appendix B and include the following: construction of a new 6,000 square foot (SF) commercial building for warehouse and office spaces, a 7,500 SF commercial building for recreational vehicle (RV) and boat storage, and approximately 38,700 SF of driveway and parking space. The proposed project would also involve the installation of an approximately 3,700 SF storm water detention basin and 5,300 SF of landscaping. A total of 32 individual parking spaces are proposed. A new access drive into the Project area from the west off of Canyon Way is also proposed and would include a 2-lane entrance and a sidewalk that is an accessible route. The new access drive off of Canyon Way will cross Bunch Creek and a culvert will be required to be installed within the creek at the access drive crossing of the creek.

For sensitive biological resources that have the potential to be impacted by such disturbance, avoidance, minimization, and mitigation measures are proposed to ensure that such disturbance does not cause a significant impact on any sensitive biological resources within the Project area.

Proposed Avoidance, Minimization, and Mitigation Measures

6.1 Potential Impacts to Special-Status Plant Species

Special-status plant surveys were conducted within the Project area during May 2020, which coincides with the blooming period of the special-status plant species that have been previously identified within 3 miles of the Project area. No special-status plants were documented within the Project area during the site visits and surveys conducted as part of the development of this Biological Report. Therefore, there is a very low likelihood that the Project area would contain a protected special-status plant species listed by CNPS and per CEQA requirements based on the results of the 2019 and 2020 surveys of the Project area.

Disturbance related impacts to CNPS list 3 and list 4 species ***would not*** be considered a "significant" impact requiring additional mitigation under CEQA Guidelines Section 15380. Therefore, the proposed Project would have a **less than significant** impact on special-status plant species, if present during such disturbance given the CNPS 1B.1, 1B.2, and 1B.3 species previously documented within 3 miles of

the Project area have a very low likelihood to occur within the Project area and would not be impacted by the proposed Project.

6.2 Potential Impacts to Special-Status Wildlife Species

The coast horned lizard is the terrestrial special-status wildlife species with at least some potential to occur within the Project area, even though the species has not been observed within the Project area. Therefore, this species is in addition to potential nesting raptors that have some potential to occur within the Project area as discussed in detail below.

Coast horned lizard

Occurrence: There is potential suitable habitat within the open disturbed and disturbed sections of the Project area. In addition, the Project area includes the required open areas of exposed, sandy soils for this species within those habitat types. Therefore, this species has a low potential to occur within the Project area.

Mitigation: Prior to disturbance within the areas of the Project area that contain suitable habitat for the species, a pre-construction survey for the species shall be conducted prior to any disturbance within those disturbed and developed areas of the Project area in order to avoid direct impacts to the species. If the species is documented during pre-construction surveys, a qualified wildlife biologist would have the authority to move individual coast horned lizards outside of the proposed disturbance area(s) in order to avoid an impact to this species. Once the coast horned lizard(s) have been removed from the disturbance area(s) and out of harms way, the proposed work would no longer pose a risk to individuals of the species.

Therefore, the proposed Project would have a **less than significant** impact on the coast horned lizard with the implementation of the mitigation measures outlined above.

6.3 Potential Impacts to Nesting Raptors and other Protected Bird Species

Given the Project area contains many larger trees and many of those trees contain suitable habitat for nesting raptors and other protected bird species, removal of such trees should be done outside the breeding season, if possible, to avoid potential impacts to such protected nesting bird species. The breeding season for raptors and MBTA protected bird species in the vicinity of the Project area is generally from March 1 to August 31. Vegetation clearing or tree removal outside of the breeding season for such bird species would not require the implementation of any avoidance, minimization, or mitigation measures. However, construction or development activities during the

breeding season could disturb or remove occupied nests of raptors and would require the implementation of a pre-construction survey within 250 feet of the any disturbance area within the Project area for nesting raptors and other protected bird species within 14 days prior to disturbance.

Avoidance: Vegetation clearing or tree removal outside of the breeding season for such bird species and/or avoidance of such potential nesting habitat would not require the implementation of any avoidance, minimization, or mitigation measures.

Mitigation: Construction or disturbance activities during the breeding season could disturb or remove occupied nests of raptors and/or protected bird species and would require the implementation of a pre-construction survey within and adjacent to any proposed disturbance area within the Project area for nesting raptors and other protected bird species within 14 days prior to disturbance. The nesting survey radius around the proposed disturbance would be identified prior to the implementation of the protected bird nesting surveys by a CDFW qualified biologist and would be based on the habitat type, habitat quality, and type of disturbance proposed within or adjacent to nesting habitat.

If any nesting raptors or protected birds are identified during such pre-construction surveys, trees or shrubs or grasslands with active nests should be not be removed or disturbed and a no-disturbance buffer should be established around the nesting site to avoid disturbance or destruction of the nest site until after the breeding season or after a qualified wildlife biologist determines that the young have fledged. The extent of these buffers would be determined by a CDFW qualified wildlife biologist and would depend on the special-status species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors should be analyzed by a qualified wildlife biologist to make an appropriate decision on buffer distances based on the species and level of disturbance proposed in the vicinity of an active nest.

Therefore, the proposed Project would have a **less than significant** impact on nesting raptors and other protected bird species with the implementation of the mitigation measures outlined above.

6.4 Potential Impacts to Clean Water Act Regulated "Waters of the U.S.," Including Wetlands

Bunch Creek is the only wetland or stream feature identified within the Project area and it is assumed to fall under Corps jurisdiction pursuant to Section 404 of the CWA. The RWQCB pursuant to Section 401 of the CWA also has jurisdiction over areas subject to regulation by the Corps under Section 404 of the CWA. As detailed in the CWA, any

proposed action that would place fill or dredge material within areas identified as Corps jurisdictional wetlands or waters would require a Department of the Army Section 404 permit and a RWQCB Section 401 Water Quality Certification, or waiver thereof, prior to the placement of fill or dredge material within such features. Fill or dredge impacts to any features regulated under Sections 404 and 401 of the CWA would be required to be mitigated at a minimum of a 1:1 ratio. Compensatory mitigation would be included as a Section 404 and Section 401 permit condition to be implemented prior to the placement of such dredge and fill material within a "waters of the U.S.," including wetlands, and would ensure the no net loss of such features within the Project area.

Given that no fill or dredge material will be placed within Bunch Creek as part of the proposed Project, the proposed Project would have a **less than significant** impact on CWA regulated "waters of the U.S." including wetlands. The potential placement of a culvert within Bunch Creek would be a temporary impact to the creek and not subject to compensatory mitigation under the CWA.

6.5 Potential Impacts to Stream and Riparian Zones Under CDFW Jurisdiction

Substantial alteration to Bunch Creek within the Project area would likely fall under CDFW jurisdiction as the creek contains a bed and bank and riparian vegetation along its banks. Any proposed alteration of any stream would most likely require a Streambed Alteration Agreement from the CDFW pursuant to Section 1600 *et. seq.* of the California Fish and Wildlife Code prior to construction, including any disturbance within Bunch Creek within the Project area.

Project Related Impacts

The proposed Project would include the placement of a culvert under the new access road that crosses Bunch Creek. This would include a small impact to the adjacent riparian zone to Bunch Creek, but those areas would be revegetated and restored to pre-project contours, where feasible. Therefore, the proposed disturbance within the mapped stream zone of Bunch Creek within the Project area would most likely be subject to CDFW jurisdiction and a Streambed Alteration Agreement from the CDFW pursuant to Section 1600 *et. seq.* of the California Fish and Wildlife Code may be required prior to disturbance within such CDFW jurisdiction.

Any temporary impacts to the stream within the Project area would be required to be restored to pre-construction contours. Site restoration would include all exposed/disturbed areas and access points within the stream as a result of the disturbance activities (new culvert, etc.). These areas shall be seeded and covered with broadcast straw. Therefore, the proposed Project would have a **less than**

significant impact on Bunch Creek riparian zone vegetation with the implementation of the mitigation measures outlined above.

6.6 City of Colfax Tree Removal Regulations (Code of Ordinances 12.16)

The Project applicant will comply with the City of Colfax tree removal regulations (Code of Ordinances 12.16). Trees that will be preserved within the Project area that are located directly adjacent to proposed disturbance shall require the installation of bright colored mesh fencing, flagged stakes or some visible means of physical demarcation around the drip line of the tree(s) in the field prior to issuance of a grading permit. No movement of soil or earth material shall take place within the drip line of trees designated for preservation.

Trees that will be removed within the subject parcel will comply with the City's ordinance by implementing the following to mitigate for trees to be removed:

A. The applicant/developer shall replace and replant removed trees with an equal number of trees.

B. Minimum/maximum replacement trees shall range from one gallon to forty-eight (48) inch box container sizes mixed to create a natural horizon line.

C. A mix of tree species is preferred (rather than planting the same species throughout the project) to achieve a more natural, native appearance.

D. Hillside development shall preserve trees when feasible or be replanted immediately to prevent erosion. "Immediate" means prior to the issuance of a certificate of occupancy or final inspection.

E. Trees shall be irrigated and maintained by any and all subsequent owners for a minimum period of five years after installation in accordance with the Colfax design guidelines maintenance requirements:

1. Deposit with the city a maintenance bond, cash, letter of credit or its equivalent, in an amount equal to one-half the market value of landscaping and irrigation guaranteeing the proper care, treatment and maintenance of landscaping for a period of three years; or

2. Execute an agreement and equitable lien in an amount equal to the full market value of the landscaping and irrigation with the city, guaranteeing the lien shall cause a written letter of notification by the city to the owner of the real property within ten (10) days that the city will perform or have performed by a reputable landscaper any and all maintenance work it deems necessary and bring legal action against the

owner for the frill cost of such maintenance work or foreclose such equitable lien as provided by law.

The proposed Project would have a **less than significant** impact on trees within the subject parcel with the implementation of the mitigation measures outlined above.

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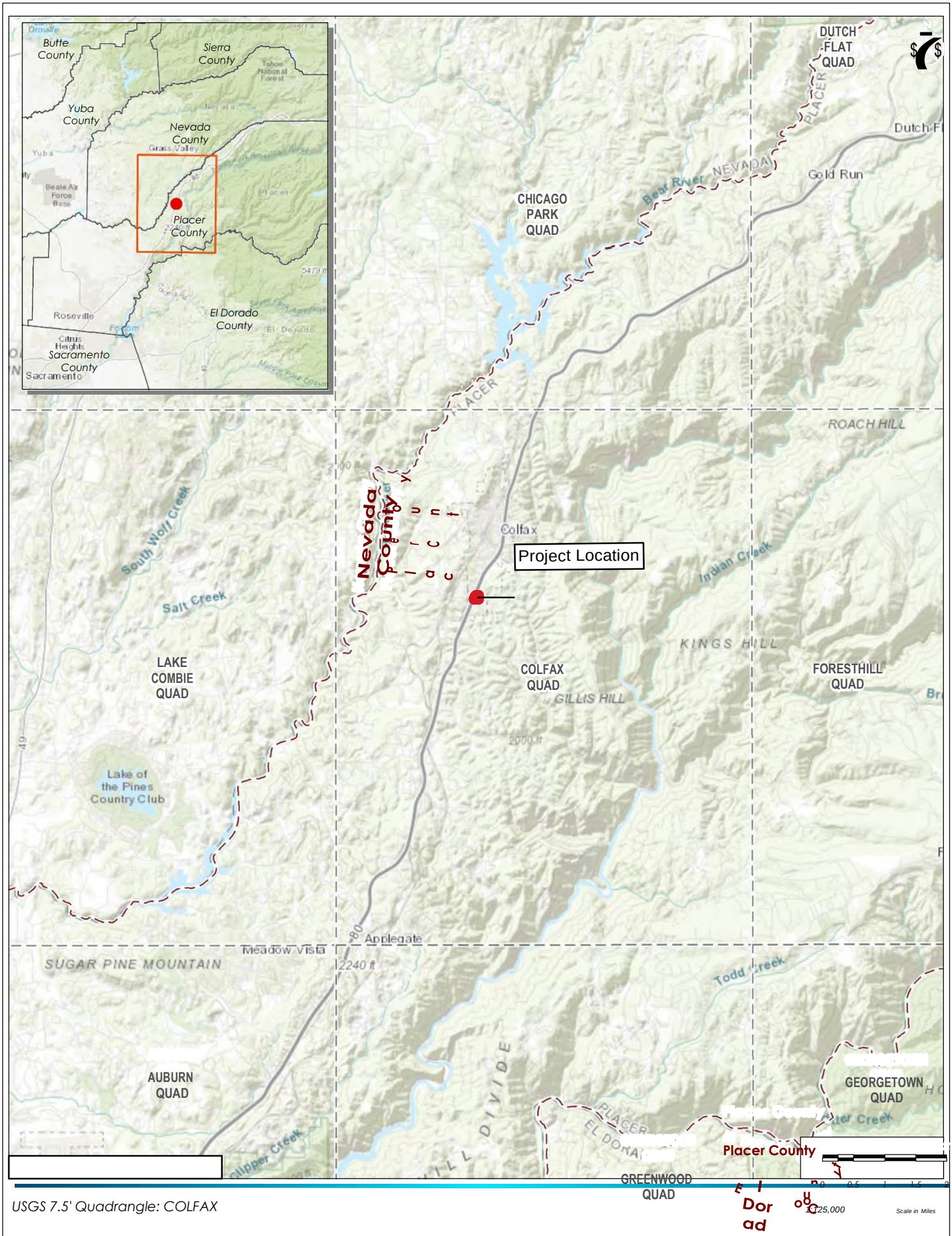
Appendix A

Project Overview Area Figure



USGS 7.5' Quadrangle: COLFAX

Parcel No.: 101-132-010-000

GREGMATUZAK
Environmental Consulting LLC Nevada City, CA

Figure 1. Vicinity Map

Prepared: Melissa Nugent 5/6/2020 E:_Matuzak\20200506_PlacerCnty_101-132-010\mxd\Fig1_Vicinity_PlacerCnty_101-132-010.mxd

GREGMATUZAK
Environmental Consulting LLC Nevada City, CA

Parcel No.: 101-132-010-000

Figure 2. Project Location Map

Prepared: Melissa Nugent 5/6/2020 E:_Matuzak\20200506_PlacerCnty_101-132-010\mxd\Fig2_SiteMap_PlacerCnty_101-132-010.mxd

Appendix B

Site Plan

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PARKING ANLYSIS

SELF STORAGE = 6 SPACES
OFFICES AT 1/250 SF = 8 SPACES WAREHOUSE
AREAS AT 1/300 SF = 14 SPACES
EQUIPMENT YARD = 4 SPACES

32 TOTAL PROPOSED PARKING SPACES

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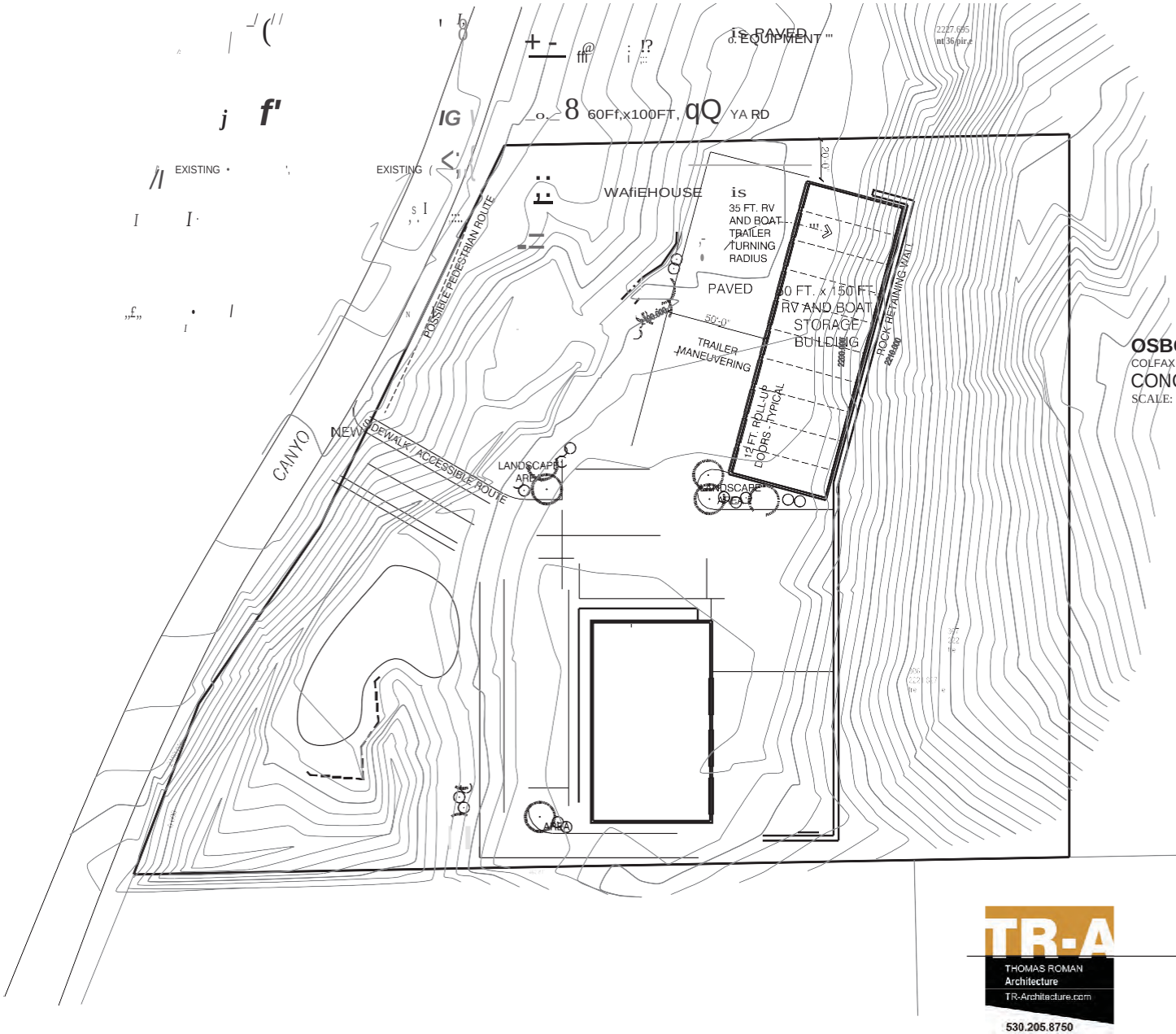


OSBORN DEVELOPMENT AT CANYON WAY

COLFAX CA,

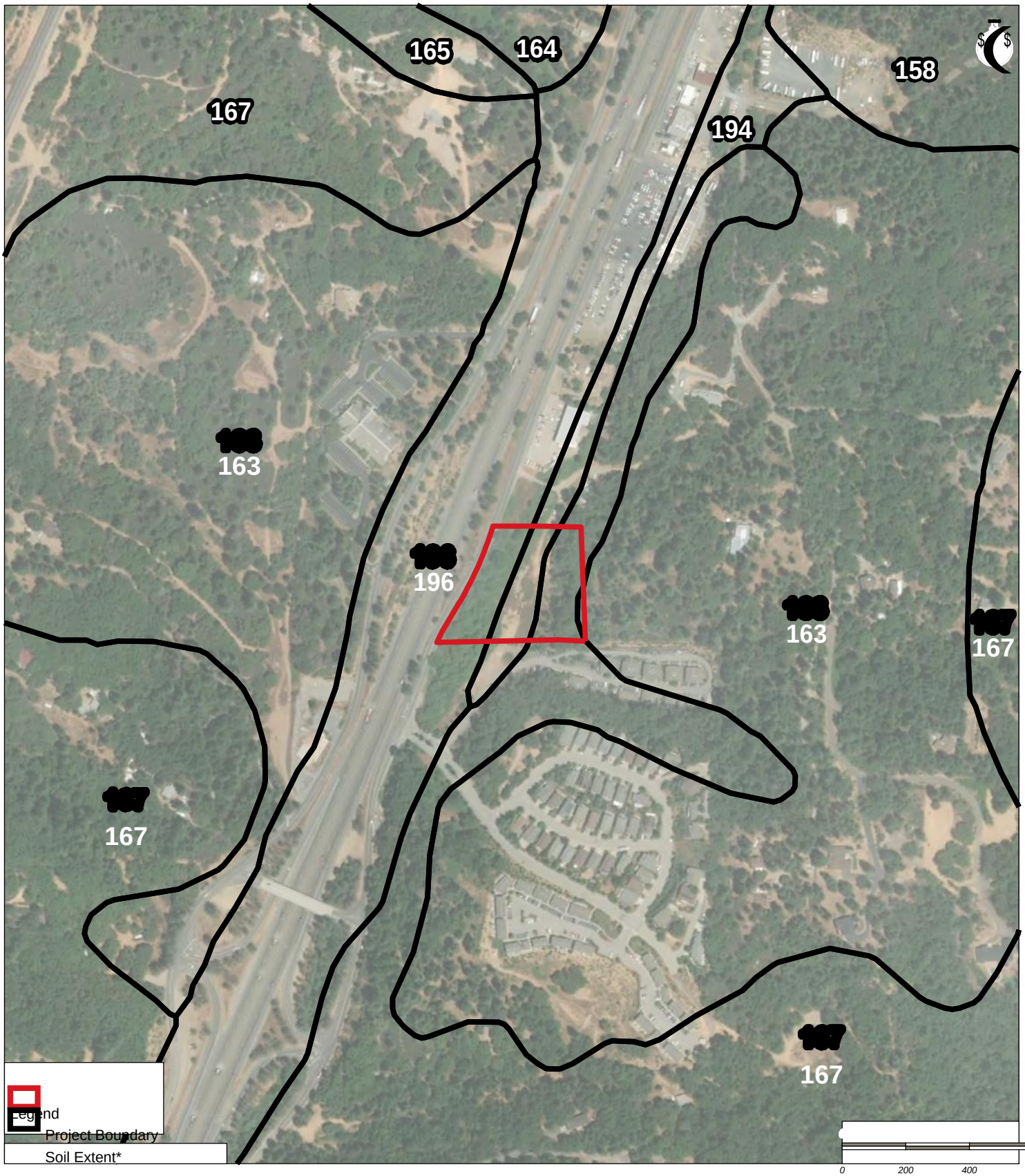
CONCEPTUAL SITE DEVELOPMENT PLAN - 05-23-19

SCALE: 1' = 3a

TR-A
THOMAS ROMAN
Architecture
TR-Architecture.com
530.205.8750

Appendix C

USDA Soils Map



Aerial Imagery: NAIP 6/22/2018

SOIL TYPE*

139 - Cohasset cobbly loam, 15 to 50 percent slopes
158 - Josephine loam, 9 to 15 percent slopes
163 - Mariposa gravelly loam, 5 to 30 percent slopes
164 - Mariposa-Josephine complex, 5 to 30 percent slopes
165 - Mariposa-Josephine complex, 30 to 50 percent slopes
167 - Mariposa-Rock outcrop complex, 5 to 50 percent slopes
194 - Xerofluvents, frequently flooded
196 - Xerorthents, cut and fill areas

* Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online. Accessed 03/06/2019

Parcel No.: 101-132-010-000

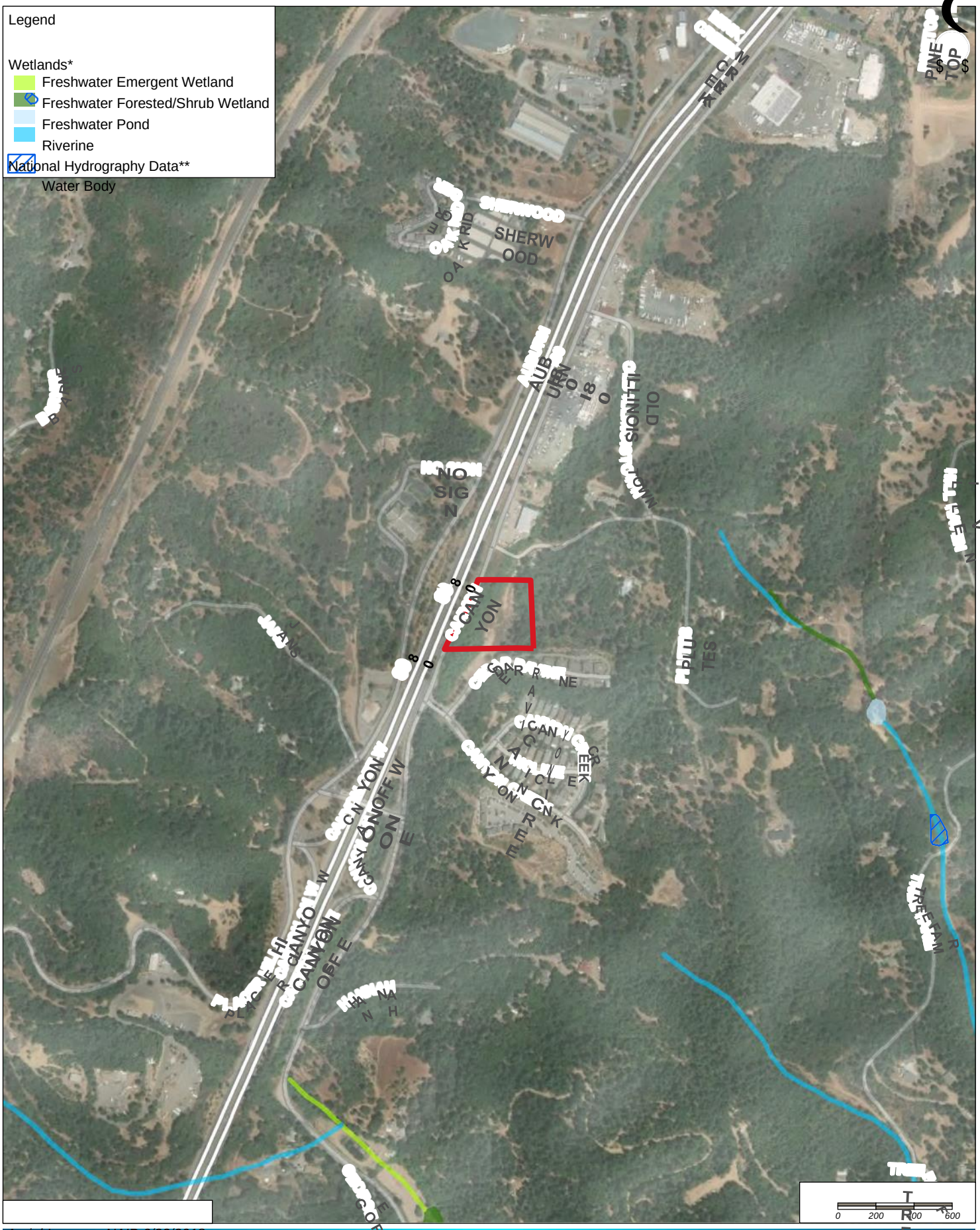
GREG MATUZAK
Environmental Consulting LLC
Nevada City, CA

Appendix C

Figure 4. Soils Map

Prepared: Melissa Nugent 5/6/2020 E:_Matuzak\20200506_PlacerCnty_101-132-010\mxd\Fig4_SoilsMap_PlacerCnty_101-132-010.mxd

National Wetland Inventory (NWI) Map



Aerial Imagery: NAIP 6/22/2018

Parcel No.: 101-132-010-000

GREG MATUZAK
Environmental Consulting LLC
Nevada City, CA

* Data downloaded from https://www.fws.gov/wetlands/Data/Data-Download.html 3/6/2019
** National Hydrography Dataset (NHD) downloaded from http://nhd.usgs.gov March, 2019

Prepared: Melissa Nugent 5/6/2020 E:_Matuzak\20200506_PlacerCnty_101-132-010\mxd\Fig5_NWI-NHD_PlacerCnty_101-132-010.mxd

Figure 5. Wetlands and Water Features Map

Appendix E

Plants and Wildlife Observed During Site Surveys

Plant and Wildlife Species Observed during the Subject Parcel

Site Surveys in 2019 and 2020

Common Name	*Scientific Name*	*Species Status*
Plants		
buttercup spp.	*Ranunculus* spp.	*Not FESA, CESA, or CNPS listed*
California wild rose	*Rosa californica*	*Not FESA, CESA, or CNPS listed*
California black oak	*Quercus keloggii*	*Not FESA, CESA, or CNPS listed*
canyon live oak	*Quercus chrysolepis*	*Not FESA, CESA, or CNPS listed*
common mouse ear chickweed	*Cerastium fontanum*	*Not FESA, CESA, or CNPS listed*
common mullein	*Verbascum Thapsus*	*Not FESA, CESA, or CNPS listed*
common mustard	*Brassica rapa*	*Not FESA, CESA, or CNPS listed*
common periwinkle	*Vinca minor*	*Not FESA, CESA, or CNPS listed*
common sheep sorrel	*Rumex acestocella*	*Not FESA, CESA, or CNPS listed*
Cyptanth spp.	*Cryptantha spp.*	*Not FESA, CESA, or CNPS listed*
dandelion spp.	*Agoseris* spp.	*Not FESA, CESA, or CNPS listed*
Douglas fir	*Pseudotsuga menziesii*	*Not FESA, CESA, or CNPS listed*
English plantain	*Plantago lanceolate*	*Not FESA, CESA, or CNPS listed*
everlasting pea	*Lathyrus latifolius*	*Not FESA, CESA, or CNPS listed*
filaree	*Erodium cicutarium*	*Not FESA, CESA, or CNPS listed*

Common Name	*Scientific Name*	*Species Status*
honeysuckle spp.	*Lonicera* spp.	*Not FESA, CESA, or CNPS listed*
hyssop loosestrife	*Lythrum hyssopifolia*	*Not FESA, CESA, or CNPS listed*
incense cedar	*Calocedrus decurrens*	*Not FESA, CESA, or CNPS listed*
iris spp.	*Iris* spp.	*Not FESA, CESA, or CNPS listed*
juncus spp.	*Juncus* spp.	*Not FESA, CESA, or CNPS listed*
mountain violet	*Viola purpurea*	*Not FESA, CESA, or CNPS listed*
poison oak	*Toxicodendron diversilobum*	*Not FESA, CESA, or CNPS listed*
Ponderosa pine	*Pinus ponderosa*	*Not FESA, CESA, or CNPS listed*
ripgut brome	*Bromus diandrus*	*Not FESA, CESA, or CNPS listed*
St. John's wort; Klamath weed	*Hypericum perforatum*	*Not FESA, CESA, or CNPS listed*
shamrock clover	*Trifolium dubium*	*Not FESA, CESA, or CNPS listed*
soft chess	*Bromus hordeaceus*	*Not FESA, CESA, or CNPS listed*
stork's bill spp.	*Erodium* spp.	*Not FESA, CESA, or CNPS listed*
white-leaved manzanita	*Arctostaphylos viscida* ssp. *viscida*	*Not FESA, CESA, or CNPS listed*
wild oats	*Avena fatua*	*Not FESA, CESA, or CNPS listed*
wild rye	*Elymus glaucus*	*Not FESA, CESA, or CNPS listed*
willows	*Salix sp.*	*Not FESA, CESA, or CNPS listed*

Common Name	*Scientific Name*	*Species Status*
Birds		
American robin	*Turdus migratorius*	*Not CESA or FESA listed. Migratory (active nests protected)*
dark-eyed junco	*Junco hyemalis*	*Not CESA or FESA listed. Migratory (active nests protected)*
house finch	*Haemorhous mexicanus*	*Not CESA or FESA listed. Migratory (active nests protected)*
mourning dove	*Zenaida macroura*	*Not CESA or FESA listed. Migratory (active nests protected)*
northern flicker	*Colaptes auratus*	*Not CESA or FESA listed. Migratory (active nests protected)*
western scrub-jay	*Aphelocoma californica*	*Not CESA or FESA listed. Migratory (active nests protected)*

Appendix F

Photo Log

Photos of Field Surveys of the Osborn Commercial Project Area

Photo 1. Looking southwest within the project area. Bunch Creek drainage to the right.

Photo 2. Looking south from within the central portion of the project area. Site is dominated by non-native annual grassland and heavy disturbance.

Photo 3. Looking north from within the central portion of the project area. Site is dominated by non-native annual grassland with a forested hillside to the east.

Photo 4. Bunch Creek with associated riparian vegetation dominated by blackberry shrubs and willows. The creek enters the site from the north and exits at the south end.

Photo 5. Bunch Creek with associated riparian vegetation dominated by blackberry shrubs and willows. Photo looking W/SW towards Canyon Way and Interstate 80.

Photo 6. Blackberry shrub and annual grassland dominated access area to the eastern side of the project area and Bunch Creek off Plute's Way.

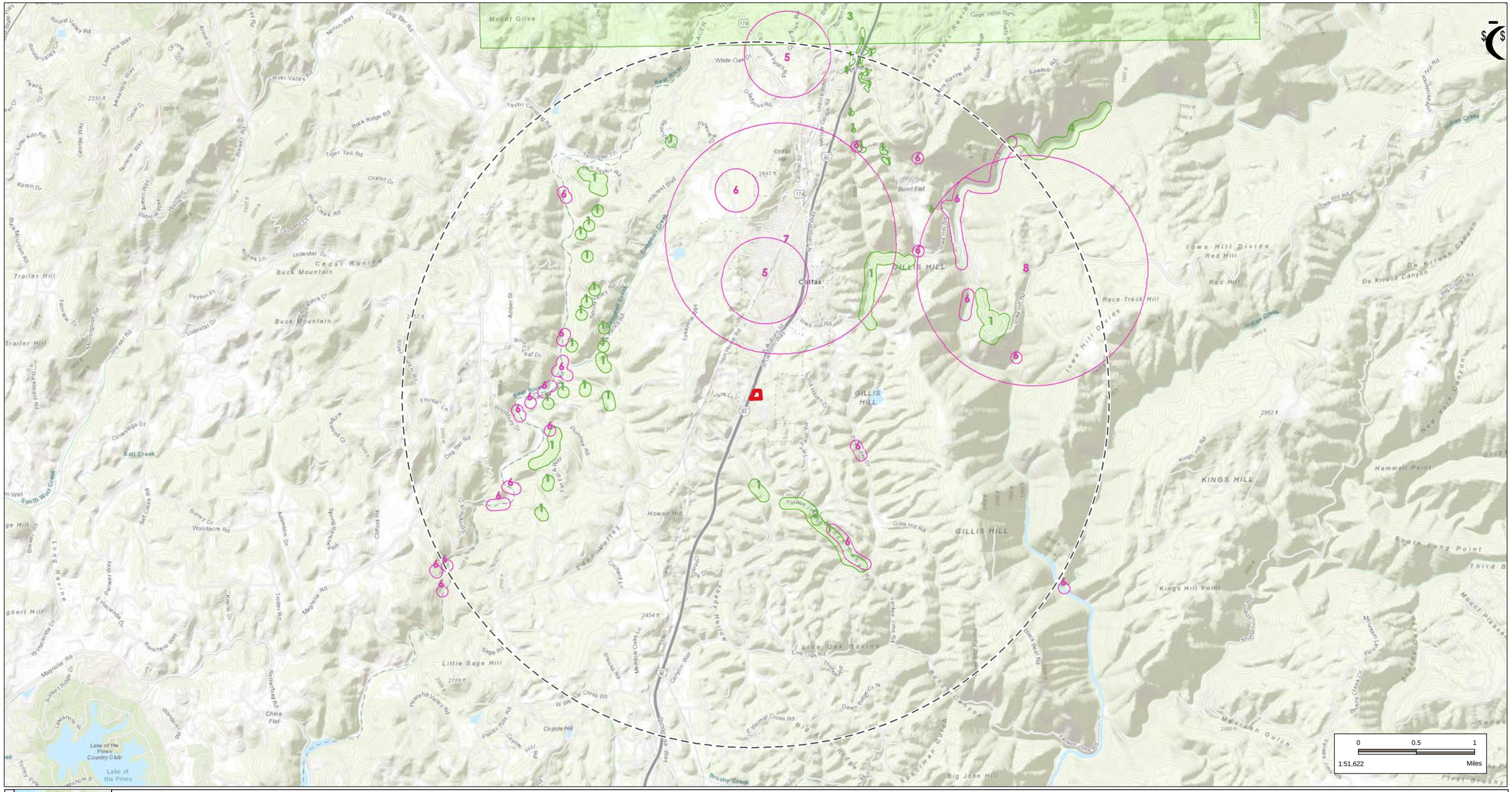
Photo 7. Project area access off of Canyon Way via Plute's Way for access into the northern section of the project area.

Photo 8. Project area access off of Canyon Way (right onto Plute's Way at sign and hydrant) for access into the northern section of the project area. Photo looking north.

Photo 9. From Canyon Way looking southeast over Bunch Creek into project area.

Photo 10. Corner of Plute's Way and Canyon Way looking south.

CNDDB 3-Mile Buffer Figure



Legend

- Project Location
- 3 mile Buffer on Project Area
- CNDDB Plant Occurence*
- CNDDB Wildlife Occurence*
- Critical Plant Habitat** (none)
- Critical Wildlife Habitat** (none)

** California Natural Diversity Database (CNDDB) Data: Downloaded August 2019, from the California Department of Fish and Wildlife*
*** United States Fish and Wildlife Service (USFWS) Critical Habitat Data: Downloaded June, 2019 from: https://ecos.fws.gov/ecp/report/table/critical-habitat.html*

CNDDB OCCURRENCES*

Plant Species

1. Brandegee's clarkia
2. Red Hills soaproot
3. Scadden Flat checkerbloom
4. Sierra blue grass

Wildlife Species

5. Coast horned lizard
6. Foothill yellow-legged frog
7. Obscure bumble bee
8. Western bumble bee

CRITICAL HABITAT OCCURRENCES**

Plant Habitat

None

Wildlife Habitat

None

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Environmental Consulting LLC Nevada City, CA

Parcel No.: 054-450-009-000

Figure 3. CNDDB and Critical Habitat Map

Prepared: Melissa Nugent 5/6/2020 E:_Matuzak\20200506_PlacerCnty_101-132-010\mxd\Fig3_CNDDB_PlacerCnty_101-132-010.mxd

USFWS iPac Report

IPaC resource list

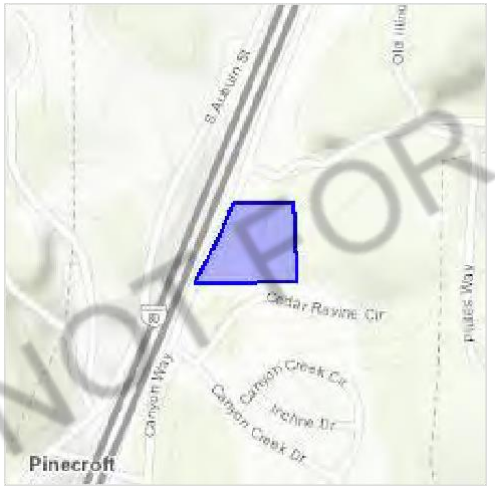
This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

NOT FOR CONSULTATION

Location

Placer County, California



Local office

Sacramento Fish And Wildlife Office

- **(916) 414-6600**
- **(916) 414-6713**

Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires **Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can** only **be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.**

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. **Draw the project location and click CONTINUE.**
2. **Click DEFINE PROJECT.**
3. **Log in (if directed to do so).**
4. **Provide a name and description for your project.**
5. **Click REQUEST SPECIES LIST.**

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are not **shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.**

---

1. **Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information.**
2. **NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.**

The following species are potentially affected by activities in this location:

Amphibians

NAME	STATUS

NOT FOR CONSULTATION

California Red-legged Frog Rana draytonii There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/2891	**Threatened**

Fishes

NAME	STATUS
Delta Smelt Hypomesus transpacificus There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/321	**Threatened**

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

NOT FOR CONSULTATION

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php
- Measures for avoiding and minimizing impacts to birds http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php
- Nationwide conservation measures for birds http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn

more about the levels of concern for birds on your list and how this list is generated, see the FAQ

below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)
Olive-sided Flycatcher *Contopus cooperi* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3914	Breeds May 20 to Aug 31

NOT FOR CONSULTATION

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence ( )

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season ( )
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

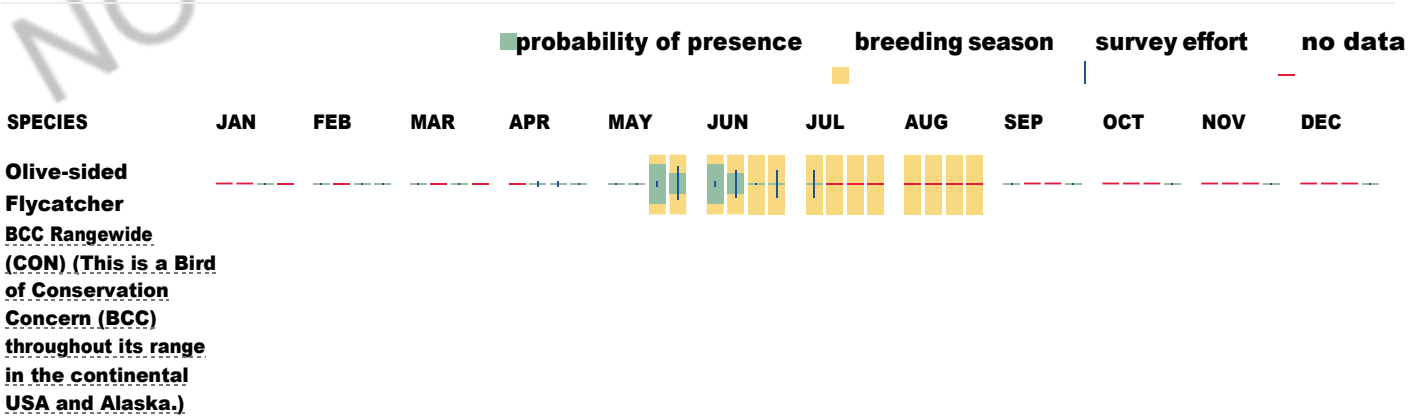
Survey Effort ( )
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data ( )
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

NOT FOR CONSULTATION



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to

occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures and/or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the AKN Phenology Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

NOT FOR CONSULTATION

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

NOT FOR CONSULTATION

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

THERE ARE NO KNOWN WETLANDS AT THIS LOCATION.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

APPENDIX D

Cultural Resources Inventory

CULTURAL RESOURCES INVENTORY SURVEY

Osborn Commercial Development Project
3-acres
City of Colfax, Placer County, California.

Prepared for

Millennium Planning & Engineering
Attn.: Rob Wood
471 Sutton Way, Suite 210
Grass Valley, CA 95945

Author

Sean Michael Jensen, M. A.

Keywords *for Information Center Use:*
Cultural Resources Inventory Survey, 3-acres, Placer County, CEQA, USGS Colfax, Ca. 7.5' Quadrangle, No Significant Historical Resources, No Unique Archaeological Resources

April 13, 2020

GENESIS SOCIETY

ARCHAEOLOGICAL - HISTORICAL - CULTURAL RESOURCE MANAGEMENT SERVICES

ABSTRACT

This report details the results of a cultural resources inventory survey involving commercial development of approximately 3-acres of land located adjacent to the east side of Canyon Way, immediately north of Cedar Ravine Court, and a short distance east of Interstate 80, within the City of Colfax, Placer County, California.

The proposed project involves construction of a commercial warehouse and office building, as well as construction of a boat and recreational vehicle storage facility. The project will also involve tree and brush removal, grading, placement of buried utilities, construction of access roads, and creation of a storm water detention basin.

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 cultural resources have been documented within the APE. As well, the present effort included an intensive-level pedestrian survey. No significant historical resources, or unique archaeological resources were identified within the APE.

An information request letter was delivered to the NAHC on April 6, 2020 requesting a review of their Sacred Lands Files (SLF), and a list of Native American Contacts for the APE. The NAHC responded on April 7, 2020, indicating that a search of the Sacred Lands Files produced negative results.

Based on the absence of significant unique archaeological resources/historic properties within the APE, archaeological clearance is recommended for the project/undertaking as presently proposed.

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APE Map.
Records Search from NCIC, File No.: PLA 20-31, dated April 8, 2020.
Consultation letter to the Native American Heritage Commission (NAHC).
Response from the NAHC.

1. INTRODUCTION

Project Background

This report details the results of a cultural resources inventory survey involving commercial development of approximately 3-acres of land located adjacent to the east side of Canyon Way, immediately north of Cedar Ravine Court, and a short distance east of Interstate 80, within the City of Colfax, Placer County, California.

The proposed project involves construction of a commercial warehouse and office building, as well as construction of a boat and recreational vehicle storage facility. The project will also involve tree and brush removal, grading, placement of buried utilities, construction of access roads, and creation of a storm water detention basin.

Since the project will involve physical disturbance to ground surface and sub-surface components in conjunction with commercial development, 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 3-acre parcel. Evaluation of the project's potential to impact cultural resources must be undertaken in conformity with City of Colfax and Placer 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).

Regulatory Context

The following section provides a summary of the applicable regulations, policies and guidelines relating to the proper management of cultural resources.

The California Register of Historical Resources

In California, the term "historical resource" includes "any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (Public Resources Code (PRC) Section 5020.1(j)). In 1992, the California legislature established the California Register of Historical Resources (CRHR) "to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC Section 5024.1(a)). The criteria for listing resources on the CRHR were developed to be in accordance with previously established criteria developed for listing in the NRHP. According to PRC Section 5024.1(c)(1–4), a resource is considered historically significant if it (i) retains "substantial integrity," and (ii) meets at least one of the following criteria:

(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

To understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than 50 years old may be considered for listing in the CRHR if it can be demonstrated that sufficient time has passed to understand its historical importance (see 14 CCR 4852(d)(2)). The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing in the NRHP are automatically listed in the CRHR, as are state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

California Environmental Quality Act

As described further, the following CEQA statutes and CEQA Guidelines are of relevance to the analysis of archaeological, historic, and tribal cultural resources:

- PRC Section 21083.2(g) defines "unique archaeological resource."
- PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a) define "historical resources." In addition, CEQA Guidelines Section 15064.5(b) defines the phrase "substantial adverse change in the significance of an historical resource." It also defines the circumstances when a project would materially impair the significance of a historical resource.
- PRC Section 21074(a) defines "tribal cultural resources."
- PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e) set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.

California Health and Safety Code Section 7050.5

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains can occur until the County Coroner has examined the remains (Section 7050.5b). PRC Section 5097.98 also outlines the process to be followed in the event that remains are discovered. If the County Coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the California NAHC within 24 hours (Section 7050.5c). The NAHC will notify the Most Likely Descendant. With the permission of the landowner, the Most Likely Descendant may inspect the site of discovery. The inspection must be completed within 48 hours of notification of the Most Likely Descendant by the NAHC. The

Most Likely Descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

PRC Sections 21083.2(b)–(c) and CEQA Guidelines Section 15126.4 provide information regarding the mitigation framework for archaeological and historic resources, including examples of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

Under CEQA, a project may have a significant effect on the environment if it may cause "a substantial adverse change in the significance of an historical resource" (PRC Section 21084.1; CEQA Guidelines Section 15064.5(b)). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources, or identified as significant in a historical resources survey (meeting the requirements of PRC Section 5024.1(q)), it is a "historical resource" and is presumed to be historically or culturally significant for purposes of CEQA (PRC Section 21084.1; CEQA Guidelines Section 15064.5(a)). The lead agency is not precluded from determining that a resource is a historical resource, even if it does not fall within this presumption (PRC Section 21084.1; CEQA Guidelines Section 15064.5(a)).

A "substantial adverse change in the significance of an historical resource" reflecting a significant effect under CEQA means "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (CEQA Guidelines Section 15064.5(b)(1); PRC Section 5020.1(q)). In turn, the significance of a historical resource is materially impaired when a project does any of the following:

(1) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
(2) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the PRC or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
(3) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA [CEQA Guidelines Section 15064.5(b)(2)].

Pursuant to these sections, the CEQA inquiry begins with evaluating whether a project site contains any "historical resources," then evaluates whether that project will cause a

substantial adverse change in the significance of a historical resource such that the resource's historical significance is materially impaired.

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (Section 21083.2(a), (b), and (c)).

Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

(1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information
(2) Has a special and particular quality such as being the oldest of its type or the best available example of its type
(3) Is directly associated with a scientifically recognized important prehistoric or historic event or person

Impacts to non-unique archaeological resources are generally not considered a significant environmental impact (PRC Section 21083.2(a); CEQA Guidelines Section 15064.5(c)(4)). However, if a non-unique archaeological resource qualifies as tribal cultural resource (PRC 21074(c); 21083.2(h)), further consideration of significant impacts is required.

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. As described in the following text, these procedures are detailed in PRC Section 5097.98.

Native American Historic Cultural Sites

State law (PRC Section 5097 et seq.) addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and established the Native American Heritage Commission (NAHC).

In the event that Native American human remains or related cultural material are encountered, Section 15064.5(e) of the CEQA Guidelines (as incorporated from PRC Section 5097.98) and California Health and Safety Code Section 7050.5 define the subsequent protocol. In the event of the accidental discovery or recognition of any human remains, excavation or other disturbances shall be suspended of the site or any nearby area reasonably suspected to overlie adjacent human remains or related material. Protocol requires that a county-approved coroner be contacted in order to determine if the remains are of Native American origin. Should the coroner determine the remains to be Native American, the coroner must contact the NAHC within 24 hours. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation

work, for means of treating, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98 (14 CCR 15064.5(e)).

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.

2. Location, Environmental and Cultural Context

Location

The project area consists of approximately 3-acres of land located adjacent to the east side of Canyon Way, immediately north of Cedar Ravine Court, and a short distance east of Interstate 80, within the City of Colfax, Placer County, California. Lands affected are located within a portion of Section 10 of Township 14 North, Range 9 East, as shown on the USGS Colfax, California, 7.5' Series quadrangle (see attached ***APE Map***).

Environment

The Osborn project is located on the western flank of the north-central Sierra Nevada, within the southern portion of the city of Colfax. Elevation within the project area ranges from 2,172 to 2,258 feet above mean sea level, while terrain consists of a relatively flat terrace adjacent to the east side of Bunch Creek, and moderately steep slopes within the eastern portion of the property. Bunch Creek bisects the subject property from north to south.

Warm, dry summer months have an average July maximum of approximately 90^0 F and winters exhibit an average January minimum in the mid-20s to low-30s F. Biologically, the study area is located in a transition zone between the lower foothill elevations and the higher Sierra Nevada mountains. This transition zone is considered the Yellow Pine Belt (Storer and Usinger 1963). Because it is a transition zone, or ecotone, a variety of flora and fauna species occur in the area that typically occur at zones of either higher or lower elevations. As a transition area, the Yellow Pine Belt in the Grass Valley area is comprised of a number of specific habitat types (Holland 1986). The numerous habitats give rise to a wide variety of flora and fauna.

Various species of waterfowl routinely migrate through the Grass Valley area, including Canada geese, mallard, cinnamon teal, American wigeon, common goldeneye, bufflehead, and common merganser. As well, raptor species include red-tailed hawk, sharp-shinned hawk and American kestrel. Upland bird species such as California quail are also commonly observed in the area.

Terrestrial species include deer mouse, western harvest mouse, California meadow vole, Botta's pocket gopher, beaver, coyote, bobcat, and gray fox.

Prehistoric use and occupation focused on major surface water sources and other natural resource areas, with particular emphasis given to stream confluences and to ecotones created at the interface of foothill/valley lands, elements of which are located within and/or near the present study area.

The environment of the project area is likely to have undergone some changes since the end of the Pleistocene. Paleoclimatic reconstructions by West (1983) suggest a shift from a warmer period in which plant zones were ca. 300 meters higher in elevation and temperatures were 1.3-2.1 degrees C. warmer than at present, to the relatively cooler and more moist conditions prevalent today in which plant zones have shifted downward and

southward (West 1983:3.20-3.21). This shift is believed to have occurred at around 2,500 to 2,800 years ago.

While the effects of long-term climatic change on environment and habitats are not fully assessed, there is no question that major environmental changes have occurred during recent times. Biologically extractive practices during the past century-and-a-half have reduced soil nutrients in some areas, earlier timber harvesting followed by livestock grazing have reduced the available biomass, and the elimination of the Indians' practice of annual burning has undoubtedly affected many of the primary ecological relationships which once existed within the lower reaches of the Sierra Nevada generally. Combined with past mining and intensive ranching and orchard faming activities throughout this region, coupled with access road grading and vegetation clearing, there is no question that the environmental structure of the project area has in fact been significantly altered over the years.

Prehistory

Initial human entry into California occurred at the beginning of the paleo-Indian Period – between about 10,000 and 6,000 B.C. (Fredrickson 1974). Within portions of the Central Valley, 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 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. Archaeologically defined as the Lower Archaic Period (6,000 to 3,000 BC), the transition to a less specialized foraging strategy clearly coincides with a middle Holocene climatic change to generally drier conditions which brought about desiccation of many of the West's pluvial lakes. Hunting and gathering populations of this period were small, mobile groups that focused increasingly on diverse environmental settings. By the beginning of the Middle Archaic Period (from about 3,000 to 1,000 BC), the broad regional patterns of foraging subsistence strategies had given way to more intensive procurement strategies, manifest in part by the establishment of year-round use of select village sites which in turn were located along major waterways. One of the most securely dated of these Archaic assemblages in northern 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 BC. Most of the artifactual material dating to this time period has counterparts further south, around Borax (Clear) Lake and the Farmington Area a short distance east of Sacramento. Important artifact types from this time period include large wide-stemmed projectile points and manos and metates.

Toward the end of this period, between about 1,000 BC and AD 100, sociopolitical complexity and the development of status distinctions appear, partially defining the Upper Archaic Period. Archaeological expressions within the northern and north-central Sierra Nevada during this period are defined as the Martis Complex, which maintained a hunter-gathering subsistence strategy and a high degree of mobility. Distinctive artifact types include manos and metates used for processing food, and relatively large, heavy projectile points and bifaces manufactured from locally available basalt.

Defining the Emergent Period, from AD 300-500 through AD 1,800, within both northern and north-central Sierra Nevada and Central Valley contexts, Penutian-speaking Native American peoples are thought to have arrived, including those (i.e., Nisenan) who occupied lands within and around the project area at the time of initial contact with European-American populations. Arriving ultimately from southern Oregon and the Columbia and Modoc Plateau region and proceeding down the major drainage systems (including the Feather, Yuba, Bear and American Rivers), these Penutian-speaking arrivals may have begun to displace the Martis populations, especially along the major river systems (Moratto 2004:303-304). Presumably introduced by these Penutian arrivals 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 (Ragir 1972).

Ethnography

As noted, the project area is located within territory occupied by the Nisenan (Wilson and Towne 1978: Figure 1), Native American peoples also referred to as "Southern Maidu." These Penutian-speaking peoples occupied the drainages of the southern Feather River and Honcut Creek in the north, through Bear River and the Yuba and American River drainages and into the Sierra Nevada foothills and the project area. Villages were frequently located on flats adjoining streams, and were inhabited mainly in the winter as it was usually necessary to go out into the hills and higher elevation zones to establish temporary camps during food gathering seasons (i.e., spring, summer and fall).

As with all northern California Indian groups, economic life for the Nisenan revolved around hunting, fishing and the collecting of plant foods. The Nisenan were very sophisticated in terms of their knowledge of the uses of local animals and plants, and of the availability of raw material sources that could be used in manufacturing an immense array of primary and secondary tools and implements. Unfortunately, only fragmentary evidence of the material culture of these people remains, due in part to perishability, and in part to the impacts to archaeological sites resulting from later (historic) land uses.

Relations between Euro-Americans and Native Americans in the Sacramento Valley foothills 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 (Work 1945; Cook 1976).

Historic Context

Recorded history in this 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 1840's. European Americans began arriving in the mid-1820's, most notably with the trapping expeditions of Jedediah Strong Smith. However, the European Caucasian incursion with the greatest impact on Native American population and culture occurred immediately following the discovery of gold at Coloma in 1848, which initiated the Gold Rush of 1849.

The earliest recorded discovery of gold in the immediate region was in Auburn on May 16, 1848 by Claude Chana. As one of the earliest gold camps in the state, Woods Dry Diggings was renamed Auburn in 1849 by a group of fortune seekers from New York state. Much of the mining was focused along Auburn Ravine, but the influx of thousands of miners resulted in the extensification of mining throughout the region.

Originally known as Alder Grove (or Alder Gulch), Colfax began as a winter camping spot for trappers and gold miners in the 19th century. Placer mining began here soon after the beginning of the gold rush, and shortly thereafter, the community became known as Illinoistown. When the route of the transcontinental railroad was routed around Illinoistown, California Governor, Leland Stanford, authorized the newly relocated town name changed in honor of Schuyler Colfax, speaker of the house of representatives, and later Ulysses S. Grant's vice president, who visited the area in 1865 while inspecting progress of construction of the Central Pacific Railroad, the western portion of the first transcontinental railroad.

The arrival of the Central Pacific Rail Road (CPRR) on September 1, 1865 was instrumental in the foundation and legacy of Colfax, in that it proved to be a vital construction supply depot and junction point for stage lines. Shortly after the arrival of the CPRR, the Rising Sun mine was discovered in 1866.

The riches of mining resulted in a substantial increase in the region's population. Consequently, transportation corridors expanded, ultimately resulting in the arrival of the railroad. On February 11, 1875, construction of the Nevada County Narrow Gauge Railroad (NCNGR) began with the objective of serving local towns, mines and the lumber industry. The line from Grass Valley to Colfax was completed in 1876.

On its 22-mile length, the NCNGR carried passengers and freight across truss bridges spanning Greenhorn Creek and the Bear River. The railroad also traveled through two tunnels, one at Town Talk and the other between Grass Valley and Colfax. Though passenger service was discontinued in May 1938, the line did not cease operations until May 1942. The coming of age of the automobile had rendered the lines passenger and freight services obsolete (Windmiller, 1995).

The period immediately following the Gold Rush saw numerous homesteads claimed and ranches created throughout the area, with virtually all of the land between Folsom and northward and eastward through Citrus Heights, Roseville, Rocklin, Newcastle, Colfax and Auburn being subjected from an early date to mining, logging, ranching and/or farming. Following the increased population of the region into the 20th century, and the popularity of the automobile, historic U.S. Route 40 passed through the community, ultimately being replaced by Interstate 80.

3. 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.

North Central Information Center Records

The official Placer County archaeological records were examined on April 8, 2020 (NCIC File No. PLA-20-31). This search documented the following existing conditions for a 0.25-mile radius centered on the APE:

- According to the Information Center, none of the subject APE has been subjected to previous cultural resources survey. Three (3) cultural resources investigation have been documented within the 0.25-mile search radius.

NCIC #	Date	Author(s)
007785	2006	Jensen
009903	2007	Jensen
010176	2008	Ferrier

- According to the Information Center's records, no resources have been documented within the APE, nor within the 0.25-mile search radius.

Other Sources Consulted

In addition to examining the archaeological site and survey records of Placer 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).
- 1865 GLO T14N, R9E, MDM.
- USGS Colfax, CA 7.5' quadrangle (1949).
- USGS Colfax, CA 7.5' quadrangle (1951).
- USGS Colfax, CA 15' quadrangle (1950).
- NETR Aerials (1946, 1947, 1993, 1998, 2005, 2009, 2010, 2012, 2014, 2016).
- USGS topographic maps (1951, 1953, 1961, 1966, 1975, 1977, 1988, 2012, 2015, 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.

4. CULTURAL RESOURCES SURVEY and CULTURAL INVENTORY

Survey Strategy and FieldWork

All of the APE was subjected to intensive pedestrian survey by means of walking parallel transects spaced at 20-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 April 10, 2020 by Principal Investigator, Sean Michael Jensen, M.A. Mr. Jensen is a professional archaeologist, historian and architectural historian, with more than 33 years of experience in archaeology, architectural history and history, who meets the Secretary of Interior's Standards for Professional Qualification, 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. Approximately 25% of the subject property has been impacted by contemporary ground disturbing activities associated with tree and brush removal, grading and stockpiling of boulders. 1946, 1947, 1993, 1998, 2005, 2009, 2010, 2012, 2014, 2016

The 1946 aerial image shows relatively young tree growth within the subject property, possibly indicating a timber harvest or wildfire from the previous decade. Subsequent aerial images depict an increase in vegetation growth until the 2005 image wherein grading scars immediately east of Bunch Creek are evident. Future aerials depict adjacent residential development and additional tree and brush removal.

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 best be explained by the degree of disturbance to which large portions of the property have been subjected.

Historic Resources

No evidence of historic-era resources was observed within the APE.

5. ELIGIBILITY CRITERIA

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.

6. 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 or historic property 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.

7. NATIVE AMERICAN CONSULTATION

An information request letter was delivered to the NAHC on April 6, 2020 requesting a review of their Sacred Lands Files (SLF), and a list of Native American Contacts for the APE. The NAHC responded on April 7, 2020, indicating that a search of the Sacred Lands Files produced negative results.

8. PROJECT SUMMARY

This report details the results of a cultural resources inventory survey involving commercial development of approximately 3-acres of land located adjacent to the east side of Canyon Way, immediately north of Cedar Ravine Court, and a short distance east of Interstate 80, within the City of Colfax, Placer County, California.

The proposed project involves construction of a commercial warehouse and office building, as well as construction of a boat and recreational vehicle storage facility. The project will also involve tree and brush removal, grading, placement of buried utilities, construction of access roads, and creation of a storm water detention basin.

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 cultural resources have been documented within the APE. As well, the present effort included an intensive-level pedestrian survey. No significant historical resources, or unique archaeological resources were identified within the APE.

An information request letter was delivered to the NAHC on April 6, 2020 requesting a review of their Sacred Lands Files (SLF), and a list of Native American Contacts for the APE. The NAHC responded on April 7, 2020, indicating that a search of the Sacred Lands Files produced negative results.

Based on the absence of significant unique archaeological resources/historic properties within the APE, archaeological clearance is recommended for the project/undertaking as presently proposed, although the following general provisions are considered appropriate:

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

2. ***Consultation in the event of inadvertent discovery of cultural material***: The present evaluation and recommendations are based on the findings of an inventory-level surface survey only. There is always the possibility that important unidentified cultural materials could be encountered on or below the surface during the course of future detention basin construction activities. This possibility is particularly relevant considering the constraints generally to archaeological field survey, and particularly where past ground disturbance activities (e.g., tree and brush removal, grading activities) 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.

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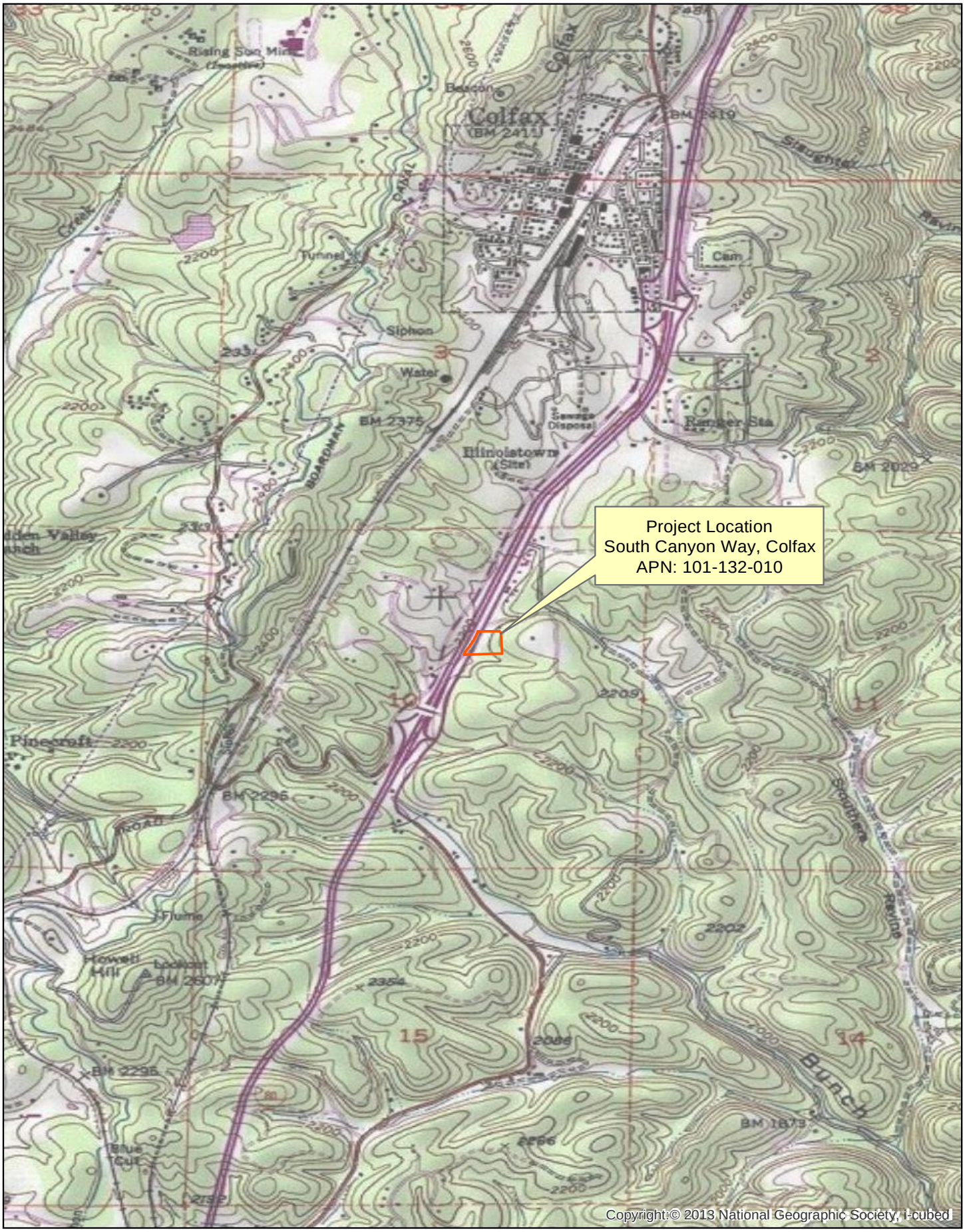
Osborn Commercial Development Project, Placer County, Cultural Resources Inventory Survey

CULTURAL RESOURCES INVENTORY SURVEY

Osborn Commercial Development Project
3-acres
City of Colfax, Placer County, California.

ATTACHMENTS

- APE Map
- Records Search from Northwest Information Center
- Consultation letter to the Native American Heritage Commission (NAHC)
- Response from the NAHC



0 0.25 0.5 1 Miles

1 inch = 2,000 feet

California Historical Resources Information System

NORTH CENTRAL INFORMATION CENTER

AMADOR
EL DORADO
NEVADA
PLACER
SACRAMENTO
YUBA

California State University, Sacramento
6000 J Street, Folsom Hall, Suite 2042
Sacramento, California 95819-6100
phone: (916) 278-6217
fax: (916) 278-5162
email: ncic@csus.edu

4/8/2020 NCIC File No.: PLA-20-31

Sean Jensen
Genesis Society
127 Estates Drive
Chico, CA 95928

Re: Colfax Development

The North Central Information Center received your record search request for the project area referenced above, located on the Colfax USGS 7.5' quad. The following reflects the results of the records search for the project area and a ¼-mi radius.

As indicated on the data request form, the locations of resources and reports are provided in the following format: ☒ custom GIS maps ☐ shapefiles

Resources within project area: Resources outside project area, within radius:	None None
Reports within project area: Reports outside project area, within radius:	None 7785 9903 10176

Resource Database Printout (list): ☐ enclosed ☐ not requested ☒ nothing listed/NA

Resource Database Printout (details): ☐ enclosed ☒ not requested ☐ nothing listed/NA

Resource Digital Database Records: ☐ enclosed ☒ not requested ☐ nothing listed/NA

Report Database Printout (list): ☒ enclosed ☐ not requested ☐ nothing listed/NA

Report Database Printout (details): ☐ enclosed ☒ not requested ☐ nothing listed/NA

Report Digital Database Records: ☐ enclosed ☒ not requested ☐ nothing listed/NA

Resource Record Copies: ☐ enclosed ☐ not requested ☒ nothing listed/NA

Report Copies: ☒ enclosed ☐ not requested ☐ nothing listed/NA

Built Environment Resources Directory: ☒ enclosed ☐ not requested ☐ nothing listed/NA

Archaeological Determinations of Eligibility: ☒ enclosed ☐ not requested ☐ nothing listed/NA

CA Inventory of Historic Resources (1976): ☒ enclosed ☐ not requested ☐ nothing listed/NA

Caltrans Bridge Survey: ☐ enclosed ☒ not requested ☐ nothing listed/NA

Ethnographic Information: ☐ enclosed ☒ not requested ☐ nothing listed/NA

Historical Literature: ☐ enclosed ☒ not requested ☐ nothing listed/NA

Historical Maps: ☒ enclosed ☐ not requested ☐ nothing listed/NA

Local Inventories: ☐ enclosed ☐ not requested ☒ nothing listed/NA

GLO and/or Rancho Plat Maps: ☒ enclosed ☐ not requested ☐ nothing listed/NA

Shipwreck Inventory: ☐ enclosed ☒ not requested ☐ nothing listed/NA

Soil Survey Maps: ☐ enclosed ☒ not requested ☐ nothing listed/NA

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Sincerely,

Paul Rendes, Coordinator
North Central Information Center

GENESIS SOCIETY

a Corporation Sole

127 ESTATES DRIVE
CHICO, CALIFORNIA 95928
(530) 680-6170
seanjensen@comcast.net

April 6, 2020

Native American Heritage Commission
1550 Harbor Boulevard,
West Sacramento, California 95691

Subject: ***Colfax Development Project, 3-acres, Placer County, California.***

Dear Commission:

We have been requested to conduct an archaeological survey, for the above-cited project, and are requesting any information you may have concerning archaeological sites or traditional use areas for this area. Any information you might supply will be used to supplement the archaeological and historical study being prepared for this project.

Project Name:	Colfax Development Project, 3-acres
County:	Placer
Map:	USGS Colfax, 7.5'
Location:	Portion of Section 10 of T14N, R9E

Thanks in advance for your assistance.

Regards,

Sean Michael Jensen

Sean Michael Jensen, Administrator

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
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Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

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Pomo

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Julie Tumamait-Stenslie
Chumash

COMMISSIONER
[**Vacant**]

EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
(916) 373-5471 fax
nahc.ca.gov

April 7, 2020

Sean Michael Jensen
Genesis Society

Via Email to: seanjensen@comcast.net

Re: Colfax Development Project, 3-acres, Placer County

Dear Mr. Jensen:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Nancy.Gonzalez-Lopez@nahc.ca.gov.

Sincerely,

Nancy Gonzalez-Lopez
Cultural Resources Analyst

Attatchment

Native American Heritage Commission
Native American Contact List
Placer County
4/7/2020

Shingle Springs Band of Miwok Indians
Regina Cuellar, Chairperson
P.O. Box 1340 — Maidu
Shingle Springs, CA, 95682 — Miwok
Phone: (530) 387 - 4970
Fax: (530) 387-8067
rcuellar@ssband.org

Tsi Akim Maidu
Grayson Coney, Cultural Director
P.O. Box 510 — Maidu
Browns Valley, CA, 95918
Phone: (530) 383 - 7234
tsi-akim-maidu@att.net

United Auburn Indian Community of the Auburn Rancheria
Gene Whitehouse, Chairperson
10720 Indian Hill Road — Maidu
Auburn, CA, 95603 — Miwok
Phone: (530) 883 - 2390
Fax: (530) 883-2380
bguth@auburnrancheria.com

Colfax-Todds Valley Consolidated Tribe
Pamela Cubbler, Treasurer
Auburn, CA, 95604 — Maidu
Phone: (530) 320 - 3943 — Miwok
pcubbler@colfaxrancheria.com

Colfax-Todds Valley Consolidated Tribe
Clyde Prout, Chairperson
P.O. Box 4884 none — Maidu
Auburn, CA, 95604 — Miwok
Phone: (530) 577 - 3558
miwokmaidu@yahoo.com

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Colfax Development Project, Placer County.