



County of Yuba Community Development

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Planning Division

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PLANNING COMMISSION STAFF REPORT

Hearing Date: February 15, 2006

Case Number: PLANNED UNIT DEVELOPMENT (PUD2005-0002), TENTATIVE SUBDIVISION TRACT MAP (TSTM2005-0038)

Request: To subdivide a 15.56± acre parcel into 100 single-family residential lots within a private gated community. A Planned Unit Development is requested to allow lot sizes to be reduced from 6,000 square feet to 4,200 square feet.

Location: The project is located in Linda, northeast of the intersection of North Beale Road and Avondale Avenue.

APN: 020-030-048

Applicant: Bellecci & Associates, Inc., 1532 Eureka Road, Ste 101, Roseville, CA 95661

Engineer: Bellecci & Associates Inc., 1532 Eureka Road, Ste 101, Roseville, CA 95661

Recommendation: Recommend to the Board of Supervisors approval of the attached Draft Mitigated Negative Declaration and the attached resolution recommending approval of the Planned Unit Development, and Tentative Subdivision Map, subject to the attached conditions of approval and mitigation measure.

Background: The proposed project site is located immediately east of Avondale Avenue between the North Beale Road and the Yuba River Levee. The proposed subdivision is also located approximately 500 feet east of the Southern Pacific Railroad tracks. As such, no impact related noise generated from the railroad is anticipated. Additionally, while the project is located within the Overflight Zone for the Yuba County Airport as illustrated in the Yuba County Zoning Ordinance, it is located completely outside of all noise contours. According to the

SACOG review of the project during a pre application review, the project is consistent with all Land Use Compatibility Guidelines.

The project site is located immediately east and adjacent to an existing log storage operation owned and operated by Sierra Cedar Products. The adjacent property is designated Industrial by the Yuba County General Plan. Additionally, AR Readymix currently operates a batch concrete manufacturing facility immediately north of the log storage operation. The concrete batch plant is in the process of being relocated. White Cedar, LLC, (the project applicant) purchased the proposed project site from Sierra Cedar in January 2005 and has an option to purchase the adjacent log storage site.

The California Regional Water Quality Control Board has determined that Sierra Cedar has caused or permitted contaminated waste to be discharged on to the site and into groundwater that has extended down gradient offsite across the railroad tracks and up gradient to the proposed project site. Since Sierra Cedar has full responsibility for environmental cleanup, a mandatory cleanup and abatement order has been issued to Sierra Cedar. The Draft Cleanup and Abatement Order has been included as an attachment to this report for consideration by the Commission.

Discussion: The proposed project requires a Planned Unit Development to reduce the minimum lot sizes to 4,200 square feet. As mentioned, the lot sizes within the proposed subdivision can be reduced from 6,000 square feet, normally allowed in the R-1 zoning district to 4,200 square feet, with a Planned Unit Development. The proposed project is consistent with the existing Yuba County General Plan land use designation (Single Family Residential) and with the existing zoning of "R-1" (Single Family Residential). The project will obtain water and sewer services from the Linda County Water District and storm drainage services through RD784. All road maintenance and improvement, landscape maintenance, and open space and drainage maintenance will be through a private Homeowners Association. Since the project will not annex to a County Service Area for the provision of county services, the project has been conditioned to establish or enter into an alternative funding mechanism for the continued funding of police and fire protection services.

Section 12.80.050 of the Yuba County Zoning Code states that the Planning Commission may recommend approval of a Planned Unit Development if it makes the following findings:

- 1) The proposed location of the Planned Unit Development is in accordance with the goals and objectives of the General Plan and the general purposes of the zone in which the project is located.
- 2) The proposed Planned Unit Development and the conditions under which it would be developed or maintained will promote, protect, and secure the public health, safety and general welfare and will result in an orderly and beneficial development of the County in the area therein.
- 3) Substantial public benefit is achieved in accordance with criteria established in Section 12.80.060 in compensation for certain development features not otherwise permitted.

Drainage

As mentioned, the project also proposes to use the storm water drainage system of Reclamation District 784 (RD 784). Furthermore, the project will be conditioned to comply with all requirements of the Regional Water Quality Control Board, Department of Water Resources and the Yuba County Public Works Department for the purpose of providing adequate drainage and sediment control.

Traffic and Circulation

The project proposes an internal street system, with two gated access points. One access point will be from Avondale Avenue and one will be from North Beale Road. Right-of-way for interior streets would be 40 feet in width, with 35 feet used for paved street and the remainder for curb and gutter. On each side of this right-of-way would be a 12-foot wide easement for public utilities, landscaping, and sidewalk. The reduced public utility easement will be adequate since all sidewalks and landscape strips will be privately maintained through a Homeowners Association.

Avondale Avenue frontage would be improved to County standards. Road right-of-way will be 40 feet; with 35 feet used for paved street and the remainder for curb and gutter. Along the project frontage would be a 12-foot landscape and pedestrian easement. The sidewalk would be separated from the street by a five-foot landscape easement. A masonry block wall, six to eight feet in height, would be erected at the easement boundary adjacent to the project site.

While the project has two access points (one from North Beale Road and one from Avondale Avenue), the entire project site will utilize North Beale Road for access as Avondale intersects directly with North Beale Road. The project will be conditioned to contribute its proportional share for the creation of a traffic signal at the intersection of Avondale Avenue and North Beale Road.

Departmental and Agency Review

The project description and site plan were circulated to various agencies and County departments for review and comment during the early consultation phase of the project. In the event that comments were not received from local agencies, standards conditions of approval have been put in place to ensure compliance and coordination with all relevant codes, standards, agencies and departments. Additionally, comment letters regarding the project from the Department of Water Resources and the California Regional Water Quality Control Board that were not the result of the early consultation process were received by the Yuba County Planning Division. The letters have been included for consideration by the Planning Commission.

Environmental Determination: During the initial study of the project, no potential impacts to the environment were identified that could not be reduced to a less than significant level through mitigation measures. Therefore, a Mitigated Negative Declaration has been prepared for the proposed project. The public comment period for the Mitigated Negative Declaration extends from February 13, 2006 through March 14, 2006.

Attachments: Vicinity Map
Mitigated Negative Declaration
Resolution Recommending Approval
Conditions of Approval
Tentative Subdivision Tract Map Exhibit
Comment Letters

Report Prepared By:

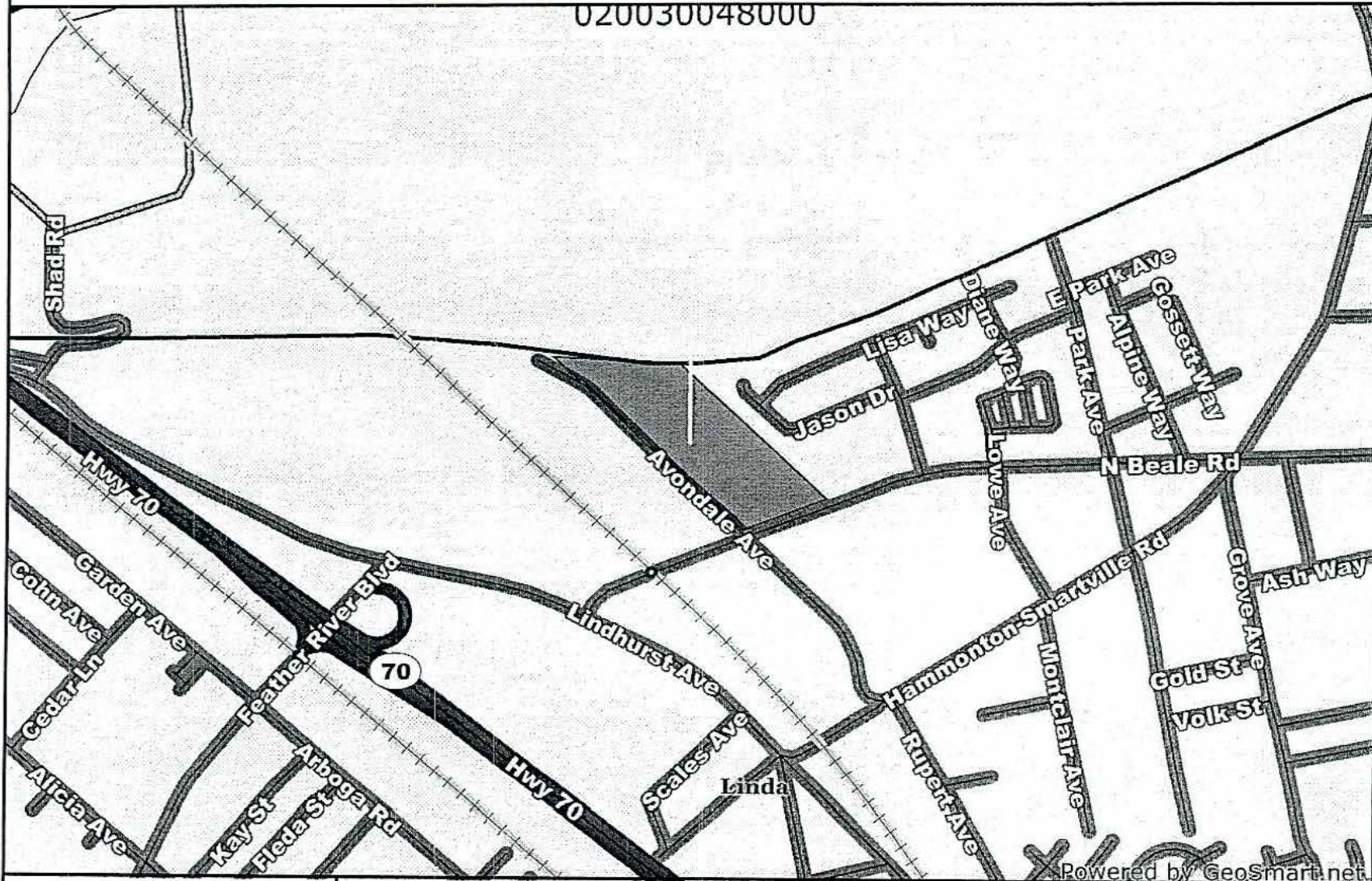
Report Reviewed By:


Zach Thomas, Contract Planner
Nancy Salsbery, Senior Planner

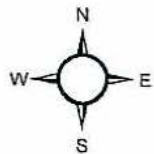
VICINITY MAP

PUD2005-0002, TSTM2005-0038

020030048000



Legend



This is to be used for demonstration purposes only

Information on this site is not intended to constitute advice nor is it to be used as a substitute for specific advice from a licensed professional. You should not act (or refrain from acting) based upon information in this site without independently verifying the information and, as necessary, obtaining professional advice regarding your particular facts and circumstances.

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INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

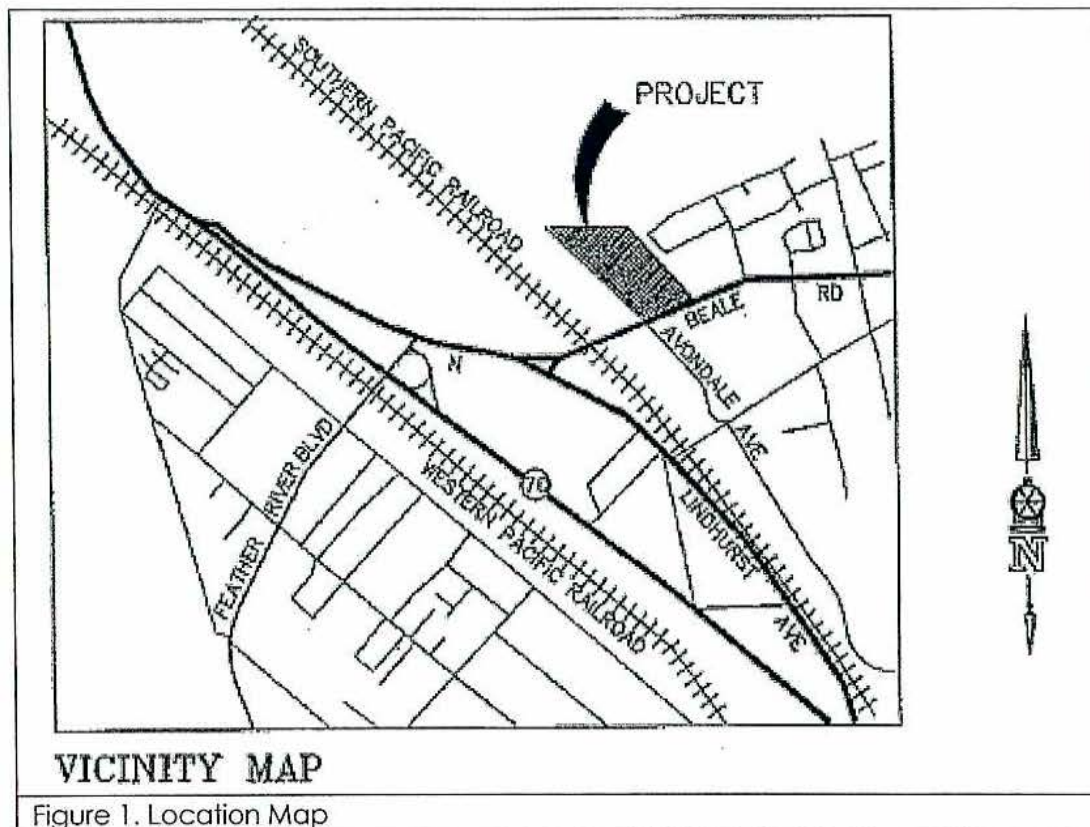
Project Title:	White Cedar Tentative Subdivision Map (PUD 2005-0002, TSTM 2005-0038)
Lead Agency Name and Address:	Yuba County Community Development Department Planning Division 915 8 th Street, Suite 123 Marysville, CA 95901
Project Location:	6035 Avondale Avenue, Linda, CA APN: 020-030-048
Project Sponsor's Name and Address:	Bellecci & Associates 1532 Eureka Road Roseville, CA 95661
General Plan Designation(s):	Single Family Residential
Zoning:	Existing: R-1 (Single Family Residential)
Contact Person:	Zach Thomas
Phone Number:	(530) 749-5646
Date Prepared	February, 2005

Project Description

The project is located in the community of Linda, south of the City of Marysville. The project site is located on one parcel north of North Beale Road. An adjacent parcel designated commercial and located between the project site and North Beale Road is not part of the proposed project.

The project consists of a request for a Planned Unit Development and Tentative Subdivision Map for a 100-lot single-family residential subdivision on approximately 15.56 acres (see Figure 2). A lot line adjustment is proposed between the project site and the commercial lot to the south. The lot line adjustment will allow a more logical shape for the project site and will not result in any change in the net size of either parcel.

The residential lot sizes would range from a minimum of 4,200 square feet to a maximum of 16,488 square feet. The requested Planned Unit Development allows for reduced lot sizes within the R-1 zoning district. The R-1 zoning district with a Planned Unit Development sets minimum lot sizes of 4,200 square feet for interior lots and 5,700 square feet for corner lots. The project is not proposed to be developed in phases.



The project proposes an internal street system, with two primary access points from North Beale Road (one of which will be via Avondale Avenue). Streets within the subdivision will provide complete circular access and be privately maintained. Right-of-way for interior streets would be 40 feet in width, with 35 feet used for paved street and the remainder for curb and gutter. On each side of this right-of-way would be a 12-foot wide easement for public utilities, landscaping, and sidewalk. Within this easement would be a four-foot wide strip adjacent to the curb and gutter for landscaping followed by a four-foot wide sidewalk. All public utilities would be located within the sidewalk and landscape area.

Half of the Avondale Avenue frontage would be improved to County standards. The cross section of Avondale Avenue would be 40 feet, which includes 2.5 feet on each side for the curb and gutter. A 12-foot easement for public utilities, sidewalk, and street landscaping would be located adjacent to Avondale Avenue, with a four-foot wide sidewalk separated from the road by a five-foot landscape strip. A masonry block wall, six feet in height, would be erected at the easement boundary adjacent to the project site. All streets within the project would be privately maintained through a homeowners association.

The project would connect to water and sewer service provided by the Linda County Water District. The project also proposes to use the storm water drainage system of Reclamation District 784 (RD 784). The property has reserved capacity in the approved regional detention pond in accordance with RD 784 policy, and drainage would be discharged directly into existing drainage along North Beale Road via underground drainage pipes. Pacific Gas and Electric Company (PG&E) would provide electricity. SBC would provide telephone service, and Comcast would provide cable television service.

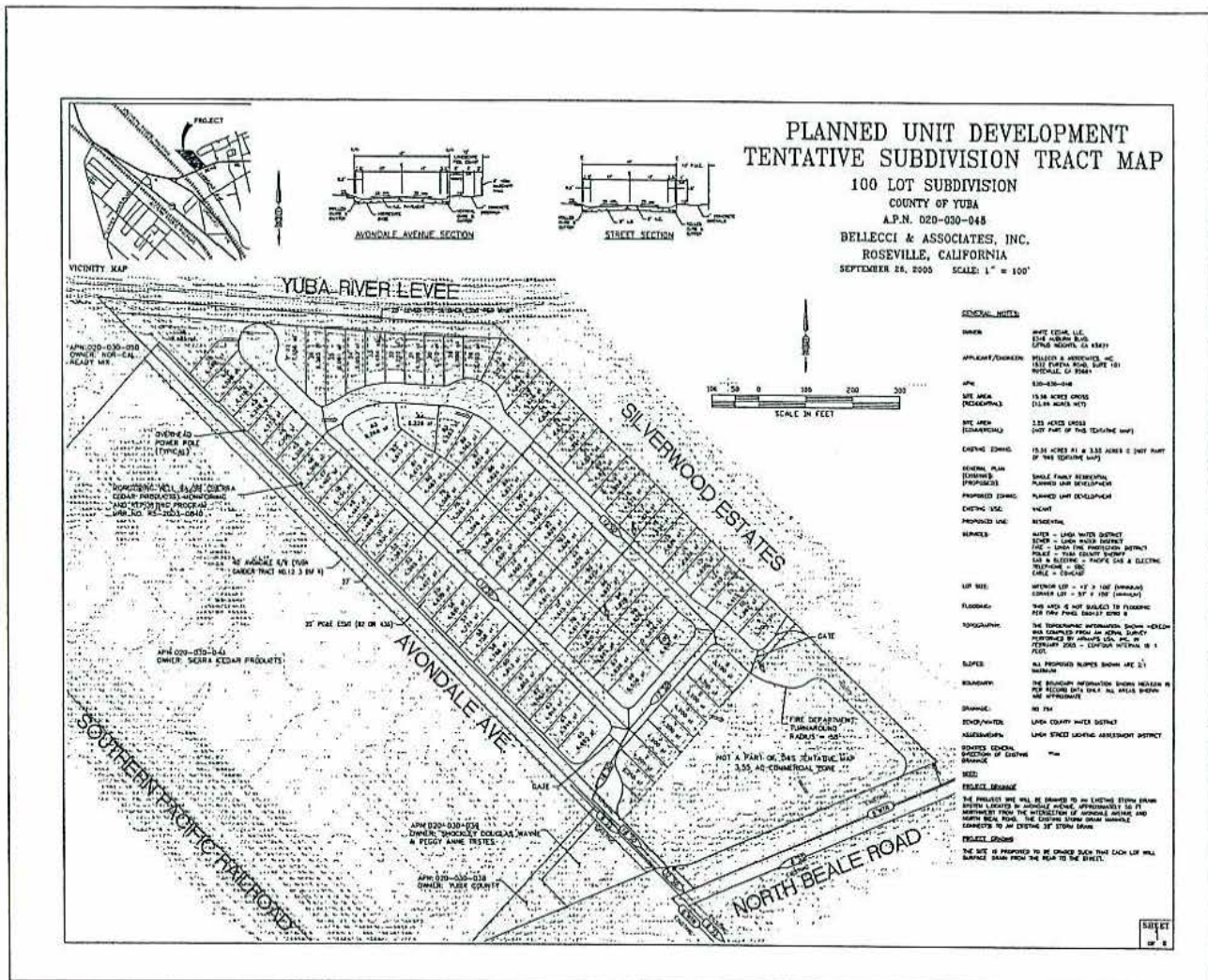


Figure 2. Site Plan

The proposed Planned Unit Development and Tentative Subdivision Map are consistent with the existing Yuba County General Plan land use designation (Single Family Residential) and allowed within the existing zoning of "R-1" (Single Family Residential). The project site would need to be annexed into the Linda Water District prior to obtaining its water and sewer services, and to RD 784 prior to use of its drainage facilities. The project will be conditioned to ensure coordination with all required service providers. Residential subdivisions will usually annex into a County Service Area, however since the project will have private maintenance of onsite roads, landscaping, and drainage, a separate funding mechanism will be established for fire protection.

Environmental Setting and Surrounding Land Uses

The project site is in the community of Linda, immediately south of the Yuba River, which separates Marysville to the North. The project site is currently vacant; however, the property has had several historical uses which once included an orchard and more recently a lumber storage yard similar in nature to the one that currently exists to the west. The lumberyard contained a log storage yard, wastewater pond, water conveyance ditches and other associated logging facility features. Remnants of these features still exist on the site, and were identified in an environmental site assessment completed for the proposed project.

The existing condition of the project site is a combination of overgrown vegetation with a partial underlying of wood material consisting of either sawdust or woodchips. In areas of the site, the wood material has been mixed into the topsoil or lies on the surface.

Surrounding land uses consist of the Yuba River Levee and abandoned railroad grade to the north of the project site and beyond which is undeveloped land within the Yuba River flood plain. To the east there are a residential subdivision, Silverwood Estates, and a commercial business. A vacant commercial parcel is adjacent on the south side of the project, which fronts on North Beale Road. To the west is Avondale Avenue, AR Ready Mix, Sierra Cedar Products log yard, vacant land, and a residential site. Approximately 500-600 feet west of the project site is the Southern Pacific Railroad.

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

- Yuba County Building Division (building, electrical, and plumbing permits)
- Yuba County Public Works Department (roadways and other public improvements)
- Regional Water Quality Control Board (for construction activities over one acre in size)
- Linda Water District (sewer and water service)
- Yuba County LAFCo (Annexation into Reclamation District 784 (RD 784))

Environmental Factors Potentially Affected:

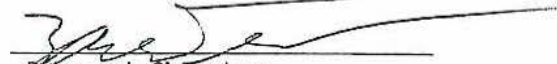
The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Planner's Signature

2-10-06
Date

Zach Thomas
Contract Planner

County of Yuba Community
Development - Planning

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the White Cedar Subdivision, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of a Mitigated Negative Declaration.

EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

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

Discussion/Conclusion/Mitigation:

a) *Less Than Significant Impact* - Scenic vistas in the valley areas of Yuba County generally consist of the Sutter Buttes to the west, and the Sierra Nevada foothills and mountains to the east. Distant trees, electrical transmission lines, and buildings obstruct most of the views of the Sutter Buttes from the project vicinity. To the east, the Sierra Nevada Mountains are low to the horizon, and existing development and transmission lines obstruct the view. Development associated with the project would not have a significant impact on these scenic vistas, since they are already obstructed.

b-c) *Less than Significant Impact* - The overall visual character of the project site as it currently exists is that of a flat field overgrown with grasses and weeds. There are some scattered shrubs along the site's eastern boundary. Except for the shrubs, the overall visual character of the project site is considered poor. The project site is not located along a state scenic highway.

d) *Less than Significant With Mitigation Incorporated* - Development proposed by the project has the potential to create a new source of substantial light or glare, since the project would be constructed on land that currently has no light or glare sources. This would primarily affect nighttime views. However, the light and glare would be of the type generally associated with residences. The project would be consistent with the existing adjacent land use to the east, which is a residential subdivision. General Plan policy 122-LUP directs new development to minimize light and glare through application of several measures, including careful siting of illumination on a parcel, screening or shielding of light at the source, use of vegetative screening, use of low intensity lighting, lighting controlled by timing devices or motion-activated lighting. To implement this policy, **Mitigation Measure 1.1** is recommended for the project:

MM 1.1 All exterior lighting shall be directed downwards and away from adjacent properties and rights of way. Lighting shall be shielded such that the element is not directly visible, and lighting shall not spill across property lines.

Timing/Implementation: Prior to occupancy

Enforcement/Monitoring: Yuba County Building Division

II. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation

a) *No Impact* - The Yuba County Important Farmland Map (2002), prepared by the Department of Conservation's Farmland Mapping and Monitoring Program, classifies the land as "Urban & Built-up Land" which is defined as "Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports & golf courses, sanitary landfills, sewage treatment and water control structures." Therefore, no loss or conversion of Farmland would result from development proposed by this project.

b) *No Impact* - The project site is currently zoned for residential use, not for agricultural. It is not under a Williamson Act contract, as Yuba County has no Williamson Act program.

c) *No Impact* - The project site is surrounded by existing urban development or by land designated for urban development, including commercial, residential and industrial uses. The Yuba County Important Farmland Map does not identify any Prime Farmland in the vicinity of the project site. The project would not affect the proposed conversion or promote the future conversion of farmland to non-agricultural uses.

III. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) *Less Than Significant Impact* - In 2003, an update to the 1994 Air Quality Attainment Plan was prepared for the Northern Sacramento Valley Air Basin (NSVAB), which included Yuba County. The plan proposes rules and regulations that would limit the amount of ozone emissions, in accordance with the 1994 State Implementation Plan (SIP) for ozone. The 2003 update summarizes the feasible control measure adoption status of each air district in the NSVAB, including the Feather River Air Quality Management District (FRAQMD). The 2003 update was adopted by the FRAQMD, and development proposed by the project would be required to comply with its provisions.

The Air Quality Attainment Plan also deals with emissions from mobile sources, primarily motor vehicles with internal combustion engines. Data in the Plan, which was incorporated in the SIP, are based on the most currently available growth and control data. The project would be consistent with this data. It is expected that motor vehicle traffic - the main source of ozone precursor emissions - generated by the proposed residential development would not substantially add to the ozone levels to an extent that attainment of the objectives of the Air Quality Attainment Plan would not be achieved. The project would be conditioned to reduce conflicts with applicable air quality plans.

b) *Less Than Significant with Mitigation Incorporated* - The California Air Resources Board provides information on the attainment status of counties regarding ambient air quality standards for certain pollutants, as established by the federal and/or state government. As of 2004, Yuba County is in non-attainment status for state and national (one-hour) air quality standards for ozone, and state standards for particulate matter less than 10 microns in diameter (PM10).

Under the guidelines of FRAQMD, projects are considered to have a significant impact on air quality if they reach emission levels of at least 25 pounds per day of reactive organic gases (ROG), 25 pounds per day of nitrogen oxides (NOx), and/or 80 pounds per day for PM10. Also, FRAQMD has established a significance threshold of 97 single-family homes, which is the number of units estimated to generate emissions of 25 pounds per day of ROG and 25 pounds per day of NOx. The proposed subdivision consists of 100 single-family residences, which is above the 97 single-family home threshold. Therefore, the project may contribute substantially to existing violations of ozone and PM10 standards. As such, FRAQMD recommends that all new residential projects adopt all applicable Best Available Mitigation Measures (BAMMs) to control air pollutant emissions as set forth by FRAQMD, given existing non-attainment conditions. Therefore, **Mitigation Measure 3.1** shall be implemented.

Mitigation Measure:

MM 3.1 Prior to recordation of the Final Map, the project applicant shall consult with FRAQMD on the applicable Best Available Mitigation Measures to be adopted by the project. These measures shall be included in the project as conditions of approval to the satisfaction of the Director of Community Development or the Director's representative.

Timing/Implementation: Prior to recordation of the Final Map

Enforcement/Monitoring: Yuba County Community Development Department

Implementation of the above mitigation measure would further reduce operational emissions of the project. Impacts after mitigation would be less than significant.

c) *Less Than Significant with Mitigation Incorporated* - As previously noted, the project would allow for the construction of 100 single-family residences. Therefore, the project would exceed the thresholds for ROG and NOx, which have been equated with the construction of 97 single-family residences. However, the project also would not exceed the 80 pounds per day threshold for PM10, as that would require approximately 4,000 homes. While development proposed by the project would contribute to some emissions of pollutants, it would not do so at a level that would be considered cumulatively considerable and adherence to **Mitigation Measures 3.1, 3.2 and 3.3** will reduce any air pollution impacts to a less than significant level.

d) *Less Than Significant with Mitigation Incorporated* - Construction associated with future development is expected to generate air pollutant emissions, mainly dust but also exhaust from construction vehicles and equipment. These emissions are temporary and would cease once construction is completed. However, they could affect residences in the vicinity of the project site (see e) below).

The FRAQMD has established a list of Standard Mitigation Measures applicable to construction activities. Such measures include the following:

Mitigation Measure:

MM 3.2 The applicant and his/her successors in interest shall implement the following standard mitigation measures to offset construction-related air quality impacts.

1. Implement a Fugitive Dust Control Plan. The construction site shall be supervised to implement on an as needed basis fugitive dust control strategies and available dust mitigation techniques to prevent visible emissions from exceeding opacity regulation and prevent public nuisance.
 - a. All grading operations on a project should be suspended when winds exceed 20 miles per hour or when winds carry dust beyond the property line despite implementation of all feasible dust control measures.
 - b. Construction sites shall be watered as directed by the Department of Public Works or Air Quality Management District and as necessary to prevent fugitive dust violations.
 - c. An operational water truck shall be onsite at all times. Apply water to control dust as needed to prevent visible emissions violations and offsite dust impacts.
 - d. Onsite dirt piles or other stockpiled particulate matter shall be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce wind blown dust emissions. Incorporate the use of approved non-toxic soil stabilizers according to manufacturer's specifications to all inactive construction areas.
 - e. All transfer processes involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.
 - f. Apply approved chemical soil stabilizers according to the manufacturers' specifications, to all inactive construction areas (previously graded areas that remain inactive for 96 hours) including unpaved roads and employee/equipment parking areas.
 - g. To prevent track-out, wheel washers shall be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks to prevent/diminish track-out.
 - h. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.
 - i. Provide temporary traffic control as needed during all phases of construction to improve traffic flow, as deemed appropriate by the

Department of Public Works and/or Caltrans and to reduce vehicle dust emissions. Applicant shall enforce vehicle traffic speeds at or below 15 mph.

- j. Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less and reduce unnecessary vehicle traffic by restricting access. Provide appropriate training, onsite enforcement, and signage.
- k. Reestablish ground cover on the construction site as soon as possible and prior to final occupancy, through seeding and watering.
- l. Disposal by Burning: Open burning is a source of fugitive gas and particulate emissions and shall be prohibited at the project site. No open burning of vegetative waste (natural plant growth wastes) or other legal or illegal burn materials (trash, demolition debris, etc.) may be conducted at the project site. Vegetative wastes should be chipped or delivered to waste to energy facilities (permitted biomass facilities), mulched, composted, or used for firewood. It is unlawful to haul waste materials offsite for disposal by open burning.

Timing/Implementation: During construction

Enforcement/Monitoring: Yuba County Community Development Department

These measures would be incorporated as part of the project to reduce dust emissions associated with construction of the project. The applicant is responsible for adherence to the Standard Mitigation Measures, as referenced in FRAQMD's Indirect Source Review Guidelines. In addition, **Mitigation Measure 3.3**, which has been recommended by FRAQMD for similar projects, shall be implemented.

Mitigation Measure:

MM 3.3 To mitigate impacts of diesel equipment emissions during construction, the following mitigation measures shall be implemented:

1. Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions limitations (40 percent opacity or Ringelmann 2.0). Operators of vehicles and equipment found to exceed opacity limits shall take action to repair the equipment within 72 hours or remove the equipment from service. Failure to comply may result in a Notice of Violation.
2. The primary contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation.
3. Minimize idling time on construction equipment to 10 minutes which saves fuel and reduces emissions.
4. Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.

5. Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
6. Portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, may require California Air Resources Board (ARB) Portable Equipment Registration with the State or a local district permit. The owner/operator shall be responsible for arranging appropriate consultations with the ARB or the District to determine registration and permitting requirements prior to equipment operation at the site.

Timing/Implementation: During construction

Enforcement/Monitoring: Yuba County Community Development

e) *Less Than Significant Impact* - Existing residences are adjacent to the project site to the east. The creation of 100 single-family residences is not expected to expose these existing sensitive receptors to substantial pollutant concentrations, as noted above. Residences could be exposed to dust emissions during project construction, as noted in d) above. FRAQMD's Standard Mitigation Measures and **Mitigation Measure 3.3** would reduce potential impacts on these residences to a less than significant level.

f) *No Impact* - Development proposed by the project is not expected to create objectionable odors. The project does not propose activities that generate odors considered objectionable, such as an industrial plant or an agricultural operation. In contrast, residential projects generate few, if any, odors that are detectable beyond project boundaries.

IV. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) *Less Than Significant Impact with Mitigation Incorporated* – The proposed subdivision would be located on a vacant parcel. The Environmental Setting and Background Report for the Yuba County General Plan identified several wildlife species of concern. Of these, Swainson's hawk may potentially use the project site as habitat, mainly for nesting and foraging. Swainson's hawk is a State-listed threatened species. It is also protected under the provisions of the federal Migratory Bird Treaty Act. Hawks in the Central Valley forage in large, open agricultural habitats. Typical nesting habitat includes riparian forest, lone trees in open grasslands, and open oak groves. The California Department of Fish and Game (DFG) has expressed concern about

potential direct and cumulative loss of foraging habitat in Yuba County for Swainson's hawk. There is grassy area on the project site that could potentially provide foraging habitat.

In addition, vernal pools have been identified in the valley portion of Yuba County. Vernal pools are known habitat for federally listed species such as vernal pool fairy shrimp and vernal pool tadpole shrimp. While no vernal pools have been identified on the project site, there are low-lying areas that could support seasonal wetlands, including vernal pools. Therefore, **Mitigation Measures 4.1, 4.2 and 4.3** shall be implemented.

Mitigation Measures:

- MM 4.1** Prior to recordation of the final map, a biological survey of the project site shall be conducted by a qualified biologist. The survey shall include identification of potential habitat for special-status species, including vernal pools and nesting/foraging habitat for raptors. The biologist shall submit a report to the County that contains the results of the survey and recommendations for reduction or avoidance of impacts on any special-status species or their habitat. These recommendations shall be incorporated in the final map to the satisfaction of the Community Development Director. If impacts to special status species cannot be avoided on site, protocol level surveys shall be performed and applicable permits obtained prior to the recordation of the final map.
- MM 4.2** If raptors have been determined to use the project site as habitat in the biological survey (see **MM 4.1**), a qualified biologist shall be hired to conduct a survey for nesting raptors, including Swainson's hawk. The survey shall be conducted in the spring to early summer (April through July) that immediately precedes the start of construction activities. If the survey detects nesting raptors on the project site, the nests shall be avoided and the California Department of Fish and Game (CDFG) shall be contacted to determine the appropriate "no disturbance" buffer to be established until the young have fledged. If a tree containing a raptor nest must be removed, the nest shall be removed outside the breeding season of the species and as required by CDFG.
- MM 4.3** If required by the Community Development Director or representative, prior to final map recordation, replacement foraging habitat for Swainson's hawk shall be provided at a ratio of 0.5 acres of land for each acre of urban development authorized under the subdivision entitlements. Said land protected under this requirement must be located within 10 miles of the project site, and may be protected through fee title acquisition or a conservation easement on agricultural lands or other suitable habitats acceptable to CDFG and the County, or as otherwise approved by the Community Development Director or representative.

Implementation of the above mitigation measures would reduce potential impacts on special-status species to a less than significant level.

b) Less Than Significant Impact - As mentioned previously, this project site is characterized with grasslands. There is no significant oak woodland habitat or riparian habitat and no other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service is located onsite.

c) *Less Than Significant Impact with Mitigation Incorporated* - As discussed in a) above, the project site is in a region of the County where vernal pools have been known to exist. While the existence of vernal pools on the project site has not been confirmed, there are low-lying areas on the project site that could contain seasonal wetlands or other federally protected wetlands. It is not known at this time if any federally protected wetlands exist on the project site. Therefore, **Mitigation Measure 4.4** shall be implemented.

Mitigation Measure:

MM 4.4 Prior to recordation of the final map, a wetland delineation of the project site shall be conducted by a qualified biologist or wetland specialist. The biologist shall submit a report to the County that contains the results of the delineation and recommendations for reduction or avoidance of impacts on identified jurisdictional waters of the United States. The project applicant will redesign the project to avoid any identified wetlands, or obtain a Section 404 permit from the U.S. Army Corps of Engineers if impacts on wetlands cannot be feasibly avoided.

Implementation of the above mitigation measure would reduce potential impacts on federally protected wetlands to a less than significant level.

d) *Less Than Significant Impact with Mitigation Incorporated*. As noted in a) above, the project site may provide potential habitat for Swainson's hawk. Other raptor species could use the project site as habitat. **Mitigation Measures 4.1, 4.2 and 4.3** would reduce impacts on Swainson's hawk to a level that would be less than significant. The project would have no impacts on other migratory species or on any nursery sites.

e) *Less than Significant Impact* - The Open Space and Conservation Element of the County's General Plan contains policies related to the conservation of Valley oaks. Policy 116-OSCP requires project proponents to identify and map the location of all Valley oaks with trunks at least six inches in diameter at breast height on property proposed for development. No oak trees have been identified on the project site.

f) *No Impact*. There are no habitat conservation plans, natural community conservation plans or similar plans that apply to the project site. Both Yuba and Sutter Counties are beginning the process of preparing a Yuba-Sutter Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP). This NCCP/HCP is being prepared in response to both state and federal requirements associated with improvements on State Routes 70 and 99. It would cover approximately 200,000 acres, including the proposed project site. As of this date, both counties are soliciting participants in an Advisory Committee for the NCCP/HCP, and a plan has not yet been drafted. According to the website for the Yuba-Sutter NCCP/HCP (<http://www.yubasutternccp.org/>), preparation of similar plans in other jurisdictions has taken several years. Whether the project would be required to comply with the provisions of the NCCP/HCP once it is adopted would depend on the NCCP/HCP adoption date and the start date for construction associated with the project. However, it is expected that the NCCP/HCP would not designate any habitat areas within the project site, given its proximity to urban development.

V. CULTURAL RESOURCES**Would the project:**

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

Discussion/Conclusion/Mitigation:

a-b) *Less than Significant with Mitigation Incorporated* - The project site has not been identified as a location of prehistoric or historic sites. Previous agricultural and industrial uses may have destroyed any extant sites or have altered them to such a degree that they would yield no valuable information. Also, since the site is vacant, no historic buildings or structures exist. The Environmental Setting and Background Report list several historic sites, including State Historic Landmarks, California Points of Historic Interest, California Inventory of Historic Resources sites, and sites on the National Register of Historic Places. The project site is not listed at any of these locations.

However, there is the possibility that undiscovered resources may be found in the course of project development work, although that possibility may have been reduced by previous site disturbance. If cultural resources are uncovered during the course of project development and construction, the following mitigation measure shall be implemented.

Mitigation Measure:

- MM 5.1** Pursuant to CEQA Guidelines Section 15064.5(e), in the event of the discovery or recognition of prehistoric or historic resources during project construction, there shall be no further excavation or disturbance of the site or an area within 50 feet of the discovery until a professional archaeologist is consulted. Upon completion of the site examination, the archaeologist shall submit a report to the County describing the significance of the find and making recommendations as to its disposition. Mitigation measures, as recommended by the archaeologist and approved by the County in accordance with Section 15064.5 of the CEQA Guidelines, shall be implemented prior to recommencement of construction activity within the 50-foot perimeter.

Timing/Implementation: During project construction

Enforcement/Monitoring: Yuba County Planning Department

Implementation of the above mitigation measure would ensure that potential impacts to cultural resources would be reduced to a less than significant level.

c) *No Impact* – There is no record of any paleontological resources located on the project site. The Berkeley Natural History Museums website (<http://bnhm.berkeley.edu>), which identifies paleontological resource discoveries in California, has no record of discoveries in Yuba County. No unique geological features have been identified on the project site.

d) *Less than Significant Impact* - There are no known burial sites within the project site. If human remains are unearthed during construction, the provisions of California Health and Safety Code Section 7050.5 and **MM 5.1** shall apply. Under this section, no further disturbance of the remains shall occur until the County Coroner has made the necessary findings as to origin and disposition, pursuant to California Public Resources Code Section 5097.98. If the remains are determined to be Native American, the County Coroner shall contact the Native American Heritage Commission within 24 hours.

VI. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) *No Impact* - According to the *Fault Activity Map of California*, updated in 1994 by the California Division of Mines and Geology, there are a number of faults that could be considered "active" and "potentially active" within a 60-mile radius of the County. However, no active faults traverse the project site. The nearest active fault to the County

is the Cleveland Hill Fault, which was the epicenter of the 1975 Oroville earthquake, the County's most recent significant earthquake. Yuba County has no Alquist-Priolo Special Study Zones, which delineate areas subject to fault rupture. As no faults have been identified traversing the project site, no impact is expected related to the rupture of a known earthquake fault.

ii) *Less Than Significant Impact* - Within Yuba County, the Swain Ravine Lineament of the Foothills Fault system is considered a continuation of the Cleveland Hill Fault, the source of the 1975 Oroville earthquake. The Foothills Fault System has not yet been classified as active, and special seismic zoning was determined not to be necessary by the California Division of Mines and Geology. While special seismic zoning was not determined to be necessary, the Foothills Fault system is considered capable of seismic activity. Moreover, Yuba County could experience ground shaking from earthquakes generated at faults located outside the County, such as the Cleveland Hill Fault.

Project construction would be subject to the provisions of the adopted Uniform Building Code, particularly the seismic design standards for buildings within Seismic Zone 3. Buildings constructed to these standards are expected to survive the predicted levels of ground shaking, as determined by the probabilistic ground shaking maps prepared by the U.S. Geological Survey, without suffering catastrophic collapse. Ground shaking impacts, therefore, are considered less than significant.

iii) *Less Than Significant Impact* - Saturated post-Eocene unconsolidated sands and fine-grained material underlie the valley area of Yuba County. These soils have a potential for ground failures such as differential compaction, seismic settlement and liquefaction. According to the Yuba County Environmental Setting and Background Report, differential compaction and seismic settlement would occur over the largest areas during great earthquakes. The probability of a great earthquake occurring in the County is considered low, particularly with the lack of active faults. The Environmental Setting and Background Report also recommends that geotechnical studies conducted for buildings should address the potential for liquefaction in the upper 50 feet in the areas of Yuba County prone to liquefaction. While there is a potential for liquefaction within the project site, the lack of major seismic activity in the County makes that occurrence unlikely.

iv) *No Impact* - Landslides are most likely to form when the ground is sloped. The project site is flat, as is the surrounding area. Therefore, landslides are unlikely to occur.

b) *Less Than Significant Impact* - Construction associated with the project would loosen soils on the site, and thus increase the erosion potential. As part of the grading permit process, projects are required to submit plans for the disposition of surface runoff and erosion control to the County's Public Works Department. Also, the Feather River Air Quality Management District has Standard Mitigation Measures that address earth-disturbing activities (see Air Quality section). Grading permit conditions and FRAQMD's Standard Mitigation Measures are considered adequate actions to reduce potential erosion impacts to a less-than-significant level. In addition, prior to the issuance of a grading permit, the applicant would be required to apply for a National Pollution Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board for the disturbance of over one acre of land during construction (see Hydrology and Water Quality section).

c) *Less Than Significant Impact* - As previously mentioned, development proposed by the project would not be subject to significant hazards associated with landslides, lateral spreading,

liquefaction, or collapse. The Yuba County General Plan Environmental Setting and Background Report states that the valley area of the County has a low to moderate potential for land subsidence. However, no land subsidence was recorded during a period of excessive groundwater extraction from 1950 to 1984. There are no known current activities within the vicinity of the project site that would cause subsidence, such as groundwater pumping and natural gas extraction. Impacts are considered less than significant.

d) *Less Than Significant* - A standard subdivision requirement of the County Public Works Department, the County Building Official, and the Subdivision Map Act is the submittal of a Preliminary Soils Report prepared by a registered civil engineer based upon test borings. The Public Works Department and Building Official review the tests for compliance with section 11.15.380 of the Yuba County Ordinance Code and section 66490 of the Subdivision Map Act.

Expansiveness in soils is influenced by the type and amount of clay in the soils. Expansive soils could cause damage to structures and paved areas. According to the Geotechnical Engineering Report submitted by the project applicant, the surface and near-surface soils consist primarily of silty sands and are considered non-expansive.

e) *No Impact* - The proposed subdivision would not use septic tanks, as it would be connected to the Linda Water District public sewer system.

VII. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) *Less Than Significant Impact* - The project proposes a residential land use. Residential subdivisions do not require the use of hazardous materials, with the exception of household and lawn/garden products that are relatively small in quantity and do not generally require special permitting or handling.

Some hazardous materials would be used in project construction. Roadway construction typically uses hot mix asphalt, which is composed of aggregate and asphalt cement, a viscous petroleum product. Hot mix asphalt cools rapidly and hardens once applied, and the low potential fire hazard associated with this material is eliminated once it hardens. The only other potentially hazardous material that would be used during project construction would be motor vehicle fuels and oils. These materials would present a minor hazard, and only if spillage occurs. Use of these materials would cease once project construction is completed.

b) *Less Than Significant Impact* - Construction activities associated with the project typically include refueling and minor maintenance of construction equipment on location, which could lead to minor fuel and oil spills. The use and handling of hazardous materials during construction activities would occur in accordance with applicable federal, state, and local laws including California Occupational Health and Safety Administration (CalOSHA) requirements. If any fuel and oil spills occur, they would take place in areas that are largely undeveloped, and spills would be minor.

While the proposed subdivision would not involve any major transport of hazardous materials, it would be located within approximately 500 feet east of the Southern Pacific Railroad tracks. This facility may be used for carrying hazardous materials, which could be released in the event of an accident. Accidents on these facilities involving spills of any transported materials, hazardous or otherwise, are rare in Yuba County. The project would comply with the County's 100-foot setback requirement from the edge of the railroad tracks, which would further reduce potential contact. Impacts related to potential upsets and accidents involving hazardous materials are expected to be less than significant.

c) *No Impact* - The project site would not be located within one-quarter mile of a school. The nearest school to the project site is Yuba College, approximately one and a half miles away. As noted above, the only hazardous materials associated with this development would be household and lawn/garden products, which would not present a hazard to school students and employees. The project would not include any activities that would generate hazardous material emissions or use acutely hazardous materials.

d) *Less Than Significant Impact with Mitigation Incorporated* - The project site is currently vacant, however, the property has had several historical uses which once included an orchard and more recently a lumber storage yard similar in nature to that which currently exists to the west. The lumberyard contained a log storage yard that occupied the site from the late 1940s until the early 1990s. Log decks still exist on the Sierra Cedar Products property to the west of this project site. On May 6, 1986 the Regional Water Quality Control Board (RWQCB) conducted an inspection and found the site to be non-compliant due to oil-contaminated soil and ordered the soil removed and hauled off site. According to the RWQCB, several site investigations from 1993 to 1997 revealed that volatile organic compounds and halogenated volatile organic compounds were present in the soil and groundwater. In 1997, contaminated soil was excavated with volatile organic compounds and hauled off site. In 1998, a groundwater extraction and treatment system was installed and operated intermittently from August 1999 to September 2000. In October 2004, a letter from RWQCB regarding the semi-annual groundwater monitoring and sampling report that shows the concentrations of constituents are below applicable water quality objectives. The RWQCB indicates that a "No Further Action" letter could not be issued since the subject property (and adjacent western property) has not been

released from the 1998 and 2004 waste discharge requirements. A "Comfort Letter" could be issued for the subject property, which states that the RWQCB will not pursue clean up costs from the new owner of the subject property for the defined contaminants as long as the future on-site activities do not worsen the underlying contamination situation. At this time of writing this report, neither a "No Further Action" letter nor a "Comfort Letter" has been issued. Therefore, the following mitigation measure is required.

Mitigation Measure:

MM 7.1 Prior to the issuance of a building permit, the applicant shall furnish a "Comfort Letter" or a "No Further Action" letter, as described above, from the State Regional Water Quality Control Board.

Timing/Implementation: Prior to issuance of a building permit

Enforcement/Monitoring: Yuba County Building Division

e) *Less Than Significant impact* - The Yuba County Airport is located approximately 1.5 miles southwest of the project site. While the project is located within the Overflight Zone for the Yuba County Airport as illustrated in the Yuba County Zoning Ordinance, it is located completely outside of all noise contours. As such, the project is consistent with all Land Use Compatibility Guidelines.

f) *No Impact* - No private airstrips are in the vicinity of the project site.

g) *Less Than Significant Impact* - The County is currently developing a Pre-Disaster Multi-Hazard Mitigation Plan (MHMP), in accordance with the Disaster Mitigation Act of 2000, to develop activities and procedures to reduce the risk of loss of life and property damage resulting from natural and man-made hazards and disasters. The Environmental Setting and Background Report indicate that the County currently uses the *Multihazard Functional Planning Guidance* to plan emergency responses. The County's General Plan also contains safety and seismic safety policies. The project is not expected to have an impact on any of the County's emergency response plans or policies.

There will be two evacuation routes from the project site, one along Avondale Avenue to North Beale Road and another along the eastern side of the property that would also exit onto North Beale Road. North Beale Road is a four-lane urban roadway that may require a traffic signal at the Avondale/North Beale Intersection (please see Section XV Transportation/Traffic). Half of the Avondale Avenue frontage would be improved to County standards. This would not interfere with any emergency evacuations, and would facilitate movement.

h) *Less Than Significant Impact* - The project site contains mostly grasses and weeds. Under current conditions, the project site poses potential fire hazards, as grasses and weeds become dry during the summer and early fall. Development of the site would remove this hazard. Most of the adjacent properties are currently developed, either with residential, commercial or industrial uses. The adjacent property to the west does have active log storage; however, it is contained to the western-most portion of the property and is regularly watered as part of the storage process.

VIII. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) *Less Than Significant Impact* - The project would not require the use of septic tanks, as it would require any new residences built by the project to connect to public sanitary sewer services. As a result, the project would not violate water quality standards or waste discharge requirements with regards to sewage disposal.

b) *Less Than Significant Impact* – The proposed subdivision would connect to the Linda Water District's water system, and would not use individual wells. The project will be conditioned to adhere to all rules and regulations governing water service hook-up. Proposed development would introduce impervious surfaces on the project site, which would have an impact on recharge. However, it would allow percolation in some areas, such as lawns and street landscape strips. Groundwater recharge activity would continue to occur.

c) *Less Than Significant with Mitigation Incorporated* - Development as proposed by the project would result in the disturbance of approximately 15.56 acres of undeveloped land. There would be 100 single-family residences, along with accompanying streets and driveways. Project construction would involve grading of the project site, along with possibly some trenching and excavation. These activities could increase the amount of sedimentation that enters drainage ditches, as drainage transports the loosened soils into these facilities.

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

Mitigation Measure:

- MM 8.1** Prior to the County's approval of a grading plan, the project applicant shall obtain from the Central Valley Regional Water Quality Control Board a National Pollution Discharge Elimination (NPDES) Permit for the disturbance of over one acre. Further, approval of a General Construction Storm Water Permit (Order No. 99-08-DWQ) is required along with a Small Construction Storm Water Permit. The permitting process also requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared prior to construction activities. The SWPPP is used to identify potential construction pollutants that may be generated at the site including

sediment, earthen material, chemicals, and building materials. The SWPPP also describes best management practices that will be employed to eliminate or reduce such pollutants from entering surface waters.

Timing/Implementation: Prior to approval of grading plan

Enforcement/Monitoring: Yuba County Public Works

d) *Less Than Significant with Mitigation Incorporated* - The proposed subdivision would introduce impervious surfaces through the addition of single-family residences, roads, driveways, and other associated infrastructure. This has the potential to generate higher runoff rates, which could cause flooding either on- or off-site if the additional runoff is not accommodated by an adequate drainage system.

Section 11.15.670 of the Yuba County Ordinance Code sets forth standards for drainage improvements in subdivisions with a tentative map. Generally, the design and construction of drainage facilities shall be such that water emanating from the subdivision will be carried off the subdivision without injury to improvements, residential sites or adjacent properties. The hydraulic design of the subdivisions shall be such that depth of flow in the streets shall not exceed curb heights or gutters for 10-year average recurrence intervals. For more remote events, depth of flow or ponding shall not exceed a level that would cause inundation of foundations or basements in residences. The project would be required to comply with these standards. In addition, the following mitigation measure shall be implemented.

Mitigation Measure:

MM 8.2 Prior to recordation of a final map, a plan for a permanent solution for drainage shall be submitted to and approved by the County Public Works Department. Along with the proposed facilities, the drainage plan shall specify how drainage waters shall be detained onsite and/or conveyed to the nearest natural or publicly maintained drainage channel or facility. The drainage plan shall ensure that there shall be no increase in the peak flow runoff above existing conditions. If any off-site drainage facilities are proposed in the drainage plan, these facilities shall be evaluated for potential environmental impacts, and any identified significant impacts associated with these off-site facilities shall be mitigated.

Timing/Implementation: Prior to approval of final map

Enforcement/Monitoring: Yuba County Public Works

Implementation of the above mitigation measure would ensure that potential impacts to storm water drainage systems would be reduced to a less than significant level.

e) *Less Than Significant with Mitigation Incorporated* – As noted in d) above, the proposed subdivision would introduce impervious surfaces that have the potential to generate higher runoff rates. **Mitigation Measure 8.2** and adherence to the provisions of County Ordinance Code Section 11.15.670 would reduce potential impacts to a less-than-significant level.

Runoff from residential and commercial areas contributes to water quality degradation. Urban storm water runoff contains pesticides, oil, grease, heavy metals, motor vehicle fluids, other organics, and nutrients. Because these pollutants accumulate during the dry summer months, the first major autumn storm can flush a highly concentrated load to receiving waters and catch basins. However, after the "first flush," contaminant concentrations in runoff would be greatly

reduced. Residential uses tend to generate less polluted runoff than other land uses, such as large commercial developments and agricultural operations.

f) *No Impact* - The project would not have any effect on water quality other than those impacts discussed above.

g-h) *No Impact* - Flood Insurance Rate Map (FIRM) No. 0604270290B, prepared in 1982 by the Federal Emergency Management Agency (FEMA), includes the project site. According to the FIRM, the project site is not located in any identified flood zones, including the 100-year floodplain.

i) *Less Than Significant Impact* - The entire western portion of Yuba County is within the inundation zone for dam failure. The proposed subdivision would not expose people or structures to any greater risk of flooding caused by dam failure than currently exists. Also, the probability of failure of a dam that could affect the project site is low at any given time. Therefore, any risk to flooding caused by the proposed project is considered less than significant.

j) *No Impact* - Seiche and tsunami hazards occur only in areas adjacent to a large body of water. The project site is not located in such an area. In addition, the area is virtually flat and is not surrounded by any other sloped topography. The landslide potential map within the Yuba County General Plan Environmental Setting and Background Report designates the landslide risk for the project site as low. Therefore, the mudflow hazard is considered extremely low.

IX. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation

a) *No Impact* - The project site is currently vacant and located in an area with existing residential development. Due to the location and physical characteristics of the site, the project is not expected to physically divide an established community.

b) *Less Than Significant Impact* - The proposed Planned Unit Development and Tentative Subdivision Map are consistent with the existing Yuba County General Plan land use designation (Single Family Residential) and allowed within the existing zoning of "R-1" (Single Family Residential)).

c) *No Impact*. Yuba County is in the process of developing a habitat conservation plan, however, at present there is no conservation plan in the County applicable to the proposed project (Please refer to Section IV Biological Resources (f) above).

X. 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 of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a,b) *No Impact* - No mining or other mineral extraction activity occurs on the project site. The Mineral Land Classification Map (Figure 2-12 of the General Plan Environmental Setting and Background Report) indicates that the California Division of Mines and Geology has classified the project site in zone MRZ-1. MRZ-1 designates areas where no significant mineral resources exist, or the likelihood of their presence is judged low. The project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state or the County.

XI. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) *Less Than Significant With Mitigation Incorporated* – The project site is surrounded by residential, commercial and industrial development. Residential development does not generate as significant a level of noise as industrial activities or major roadways. Noise generation in the vicinity is from industrial facilities to the west along Avondale Avenue and from North Beale Road. According to noise level data in the Environmental Setting and Background Report, the 1994 60-decibel noise contour along North Beale Road between Lindhurst Avenue and Avondale was 210 feet from centerline. The 65-decibel noise contour in that same segment extends 97 feet from centerline. Based on the preliminary tentative map, neither of these noise contours would encroach upon proposed residential lots. However, since the delineation of the noise contours in 1994, residential development has increased in the area, along with the traffic. This residential project is not adjacent to North Beale Road; it is north of a 3.55-acre commercially zoned parcel that abuts North Beale Road. Therefore, the closest lots to North Beale Road are approximately 200' from the edge of North Beale Road.

The County's Noise Ordinance requires houses to be constructed so that the interior ambient noise levels do not exceed 45 decibels. The General Plan Noise Element recommends a maximum exposure level of 50 decibels for low-density residential areas. It is likely that the

portion of the project site closest to Avondale Avenue would be exposed to noise levels exceeding these thresholds. The project proposes the construction of a masonry sound wall along Avondale Avenue, and construction practices can attenuate upwards of 25 db when properly designed and implemented. Therefore, noise impacts can be reduced to acceptable levels at construction. To mitigate these impacts, an acoustical study is required to determine the extent of attenuation required and the methods to achieve that attenuation.

Mitigation Measure:

- MM 11.1** Prior to recordation of the final Map, an acoustical analysis shall be submitted to and approved by Yuba County. The analysis shall include the potential noise levels to which proposed residences would be exposed. Industrial uses to the west and its noise impact on the project site with proposed masonry wall(s) shall be evaluated. If the analysis identifies noise levels that would exceed the thresholds set forth in the County's Noise Element and Noise Ordinance, it shall recommend measures that would bring the project into compliance with their provisions. These measures shall be incorporated on a separate sheet recorded with the final map.

Timing/Implementation: Prior to approval of final map

Enforcement/Monitoring: Yuba County Planning Department

Implementation of the above mitigation measure would ensure that potential impacts related to noise exposure would be reduced to a less than significant level.

b) *No Impact* - The project would not expose people to excessive groundborne vibrations. The primary source of groundborne vibrations would be the Southern Pacific Railroad tracks, located approximately 500-600 feet away from the project site. Vibrations generated by train traffic are unlikely to travel far enough to affect residences.

c) *Less Than Significant Impact* - The project proposes the construction of 100 single-family residences. This would result in an increase in the ambient noise level of the area above existing levels, since the project site is currently vacant. However, single-family residences are a relatively benign land use in relation to noise generation. The noise level increases are not expected to be substantial, and the noise generated by the project would be similar to that created by adjacent residential areas.

d) *Less Than Significant Impact* - Construction activities associated with the project may cause a temporary increase in noise levels in the vicinity. However, these noise levels would be temporary and would cease once construction activities end. The County noise ordinance requires that residential zones not exceed an ambient noise level of 45 decibels from 10:00 pm to 7:00 am. This would reduce construction noise impacts on the residences adjacent to the project site, particularly at nighttime when residents are most sensitive to noise.

e) *Less Than Significant Impact* - The project site is located approximately 1.5 miles southwest of the Yuba County Airport Comprehensive Land Use Plan (CLUP). However, it is located outside the established noise contours for the airport, as set forth in the Yuba County Airport CLUP. Aircraft noise is not expected to significantly affect future development.

f) *No Impact* - As noted in the Hazards and Hazardous Materials section, the project site is not within the vicinity of a private airstrip. Therefore, there would be no noise impact from this source.

XII. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) *Less Than Significant Impact* - Development proposed by the project would result in an increase in population in the immediate area, with the construction of 100 single-family residences. Assuming approximately three persons per residence, this would result in a population increase of 300 people within the project area. While the proposed subdivision would contribute to population growth within the area, this growth would be consistent with the designations and projections in the County's General Plan. The General Plan has designated the area for single-family residential development, and the project would be consistent with this designation.

b,c) *No Impact* - The project site is currently vacant, with no existing structures located on the property. As the site has no housing units, the project would not displace any existing housing or people.

XIII. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Would the project result in:

Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) *Less Than Significant Impact* - The project site is located within the Linda Fire Protection District. In a letter dated December 2, 2005 and January 18, 2006, the District stated that the project would need to meet several requirements:

- The project shall meet all hydrant requirements of the District.
- The owner shall design and construct all fire suppression facilities in conformance with requirements of the District and the current Uniform Fire Code.
- Wood shake roofs shall not be permitted on any structure.
- All proposed detention basins shall be landscaped, and an agreement for maintenance of the basin shall be in place to prevent the basins from becoming overgrown with weeds.
- Prior to Final Map Recordation, applicant shall satisfy fire department funding requirements to service the private subdivision. Currently, CSA 52 zone of benefit B provides \$80.00 per year for fire protection with an annual adjustment based on the Consumer Price Index. Formation of the Homeowner's Association shall accommodate and necessitate the collection and payment of these revenues.
- Prior to Improvement Plan Approval, applicant shall provide fire department with acceptable gate design and details.

Compliance with these requirements of the Linda Fire Protection District would reduce requirements for additional fire protection facilities.

b) *Less Than Significant Impact* - The addition of 100 residences and the associated population increase would create additional demand on the Yuba County Sheriff's Department. In order to address the Sheriff's Department concerns, a portion of the capital facility fee collected prior to final individual building permits for single-family dwelling units would go to law enforcement and

criminal justice services. The potential revenue collected would reduce impacts on police protection services, and would lessen the need for new facilities. Additionally, the project will be conditioned to enter into a County approved funding mechanism for the ongoing funding of police protection services.

c) *Less Than Significant Impact* - The project will be conditioned to enter into an approved mitigation fee agreement to the satisfaction of the Marysville Joint Unified School District prior to recording the final map.

d) *Less Than Significant Impact* - No park facilities or developments are proposed with this project; therefore, the project would have no direct impacts related to park construction. The proposed subdivision may increase the usage of regional parks. The developer would be required to pay in-lieu fees for parkland dedication to the County to mitigate for potential impacts. Payment of the required fees would contribute to a reduction of impacts on parklands in the Linda area, by providing additional funding for maintenance of existing facilities and construction of planned new parks. Please also refer to the Recreation section of this document.

e) *Less Than Significant Impact* - Other public facilities that could be affected by the project include the Yuba County Library and County roads. Development proposed by the project may add to the demand for library services. However, this demand would likely be incremental, and it is expected that the Yuba County Library can accommodate this additional demand without expanding its existing facilities or building new facilities.

The additional residents would lead to an increased use of County roads, particularly those in the vicinity of the project site. Based on current conditions of Avondale Avenue, the project may generate traffic trips in a quantity sufficient to accelerate a degradation of the roadway, thereby requiring accelerated maintenance. The project proposes that half of the Avondale Avenue frontage be improved to County standards. The cross section of Avondale Avenue would be 40 feet, which includes 2.5 feet on each side for the curb and gutter. A 12-foot easement for public utilities, sidewalk, and street landscaping would be located adjacent to Avondale Avenue, with a four-foot wide sidewalk separated from the road by a five-foot landscape strip. All streets within the project would be privately maintained through a homeowners association. These future improvements would relieve demands on the County's Public Works Department to maintain and upgrade the roadway.

XIV. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) *Less Than Significant Impact* - As mentioned in the Public Services section, the proposed subdivision would increase the use of regional parks by adding more residents. Since the project does not propose to construct any parks on the project site, this would increase the demand on existing parks.

Open Space and Conservation Goal 9 from the County General Plan states, "Set aside sufficient area to meet future park and recreation needs." In order to meet this goal, the County seeks to maintain acceptable park acreage to person ratio. The ratio outlined by the General Plan and the Yuba County Ordinance Code is 5 acres of parkland per 1,000 residents. Since development of the project site would not create additional parkland, the project could adversely affect the maintenance of the established parkland/population ratio.

However, Open Space and Conservation Policy 146 of the General Plan states, "In order to provide future park sites of adequate size, new residential subdivision of 356 or fewer lots shall pay in-lieu fees for parkland." This policy has been codified in Section 11.15.661 of the Yuba County Ordinance Code, which requires a dedication of parkland or payment of in-lieu fees. The project applicant would be required to pay in-lieu parkland dedication fees prior to final map recordation, in accordance with Section 11.15.661. This fee is equivalent to 120 percent of the cost of land needed to purchase an amount of parkland proportional to the number of new dwelling units being created by the subdivision. With this requirement, impacts related to recreational opportunities would be mitigated to a level that is less than significant.

b) *No Impact* - The project does not propose the construction of recreational facilities. Therefore, no environmental impact from such facilities would occur.

XV. TRANSPORTATION/TRAFFIC**Would the project:**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a,b) *Less Than Significant Impact* - Development proposed by the project would generate traffic in excess of existing conditions, as the project site is currently vacant. The traffic would most likely utilize existing roadways in the vicinity. These include Avondale Avenue, North Beale Road and Lindhurst Avenue. State Route 70, located approximately one mile west of the project site, would also likely be affected. State Route 70 is a freeway in the vicinity of the project site, and would not likely experience any change in level of service (LOS) as a result of the project. The Yuba County General Plan classifies North Beale Road and Lindhurst Avenue as "major roads." Major roads are the primary carriers of intercity and intercounty travel in Yuba County.

The Circulation Element of the County's General Plan projected the LOS of major roads in Yuba County in the year 2015. LOS projections were based on projected traffic volumes on the major roads. Traffic volumes, in turn, were based on the buildout scenario presented in the Land Use Diagram of the County's General Plan. According to the Circulation Element, the LOS on the segments of North Beale Road adjacent to or in the vicinity of the project site would be "A/B". The LOS on segments of Lindhurst Avenue, which is in the vicinity of the project site, is a "B". The

Yuba County
February 06

PUD2005-0002, TSTM2005-0038 MND

proposed project is consistent with the Land Use Diagram, traffic volumes that would be generated by the project have been accounted for in the LOS projections. Currently, traffic volumes have increased on North Beale Road, and a traffic signal may be required at the intersection of North Beale Road and Avondale Avenue. The project will reduce any impacts to increases in traffic volumes by paying its "fair share" of a new traffic signal at this intersection, should it be warranted by determination by the Yuba County Public Works Department.

c) *Less Than Significant Impact* - As noted in the Hazards and Hazardous Materials section, the project site is located within the Overflight Zone of the Yuba County Airport. While more residents would be added to the Linda area as a result of project development, it is not expected to increase air traffic at the Yuba County Airport, as it does not offer regularly scheduled passenger air service. The nearest airport offering such service is Sacramento International Airport. Single-family residential subdivisions are permitted within the Yuba County Airport Overflight Zone, by the zoning ordinance.

d) *Less Than Significant Impact* - The proposed subdivision would have its main access point from North Beale Road onto Avondale Avenue. A secondary access point would be needed as the map reflects a cul-de-sac in excess of 800'. This access point would be off of North Beale Road, crosses the commercial property south of the project and provides access into the subdivision. As movements at this intersection can be a concern, the proposed traffic circulation would be a "right-in" and "right-out" entrance with property signage and striping to be provided to mitigate traffic crossing over North Beale Road. Moreover, the project proposes improvement on half of the Avondale Avenue frontage to County standards, further reducing safety hazards. As mentioned in Section XIII Public Services above, the project proposes a gated entrance at both entry points. However, these gates will provide for emergency access, as design approval is required by the Linda Fire Protection District, and will be placed so that traffic does not "stack" behind the gate onto a public street or right-of-way.

e) *Less Than Significant Impact* - As mentioned in d) above, the proposed subdivision would have two access points to provide a good line of sight. In addition, all of the streets within the subdivision would be full-width residential streets centered on a loop. There would be one cul-de-sac within the proposed development, which runs parallel to Avondale Avenue, providing access to the parcels on the north side of the project. Additionally, the Linda Fire Protection District has reviewed this subdivision circulation design and has made recommendations to reduce the impacts of emergency access to level that is less than significant.

f) *Less Than Significant Impact* - The proposed subdivision must meet the residential parking requirements as set forth in the Yuba County Zoning Ordinance. In addition, the full-width streets within the proposed subdivision would provide adequate space for on-street parking.

g) *Less Than Significant Impact* - Goal 6 of the County's Circulation Element promotes the construction and use of bikeways and trails as an alternative to automobile use. While no designated bikeways are proposed by the project, the width of the proposed streets within the project site would provide adequate space for bicycles. Also, the widening of the Avondale Avenue frontage would allow for safe bike travel on the segment from the project site to the North Beale Road frontage.

Circulation Element Policy 60 states that sidewalks shall be provided along streets in all new developments within valley-area Community Boundaries. The project proposes the construction of sidewalks along all internal streets and along the Avondale Avenue frontage.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) *Less Than Significant Impact* - The proposed lots would utilize municipal sewer services through the Linda Water District for wastewater treatment. Sewer lines are available in the vicinity. Approval of these sewer connections by the County Environmental Health Department and "will serve" letters from the Linda Water District would ensure that the project does not exceed wastewater treatment requirements of the RWQCB.

b, e) *Less Than Significant Impact* - The construction of 100 new single-family residential dwelling units would create additional wastewater demands on the existing treatment facility operated by the Linda Water District. The District would accommodate the additional wastewater generated by the project. Additionally, water lines are available in the vicinity.

c) *Less Than Significant With Mitigation Incorporated* - As discussed in the Hydrology and Water Quality section, the project applicant would be required to submit a drainage plan for the project prior to tentative map approval, per **Mitigation Measure 8.2**. The construction of any storm drainage facilities on site or connection to an off site drainage district associated with the project is not expected to have any significant environmental effects. No sensitive lands have been identified on the project site that would be affected by these facilities. Any off-site facilities that may need to be constructed would be evaluated for their potential environmental effects prior to the final approval of the drainage plan, per **Mitigation Measure 8.2**.

d) *Less Than Significant Impact* - Municipal water will be supplied to all 100 lots by the Linda Water District. As noted above, the District has adequate water facilities to serve potential demand. "Will serve" letters from the Linda Water District would be required for each lot prior to issuance of building permits.

f) *Less Than Significant Impact* - Yuba-Sutter Disposal, Inc. (YSDI) would provide solid waste collection services for the proposed subdivision. Recyclable solid waste collected by YSDI is taken to a materials recovery facility (MRF) on State Route 20 near the City of Marysville. Other waste is taken to a landfill on Ostrom Road north of Wheatland. According to information from the California Integrated Waste Management Board, the Ostrom Road landfill has a maximum permitted capacity of 41,822,300 cubic yards. As of June 13, 2001, the landfill has a remaining capacity of 11,252,490 cubic yards, with a maximum permitted throughput of 3,000 tons of solid waste per day. The landfill has adequate capacity to accommodate solid waste generated by proposed development. Impacts related to solid waste disposal would be less than significant.

g) *Less Than Significant Impact* - Solid waste collection and disposal within California is subject to the provisions of the California Integrated Waste Management Act. This legislation mandates a 50 percent reduction in the solid waste stream going to landfills by 2000. Typically, this is accomplished by implementing a recycling program that removes recyclable materials from the collected solid waste. YSDI has implemented a recycling program that includes the establishment of the MRF to collect recyclables. The proposed subdivision would potentially generate more recyclable items, but the recycling program can accommodate the additional volume, while having little impact on diversion percentages. The project would have a less than significant impact on compliance with the California Integrated Waste Management Act.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix

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

Discussion/Conclusion/Mitigation:

a) *Less Than Significant With Mitigation Incorporated* – As discussed in the Biological Resources section, there could be potential impacts on the foraging and nesting habitat of Swainson's hawk, a special-status species. There also potentially could be vernal pools on the project site, which is habitat for listed species of fairy shrimp. Mitigation measures described in the Biological Resources section would reduce potential impacts on these species to a less-than-significant level.

Since the project site has been disturbed by previous agricultural and industrial activities, it is unlikely that any undiscovered prehistoric or historic sites of value would be encountered. However, there is the possibility that undiscovered resources may be found in the course of project development work and if cultural resources are uncovered during project development and construction, **MM 5.1** shall be implemented.

b) *Less Than Significant With Mitigation Incorporated* - Development proposed by the project, in combination with other projects in the Linda area, may contribute to traffic impacts that are

cumulatively considerable, along with impacts on air quality and noise. However, the project is consistent with the General Plan land use designation for the project site, and its impacts would not significantly deviate from identified environmental impacts of the General Plan. Regarding air quality, Standard Mitigation Measures required by FRAQMD plus the mitigation measures in the Air Quality section would reduce the potential cumulative effects of the project on air quality. Adherence to the noise Mitigation Measure for an acoustic study prior to approval of the improvement plans will ensure that noise standards set forth in the County's Noise Ordinance are met to reduce cumulative noise impacts on sensitive land uses such as residences.

c) *Less Than Significant Impact* - The only potential human health effects identified as a result of project implementation were minor construction-related impacts, mainly dust that could affect adjacent residences. These effects are temporary in nature and are subject to FRAQMD's Standard Mitigation Measures that would reduce these emissions. Due to the nature and size of the proposed project development, no substantial adverse effects on humans are expected as a result of the project.

REFERENCES

1. Yuba County. Yuba County General Plan Environmental Impact Report (Volume IV). QUAD Consultants. October 1996.
2. Yuba County. Yuba County General Plan Environmental Setting and Background (Volume I). QUAD Consultants. May 1994.
3. Yuba County. County of Yuba Ordinance Code, Title XI – Planning. 2004.
4. Yuba County. County of Yuba Ordinance Code, Title XII – Zoning. 2004.
5. Institute of Transportation Engineers. *Trip Generation*, 6th Edition. 1997.
6. California Integrated Waste Management Board. Solid Waste Information System (SWIS) database. www.ciwmb.ca.gov/SWIS/.
7. Berkeley Natural History Museums website, http://bnhm.berkeley.edu/browse/usastates_all.php
8. Environmental Site Assessment, White Cedar. Wallace, Kuhl & Associates, Inc. June 23, 2005.
9. Federal Emergency Management Agency. Flood Insurance Rate Map No. 0604270360B, Yuba County, issued May 17, 1982.
10. Geotechnical Engineering Report, White Cedar. Wallace, Kuhl & Associates, Inc. March 2, 2005.
11. California Department of Conservation, Farmland Mapping and Monitoring Program. *Yuba County Important Farmland 2000* (map). Issued January 2002.
12. California Division of Mines and Geology. *Fault Activity Map of California and Adjacent Areas* (map). Issued 1994.
13. Letter regarding additional information for the White Cedar project from Bellecci & Associates, Inc.
14. Letter dated October 21, 2004 from Brenda Callen, Supervising Geologist, MWH.
15. Letter dated October 22, 2004 from Wendy Cohen, California Regional Water Quality Control board, Central Valley Region.
16. Letter dated August 30, 2005 from John C. Pfeiffer, P.G., C.E.G., Project Geologist, Wallace, Kuhl & Associates.
17. Letter dated November 3, 2005 from Duncan Austin, P.E., Chief of Private Sites Cleanup Unit, California Regional Water Quality Control Board, Central Valley Region.
18. Letter dated December 2, 2005 from Richard H. Webb, Chief, Linda Fire Protection District.
19. Letter dated December 16, 2005 from Mike Mirmazaheri, Chief of Floodway Protection Section, State of California – The Resources Agency, Department of Water Resources.
20. Letter dated January 18, 2006 from Richard H. Webb, Chief, Linda Fire Protection District.

**BEFORE THE COUNTY OF YUBA
PLANNING COMMISSION**

RESOLUTION RECOMMENDING)	RESOLUTION NO.: _____
APPROVAL OF A MITIGATED NEGATIVE)	
DECLARATION, PLANNED UNIT)	
DEVELOPMENT PUD2005-0002, AND)	
TENTATIVE SUBDIVISION TRACT MAP)	
TSTM2005-0038 SUBJECT TO)	
CONDITIONS OF APPROVAL.)))	

WHEREAS, Bellecci & Associates, Inc. filed applications for Planned Unit Development PUD2005-0002, and Tentative Subdivision Tract Map TSTM2005-0038, a request to subdivide a 15.56-acre vacant project site into 100 single-family lots with minimum lot sizes reduced from 6,000 to 4,200 square feet and reduced setbacks from those normally allowed in the R-1 (Single Family Residential) zone district. The project site is located in Linda at 6035 Avondale Avenue, on Assessor's Parcel Number 020-030-048; and

WHEREAS, the Community Development Department of the County of Yuba has conducted an Initial Study for the proposed project and concluded that the project would not result in any significant adverse environmental impacts with Mitigation Measures and Conditions of Approval implemented; and

WHEREAS, the Community Development Department of the County of Yuba has provided due notice for a public hearing before the Planning Commission of the County of Yuba and the intent to adopt a Mitigated Negative Declaration for the proposed project in accordance with the California Environmental Quality Act, as amended; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds that the proposed project is consistent with the Land Use Element and other applicable elements of the Yuba County General Plan as well as with the Yuba County Zoning Map and Ordinance.
3. The Planning Commission finds that the project site is physically suitable for the requested entitlements
4. The Planning Commission finds that the proposed project and improvements will not

adversely affect the health, welfare and safety of the public.

5. The Planning Commission finds that the project, as conditioned, meets the County design and improvement standards set forth in the Yuba County Ordinance Code.
6. The Planning Commission finds the proposed location of the Planned Unit Development is in accordance with the Goals and objectives of the General Plan and the general purpose of the zone in which the project is located.
7. The Planning Commission finds the proposed Planned Unit Development and the conditions under which it would be developed or maintained will promote, protect, and secure the public health, safety and general welfare and will result in an orderly and beneficial development of the County in the areas therein.
8. The Planning Commission finds that substantial public benefit is achieved in accordance with criteria established in Section 12.80.060 of the Yuba County Code in compensation for certain development features not otherwise permitted.
9. The Planning Commission hereby recommends to the Board of Supervisors adoption of the Mitigated Negative Declaration for Planned Unit Development PUD2005-0002, and Tentative Subdivision Tract Map TSTM2005-0038, incorporated by reference, unless appealed within 15 days in accordance with the Yuba County Ordinance Code.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Yuba, State of California, on the ____ day of _____, 2006, by the following vote.

AYES:
NOES:
ABSENT:
ABSTAIN:

JON MESSICK, CHAIRMAN
YUBA COUNTY PLANNING COMMISSION

ATTEST:

Stacey Jolliffe, Principal Planner
Planning Commission Secretary

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

OWNER: White Cedar, LLC
APPLICANT: Bellecci & Associates, Inc.
APN: 020-030-048

CASE: PUD2005-0002, TSTM2005-0038
APPROVAL DATE:

GENERAL:

1. Unless specifically provided otherwise herein or by law, each condition of these Conditions of Approval shall be completed to the satisfaction of the County prior to filing of the Final Map.
2. Unless specifically provided otherwise herein, all references to the Final Map, Final Maps, or to the Final Subdivision Map contained herein shall also mean a map or maps prepared for recordation of each phase of development if the project is to be phased.
3. Owner or an agent of the Owner shall satisfy, and the project shall meet, all applicable requirements provided by federal, state, and local laws, ordinances, and regulations including the requirements provided by the Subdivision Map Act (Government Code Section 66410 and following) and Chapter 11.15 of the Yuba County Ordinance Code.
4. Except as specifically modified by these conditions herein, the final map shall comply with all requirements of Yuba County Code, the Yuba County General Plan, and the Plumas Lake Specific Plan to the satisfaction of the Community Development Director and County Surveyor prior to filing of the final map.
5. As a condition for Tentative and Final Map approval, Owner or an agent of Owner acceptable to County shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding, against the County or its agents, officers, and employees; including all costs, attorneys' fees, expenses, and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, void or annul an approval by the County, Planning Commission, Staff Development Committee, or other County advisory agency, appeal board, or legislative body concerning the subdivision. County shall promptly notify Owner of any such claim, action, or proceeding and shall cooperate fully in the defense of said claim, action, or proceedings.

PUBLIC WORKS DEPARTMENT:

6. Improvement plans and necessary calculations for all improvements and associated drainage facilities required by these conditions shall be submitted to and approved by the Public Works Department prior to any construction; such approvals shall include the alignment and grades of roads and drainage facilities. The improvement plans for any improvements required by these conditions shall be completed and approved, along with an engineer's estimate of such improvements, by the Public Works Department prior to the filing of the Final Map for the entire subdivision, phases or units of the subdivision.
7. The Public Works Director may modify any of the Public Works conditions contained herein. The required street widths as stated herein shall take precedence over those as shown on the tentative map.

8. Owner shall dedicate to the County of Yuba sufficient right-of-way in fee simple to provide a 32-foot strip of land adjoining the centerline of Avondale Avenue lying within the bounds of this property, including a half of a 55-foot cul-de-sac located at the northerly end of Avondale Avenue.
9. Street construction along Avondale Avenue fronting this property shall meet the half-street width requirements for a Urban Residential (Local) Road standard with a detached concrete sidewalk in conformance with Chapter 11.15.660(c) of the Yuba County Ordinance Code and the Yuba County Improvement Standards and also the full street requirements from North Beale Road northwesterly to a point approximately 200 feet northwesterly of the most southerly corner of this project or as approved by the Public Works Director. Such improvements shall include the placement of a 6-8-foot masonry wall located along the right of way line through this subdivision. Owner shall provide a 3-foot wall footing and maintenance easement along the back side (lot side) of the masonry wall along the Avondale Avenue. Such improvements shall include landscaping and the installation of suitable irrigation facilities approved by the Public Works Department to provide for the continued irrigation of the landscape areas along Avondale Avenue.
10. Owner shall provide strips of land 40 feet in width for streets and public utilities, including 43-foot radius cul-de-sacs and the 53-foot radius knuckle all with 27-foot entry and exit return curves as shown on the tentative map connecting each lot to Avondale Avenue.
11. Owner shall obtain and provide a nonexclusive easement for road and public utility purposes, 45 feet in width over and along the alternate access street to North Beale Road, including the turn around area at the southeast boundary of the project.
12. Road construction for the interior access streets including the alternate access street to North Beale Road as shown on the Tentative Tract Map shall meet the full width standards for a Urban Residential (Local) Road in conformance with Chapter 11.15 of the Yuba County Ordinance Code and the Yuba County Improvement Standards or as approved by the Public Works Director. The alternate access shall include a 5-foot planter strip within and along the northeast side of the access easement.
13. Owner shall by encroachment permit construct a public road approach at the intersection of Avondale Avenue, the also the alternate access street at North Beale Road.
14. Owner shall install a traffic signal located on North Beale Road at Avondale Avenue.
15. Any Construction work within the County right-of-ways shall be accomplished under an encroachment permit issued by the Public Works Department.
16. Owner shall provide and offer to dedicate to the County of Yuba a 12-foot easement for pedestrian, landscaping and street signage purposes, along the frontage of all streets within this subdivision.
17. Owner shall provide and offer to dedicate to the County of Yuba a 22-foot easement for public services purposes, along the frontage of all streets within this subdivision.
18. Owner shall obtain and provide and offer to dedicate to the County of Yuba a 12-foot easement for pedestrian, landscaping and street signage purposes, along the east side of

Avondale Avenue and also the west side of the alternate access street from this project southerly to North Beale Road.

19. Owner shall obtain and provide and offer to dedicate to the County of Yuba a 22-foot easement for public services purposes, along the east side of Avondale Avenue and also the west side of the alternate access street from this project southerly to North Beale Road.
20. Owner shall provide and dedicate to the Three Rivers Levee Improvement Authority (TRLIA) a strip of land measured 50 feet from the toe of the Yuba River levee through this property as open space for levee access, maintenance and repair. No structures of any kind or fences shall be placed within such strip.
21. Prior to the filing of the final subdivision map, the Owner shall enter into the "Funding Agreement for Plumas Lake Specific Plan Area Flood Control Levee Improvements" with the Three Rivers Levee Improvement Authority (TRLIA), to pay the Owner's pro rata share of costs associated with the study, design, construction and related implementation and administration of levee improvements and other solutions relating to deficiencies in the levee system providing flood protection within the area being subdivided. Within 120 days of approval of a tentative subdivision map, such Owner will join the District. No payment shall be required by Owner to join the District. Payment of District special tax amounts shall continue to be a requirement of recordation of the final subdivision map; provided however, an owner that does not join the District within 120 days after the approval of the tentative subdivision map shall be required to pay 200% of the then-required District amount to pay the District Costs prior to the filing of the final subdivision map.
22. Owner shall submit a Preliminary Soils Report prepared by a registered civil engineer and based upon adequate test borings to the Public Works Department for review in compliance with section 11.15.380 of the Yuba County Ordinance Code and section 66490 of the Subdivision Map Act. Should such preliminary soils report indicate the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required by the Staff Development Committee (section 11.15.380 (c) of Yuba County Ordinance Code).
23. Whenever construction or grading activities will disrupt an area of 1 acre or more of soil, it is required that a storm water pollution prevention plan (SWPPP) emphasizing storm water best management practices (BMP) to comply with the requirements of the Federal Water Pollution Control Act and the California Water Code be developed before such construction or grading activities commence. Owner shall obtain a National Pollutant Discharge Elimination System Permit prior to County's approval of improvement plans or issuance of a grading permit for the period of construction as necessary. According to state law it is the responsibility of the property owner that the SWPPP is kept up to date to reflect changes in site conditions and is available on the project site at all times for review by local and state inspectors. Erosion and sediment control measures for this project shall be in substantial compliance with the (SWPPP).
24. Erosion control shall conform to section 11.6 of the Yuba County Improvement Standards.
25. Owner shall submit a drainage plan to provide for on-site and off-site storm water drainage for the project, designed by a registered civil engineer, to the Public Works Department and Reclamation District 784 for review and approval, prior to any construction. The drainage design for the project shall result in a zero percent increase in the storm water discharge from

the project compared to the pre-development state using a 100-year storm event peak discharge or as approved by Reclamation District 784. Owner shall construct such approved drainage facilities in order to provide drainage from access roads and lots to acceptable natural drainage course or drainage facilities.

26. Prior to commencing performance of any public improvement or facility to be dedicated to County, and subject to approval by the Public Works Department, Owner shall acquire and present proof of general and automobile liability and Workers Compensation and Employers Liability insurance. Such general and automobile liability insurance shall name the County and its agents as additional insured.
27. Prior to filing the Final Map, written approvals shall be submitted to the County Surveyor from the appropriate public service providers that their requirements have been met and that they are satisfied with the public utility easements as shown on the Final Map.
28. Owner shall develop a street light plan for the project in compliance with the requirements of the Yuba County Improvement Standards and the requirements of Pacific Gas and Electric and be approved by both the Yuba County Department of Public Works and Pacific Gas and Electric. Street lights shall be installed by the Owner in conformance with the approved street light plan. An assessment fee as determined by the Public Works Department, based on a formula of ((the current PG & E street light tariff rate for each street light per month) X (1.10%) X (number of lights) X (24 months)), shall be deposited by the Owner into the maintenance fund for Linda Street Lighting and Maintenance District prior to filing the final map or phase of the final map of the subdivision.
29. Owner shall be responsible for giving (60) days' notice to the appropriate public service providers (i.e. Pacific Gas and Electric, Pacific Bell, Comcast, etc.) prior to any new construction or development for this project.
30. Owner shall name the access streets in a manner determined by Chapter 9.70 of the Yuba County Ordinance Code and be approved by the Address Coordinator at the Department of Public Works.
31. Street signs shall meet all requirements of the Public Works Department, including stop bars and stop legends, and be provided by the subdivider.
32. The following road maintenance note applies to this division:

"Access to the lots created by this division and shown hereon as access streets is not to be construed to indicate that a passable roadbed exists. Street construction or maintenance within the subdivision limits will not be accomplished or administered by any public agency and is solely the responsibility of the Owner.
33. Improvements required by the herein stated conditions due to health, safety, and any required mitigating measure shall be completed prior to recording the Final Map.
34. Owner shall be required to pay all taxes, past and current, including those amounts levied as of January 1, but not yet billed, on the property prior to recording the Final Map.
35. Owner shall submit a current Preliminary Title Report or Subdivision Map Guarantee, in favor of Yuba County, two (2) check prints of the Final Map, calculations, supporting

documentation and map checking fees to the County Surveyor, Department of Public Works for checking, approval and filing of the Final Map. An updated Title Report or Guarantee shall be provided at the time of filing the Final Map.

36. Owner shall provide monumentation in conformance with requirements of the County Surveyor, chapter 11.15 of the Yuba County Ordinance Code and the California Subdivision Map Act (Government Code section 66410 and following).
37. On terms and conditions acceptable to Yuba County, Owner shall either form a Home Owner's Association or other entity acceptable to County to provide for the maintenance of the streets, masonry wall, drainage facilities, common areas, the landscaping, including the landscaping along Avondale Avenue, or for any other desired functions as may be required by these conditions of approval prior to filing the Final Map.
38. Owner shall create a zone of benefit within CSA 70 for law enforcement. The assessment spread for the zone shall be approved by the Yuba County Sheriff. Owner shall obtain letter from the Yuba County Sheriff to the Yuba County Public Works Department which states that the assessment amount as determined is adequate and that the Sheriff supports the creation of the proposed zone of benefit. Owner's engineer/surveyor shall submit a legal description and plat depicting the zone of benefit along with the applicable checking fees to the County Surveyor for checking and approval
39. Owner shall maintain all public improvements required by these Conditions of Approval for a period of 12 months from the time the improvements are accepted by the Public Works Department.
40. Owner shall provide a concrete base or bases for the placement of a centralized mail delivery unit or units within the subdivision as directed by the United States Postal Service. Specifications and location(s) of such base(s) shall be determined pursuant to the applicable requirements of the Postal Service and the Yuba County Department of Public Works, with due consideration for street light location, traffic safety, security and consumer convenience. Such base(s) shall be located within a Public Utility Easement.
41. The following note shall be included in the Grant Deed to the County of Yuba or within the Clerk of the Board of Supervisors Statement on the Final Map:

Should the Board of Supervisors of the County of Yuba determine that the public purpose for which property was dedicated in fee simple no longer exists, or the property or any portion thereof is not needed for public utilities, the County of Yuba shall reconvey the above described property to the Grantor, whose address is _____ (fill in address) _____, or to the successor(s) in interest pursuant to Government Code Section 66477.5.

42. All easements of record which affect this property are to be shown on the Final Map.
43. Prior to submitting the Final Map to the Board of Supervisors, all Public Works and County Surveyor fees for map checking, improvement plan checking and inspection fees have to be paid current.
44. Upon submitting the Final Map to the County Surveyor for submittal to the Board of Supervisors for final map approval, the Owner's surveyor or engineer shall also provide a

copy of the Final Map in a DWG digital format showing parcel lines, bearings and distances, lot numbers and street names or additional information as may be required by the Yuba County Assessor.

45. A copy of the final tract map shall be submitted to and reviewed by the Community Development Department for conformance with the Community Development Department's conditions of approval and mitigation measures before the final tract map can be filed with the Yuba County Recorder. A statement, executed by the Community Development Department Director, stating the tract map is found to be in conformity with the approved tentative map shall be submitted to the County Surveyor before the final map can be filed.
46. A copy of the final tract map shall be submitted to and reviewed by the Environmental Health Department for conformance with the Environmental Health Department's conditions of approval before the final tract map can be filed with the Yuba County Recorder. A statement, executed by the Environmental Health Department Director, stating that the final tract map has been found it to be in conformity with the Environmental Health Department conditions and in conformance with the requirements of Chapter 7.07 of the Yuba County, shall be submitted to the County Surveyor before the final tract map can be filed.
47. A copy of the final tract map shall be submitted to and reviewed by Reclamation District 784 for conformance with the Reclamation District 784 requirements and approved by the Reclamation District 784 before the final map can be filed with the Yuba County Recorder. A letter of map approval, executed by the Reclamation District 784, stating that RD 784's requirements have been met and that any public service or drainage easements as may be shown on the final map are satisfactory shall be submitted to the County Surveyor before the final map can be filed.
48. A copy of the final tract map shall be submitted to and reviewed by the Linda County Water District (LCWD) for conformance with the LCWD requirements and approved by the LCWD before the final map can be filed with the Yuba County Recorder. A letter of map approval, executed by the LCWD, is to be submitted to the County Surveyor stating that the LCWS requirements have been met in order to allow the final map to be filed and that any public service easements as may be shown on the final map are satisfactory and that the LCWD has no objection to filing the final map.
49. A copy of the final tract map shall be submitted to and reviewed by the Linda Fire Protection District (LFPD) for conformance with the LFPD requirements and approved by the LFPD before the final map can be filed with the Yuba County Recorder. A letter of map approval, executed by the Linda Fire Protection District, is to be submitted to the County Surveyor stating that the LFPD requirements have been met in order to allow the final map to be filed and that any public service easements as may be shown on the final map are satisfactory and that the LFPD has no objection to filing the final map.
50. A copy of the final tract map shall be submitted to and reviewed by the Three Rivers Levee Improvement Authority (TRLIA) for conformance with the TRLIA's requirements and approved by the TRLIA before the final map can be filed with the Yuba County Recorder. A letter of map approval, executed by the TRLIA is to be submitted to the County Surveyor stating that the TRLIA requirements have been met in order to allow the map to be filed.

ENVIRONMENTAL HEALTH DIVISION:

51. Owner shall connect parcels 1 to 100 to LCWD for water and sewer services and facilities prior to building permit final inspection for occupancy.
52. Owner shall submit to Environmental Health a "Will Serve" letter from the LCWD for sewer and water services and facilities for parcels 1 to 100.
53. All abandoned, wrecked, dismantled, or inoperative vehicles, machines, and equipment shall be removed by Owner from the subject site.
54. All existing trash and debris shall be removed from the subject site.
55. All abandoned or inactive wells on the subject site shall be destroyed or maintained in accordance with the "Water Well Standards: State of California, Bulletin 74-81."
56. All abandoned septic tanks on the subject site shall be destroyed in accordance with the requirements of Yuba County Department of Health Services.

PLANNING DIVISION:

57. Lot design on the Final Subdivision Map shall be in substantial conformance with the approved Tentative Subdivision Tract Map as filed with Community Development Department. The Community Development Department Director may approve minor modifications to the final configuration; however, the number of lots shall not exceed that shown on the approved tentative map.
58. Notwithstanding the provisions of any other of these Conditions of Approval, this map cannot be recorded until expiration of the 15-day appeal period, which begins the day following the date of approval. The expiration date of the appeal period is _____ at 5:00 p.m.
59. This tentative map shall expire 24 months from the effective date of approval unless extended pursuant to Chapter 11 of the Yuba County Ordinance Code.
60. Owner shall landscape and improve the landscape and pedestrian corridors and easements in accordance with the approved landscape plan(s) described in the following conditions below.
61. Prior to recordation of the final map, the owner shall pay all required parkland dedication fees to the satisfaction of the County of Yuba.
62. The Owner shall submit for review and approval to the Yuba County Community Development and Public Works Departments a Street, Street Tree, Yard, Park, Project Entry Gate, open space corridors, and Detention/Retention Pond Landscape and Lighting Plan(s). Said Plan(s) must be approved prior to recordation of each Final Map for each phase of development. Landscaping shall be designed and constructed in conformance with Yuba County Ordinance Code Sections 12.87 and 12.88 and any other applicable ordinance code section. Interim drainage facilities may have reduced landscaping requirements as approved by the Community Development Director. Where appropriate, Plan(s) shall also be subject to approval by the Sutter-Yuba Mosquito Abatement District, Reclamation District 784, Linda

County Water and Fire Districts, and any other entity which is determined to have jurisdiction over a given facility and/or improvement.

63. All landscaping, landscape corridors, streets, street lighting, entry gates, sidewalks, drainage, and common areas shall be maintained by a private Homeowners Association. A separate County Service Area, financing district, or equivalent funding mechanism(s) shall be established for the continued funding of police and fire protection services.
64. Yuba County Ordinance Code Chapter 12.35.110(2) requires that all lots abutting Avondale Avenue and the commercial property in between the project site and North Beale Road shall be separated by a solid block or masonry wall or combination wall and berm. Said wall or wall/berm combination (barrier) shall not be less than six feet in height. The design of the barrier shall be subject to review and approval of the Community Development Director and shall be constructed prior to recordation of the Final Map(s) for each phase of development.
65. Developer shall contact the local United States Postal Service (USPS) representative no less than six months prior to issuance of first certificate of occupancy to complete a Mode of Delivery Agreement for New Construction. This process allows an opportunity to discuss and receive information on the type of delivery options available.
66. Developer shall provide a final map, with address detail, to the local USPS representative at the time of completion of the Mode of Delivery Agreement Form. The final map, along with an approved copy of the Mode of Delivery Agreement, will be returned to the developer showing easements and exact locations for the placement of mail receptacles, or Cluster Box Units (CBU's).
67. Developer shall construct a concrete base, according to the cement specifications provided by the USPS, and install the type of mail receptacle required at each specified location. Specified locations will be determined by the USPS with due consideration for street light locations, traffic safety, security and customer convenience.
68. Developers shall purchase and install mail receptacle equipment that is USPS approved.
69. Owner shall provide an additional copy of the soils report that is filed with the Public Works Department for improvement plan review to the Building Official.
70. The project applicant shall enter into a mitigation fee agreement to the satisfaction of the Marysville Joint Unified School District prior to recording the Final Map.
71. A 10-foot wide Public Utility Easement behind sidewalk and landscape easements along all street front lot footages shall be dedicated to PG&E. Details of private street cross section and design of Public Utility Easement shall meet with the approval of PG&E.
72. The project proponent must use the latest version of URBEMIS model (URBEMIS 2002 version 7.5.0) to calculate emissions from both construction and operational phases and provide this information to the Feather River Air Quality Management District (FRAQMD). If the emission estimates exceed thresholds, mitigation measures to be implemented should be proposed by either the project proponent or the FRAQMD.
73. Prior to recordation of Final Map for the first phase of development, Will Serve Letters issued by the Linda County Water District; Linda Fire Protection District; SBC Pacific Bell;

Pacific Gas & Electric Company; Yuba/Sutter Mosquito Abatement District; FRAQMD shall be submitted to the Community Development and Public Works Departments which state that their requirements are met, financial arrangements have been made to ensure the required facilities will be installed when needed. Will Serve letters from agencies or private entities providing domestic water and/or sewer services shall also demonstrate compliance with Government Code 65589.7.

74. Individual owners and/or contractors shall coordinate with PG&E prior to beginning construction to identify construction safety measures. A record of consultation with the utility shall be placed on record with the Community Development Department prior to issuance of building permits.
75. Any relocation or rearrangement of any existing PG&E facilities to accommodate this project will be at the developers/applicants expense. There shall be no building of structures allowed under or over any PG&E facilities or inside any PG&E easements that exist within the subject area.
76. All areas indicated as being within Flood Zone "A" on FEMA Flood Insurance Rate Maps shall be considered as storm water detention areas. Any development proposed within these areas shall require equivalent storm water detention volume to be provided in a location and manner as approved by the Public Works Department and Reclamation District No. 784 or as consistent with the Regional Master Drainage Plan.
77. An "Authority to Construct Permit" shall be secured from the Feather River Air Quality Management District by Owner prior to commencement of construction on the subject site.
78. Should any prehistoric or historic artifacts be exposed during construction and excavation operations, work shall cease immediately and the Community Development Department shall be immediately notified. A qualified archaeologist shall be consulted to determine whether any such materials are significant prior to resuming construction.
79. Owner shall secure a Lake or Streambed Alteration Agreement (LSAA), if required, from the State Department of Fish and Game (DFG) prior to any development/construction within the limits of the map prior to commencement of any development within any riparian areas.
80. Owner shall obtain appropriate Reclamation Board permits prior to the start of any work, including, excavation and construction activities, within floodways, levees, and 10 feet landward of the landside levee toes.
81. Any impacts or enhancements jurisdictional waters of the United States and/or biological resources are required to obtain appropriate coordination and permitting from the United States Army Corps of Engineer's and the California Department of Fish and Game.
82. All mitigation measures within the mitigation monitoring plan for the Mitigated Negative Declaration prepared pursuant to the California Environmental Quality Act, shall be considered as conditions of approval.

LINDA FIRE PROTECTION DISTRICT:

83. The project shall meet all hydrant requirements of the district.
84. Owner shall design and construct all fire suppression facilities in conformance with the requirements of the Linda Fire Protection District and the current California Fire Code.
85. Wood shake roofs shall not be permitted on any structure erected on the subject site.
86. All proposed detention basin sites shall be landscaped. An agreement for maintenance of the landscaping shall be included to prevent the basins from becoming overgrown with weeds and other dry vegetation.
87. Prior to Final Map Recordation, applicant shall satisfy fire department funding requirements to service the private subdivision. Currently, CSA 52 zone of benefit B provides \$80.00 per year for fire protection with an annual adjustment based on the Consumer Price Index. Formation of the Homeowners Association shall accommodate and necessitate the collection and payment of these revenues.
88. Prior to improvement Plan Approval, Applicant shall provide the fire department with acceptable gate design and details.

Stacey Jolliffe, Planning Division Manager
Community Development Department

By: _____
Zach Thomas
Contract Associate Planner



California Regional Water Quality Control Board

Central Valley Region

Robert Schneider, Chair



Alan C. Lloyd Ph.D.
Secretary for
Environmental
Protection

Sacramento Main Office
Internet Address: <http://www.swrcb.ca.gov/rwqcb5>
11020 Sun Center Drive #200 Rancho Cordova, CA 95670-6114
Phone (916) 464-3291 Fax (916) 464-4797

Arnold Schwarzenegger
Governor

RECEIVED

NOV 07 2005

YUBA COUNTY
ENVIRONMENTAL HEALTH DEPT

3 November 2005

Zach

Mr. Jim Daniels
Rosboro Lumber Company
P.O. Box 20
Springfield, OR 97477

Mr. Harold Stilson
Sierra Cedar Products
1401 Melody Road
Marysville, CA 95901

***DRAFT CLEANUP AND ABATEMENT ORDER, ROSBORO LUMBER COMPANY AND
SIERRA CEDAR PRODUCTS, FORMER FEATHER RIVER FOREST PRODUCTS,
6124 AVONDALE AVE, MARYSVILLE, YUBA COUNTY***

Sierra Cedar Products (Sierra Cedar) is conducting groundwater cleanup at the former Feather River Forest Products Site at 6124 Avondale Avenue (site) in Yuba County. Sierra Cedar purchased the site in April 2003 from Rosboro Lumber Company (Rosboro). Feather River Forest Products and subsequently Rosboro operated a lumber mill at this site, which includes Yuba County Assessor Parcel Numbers 020-030-041, 020-030-048 and 020-030-049. On 15 October 2004, the Central Valley Regional Water Quality Control Board (Regional Board) adopted Waste Discharge Requirements (WDRs) Order No. R5-2004-0156 (2004 Order) for an insitu enhanced bioremediation pilot study to clean up the groundwater pollution.

Regional Board staff have repeatedly requested that Sierra Cedar submit a time schedule to implement the 2004 Order through the completion of a final report, and this work has not been completed. In addition, Sierra Cedar is being sold and a residential development is planned for Parcel No. 020-030-048. Therefore, Regional Board staff have enclosed a draft Cleanup and Abatement Order to implement the 2004 Order and complete the cleanup of the site.

By **15 December 2005**, submit your comments on the draft Cleanup and Abatement Order. To expedite cleanup, Regional Board staff are available to meet with you to discuss the elements of the 2004 Order and the Cleanup and Abatement Order. If you have any questions regarding this letter or need additional information, you may contact Ms. Mary Serra of my staff at (916) 464-4682 or by email at mserra@waterboards.ca.gov.

DUNCAN AUSTIN, P.E.
Chief, Private Sites Cleanup Unit

The cc list appears on the next page.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

CLEANUP AND ABATEMENT ORDER NO. _____

FOR

SIERRA CEDAR PRODUCTS INCORPORATED
ROSBORO LUMBER COMPANY
FORMER FEATHER RIVER FOREST PRODUCTS SITE
MARYSVILLE
YUBA COUNTY

This Order is issued to Sierra Cedar Products Incorporated (Sierra Cedar) and Rosboro Lumber Company (Rosboro) (hereafter collectively referred to as Discharger) based on provisions of California Water Code Section 13304, which authorizes the California Regional Water Quality Control Board, Central Valley Region (hereafter Regional Board) to issue a Cleanup and Abatement Order (Order).

The Regional Board finds, with respect to the Discharger's acts or failure to act, the following:

INTRODUCTION

1. Sierra Cedar owns the former Feather River Forest Products Site at 6124 Avondale Avenue in Yuba County that includes Yuba County Assessor Parcel Numbers 020-030-041, 048, and 049 within Township 15N, Range 4E, Section 30, MDB&M. Since 1998, Sierra Cedar has operated a log storage facility at the site that is as shown in Attachment 1, which is made part of this Order.
2. The Feather River Forest Products Company operated a lumber mill at the site. Rosboro acquired the Feather River Forest Products Company in the early 1980s and continued operating a lumber mill on this parcel for about 5 years. On 30 April 2003, Sierra Cedar purchased the three parcels that encompass the site.
3. In March 2004, Yuba County Assessor Parcel Number 020-030-049 was sold to Nor-Cal Redimix (3600 Wilbur Ave, Antioch, CA 94509), and AR Readymix currently operates a batch concrete manufacturing facility at this location.
4. In January 2005, Yuba County Assessor Parcel Number 020-030-048 was sold to CDI L.L.C. (1415 Oakland Blvd, Walnut Creek, CA 94596) and plans for a residential development titled White Cedar have been filed with Yuba County.
5. Sierra Cedar as current owner of Yuba County Assessor Parcel Numbers 020-030-041 (site), has caused or permitted waste to be discharged to waters of the state where it has created and threatens to create a condition of pollution or nuisance, because they have knowledge of the discharge and the ability to control the discharge and thus is subject to the Order. Sierra Cedar has full responsibility for the environmental cleanup originating from and extending downgradient offsite across the railroad tracks and upgradient offsite onto Parcel Number 020-030-048. This responsibility has also been documented as part of the property purchase agreement with Rosboro.

BACKGROUND

6. In 1993 through 1997, Rosboro conducted several site investigations, which revealed that volatile organic compounds (VOCs), including tetrachloroethene (PCE), trichloroethene (TCE), 1,1-dichloroethene (1,1-DCE), cis-1,2-dichloroethene (cis-1,2-DCE), trans-1,2-dichloroethene (trans-1,2-DCE) and 1,1,2,2-tetrachloroethane (1,1,2,2-PCA) were present in the soil and groundwater. PCE was used at this Site as a metal degreaser.
7. In 1997, Rosboro excavated soil contaminated with VOCs and hauled it off-site. In 1998, Rosboro installed a groundwater extraction and treatment system and operated it intermittently from August 1999 to September 2000. This system is not currently operational.
8. In the 21 December 2001, *Feasibility Study Remedial Options Evaluation Report*, Rosboro proposed to implement monitored natural attenuation (MNA) as a long-term remedy. The results of the fate and transport model contained in the feasibility study indicated that considering the observed half life for TCE of 3.5 years, quite possibly it could take 20 years or more for the pollution to degrade below water quality objectives. In addition, the model showed that the pollution would migrate offsite before degrading. Therefore, in May 2002 Regional Board staff informed Rosboro that MNA was not acceptable as a remedy for this site and asked for a groundwater cleanup plan not based solely on MNA.
9. In March 2004, Sierra Cedar completed a Report of Waste Discharge for a pilot study for the injection of Hydrogen Release Compound (HRC) into the source area. On 15 October 2004, Waste Discharge Requirements Order Number and Monitoring and Reporting Program Number R5-2004-0156 (2004 Order) was issued by the Regional Board for the permitted injection of HRC into the groundwater beneath the site. The 2004 Order contained monitoring and reporting requirements specific to the pilot study to demonstrate remedial effectiveness and monitor for reaction byproducts.
10. Monitoring and Reporting Program Number R5-2003-0840, issued pursuant to Section 13267 of the California Water Code, contains monitoring and reporting requirements that are necessary to delineate groundwater pollution and determine remedial effectiveness. The 1 May 2005 *Semi-Annual Groundwater Monitoring and Sampling Report* states that groundwater is first encountered at about 22 feet below ground surface (bgs), and contains pollution where the highest concentrations are listed in the table below. Monitoring well MW-4 is in the source area and MW-13A is downgradient and off-site.

Constituent	Analytical Results (µg/L, micrograms per liter)	Monitoring Well
cis-1,2 DCE	14.3	MW-4
1,1,2,2-PCA	1.2	MW-4
PCE	9.3	MW-13A
TCE	39	MW-4

11. On 11 January 2005 and again on 2 June 2005, Regional Board staff requested that Sierra Cedar submit a schedule to implement the 2004 Order through complete implementation and submittal of a final report. We have not received a response and the information we requested is still necessary. Sierra Cedar still needs to implement the Enhanced Bioremediation Pilot Study it proposed and is permitted by the 2004 Order
12. Finally, during a meeting with Mr. Tony Sims of Sierra Cedar on 7 September 2005, Regional Board staff were informed of the following: 1) Sierra Cedar intends to implement MNA, 2) Sierra Cedar has sold all of its assets exclusive of the site property, with a close of escrow date of 23 September 2005, and 3) CDI L.L.C. holds an option to purchase the site and plans a mixed land use development.

AUTHORITY - LEGAL REQUIREMENTS

13. The Regional Board's *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition* (hereafter Basin Plan) designates beneficial uses of the waters of the State, establishes water quality objectives (WQOs) to protect these uses, and establishes implementation policies to implement WQOs. The beneficial uses of the groundwater beneath the site are domestic, municipal, industrial, and agricultural supply.
14. The wastes detected at the site are not naturally-occurring, and some are known human carcinogens. Pollution of groundwater with these constituents impairs or threatens to impair the beneficial uses of the groundwater.
15. WQOs listed in the Basin Plan include numeric WQOs, e.g., state drinking water maximum contaminant levels (MCL) that are incorporated by reference, and narrative WQOs, including the narrative toxicity objective and the narrative tastes and odors objective for surface water and groundwater. Chapter IV of the Basin Plan contains the *Policy for Application of Water Quality Objectives*, which provides that "[w]here compliance with narrative objectives is required (i.e., where the objectives are applicable to protect specified beneficial uses), the Regional Board will, on a case-by-case basis, adopt numerical limitations in orders which will implement the narrative objectives." The numerical limits for the constituents of concern listed in the following table implement the Basin Plan WQOs.

Constituent	Limits	WQO	Reference
cis-1,2 DCE	6 µg/L	California Primary Maximum Contaminant Level	CCR Title 22, Section 64444 California Department of Health Services
1,1,2,2-PCA	0.1 µg/L	Narrative Toxicity	California Public Health Goal in Drinking Water – Office of Environmental Health Hazard Assessment
PCE	0.06 µg/L	Narrative Toxicity	California Public Health Goal in Drinking Water – Office of Environmental Health Hazard Assessment
TCE	0.8 µg/L	Narrative Toxicity	California Public Health Goal in Drinking Water – Office of Environmental Health Hazard Assessment

16. The constituents listed in Finding No. 15 are wastes as defined in California Water Code Section 13050.
17. The groundwater exceeds the WQOs for the constituents listed in Finding No. 15. The exceedance of applicable WQOs in the Basin Plan constitutes pollution as defined in California Water Code Section 13050. The Discharger has caused or permitted waste to be discharged or deposited where it has discharged to waters of the state and has created, and continues to threaten to create, a condition of pollution or nuisance.
18. The State Water Resources Control Board (hereafter State Board) has adopted Resolution No. 92-49, the *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304*. This Policy sets forth the policies and procedures to be used during an investigation or cleanup of a polluted site and requires that cleanup levels be consistent with State Board Resolution 68-16, the *Statement of Policy With Respect to Maintaining High Quality of Waters in California*. Resolution 92-49 and the Basin Plan establish the cleanup levels to be achieved. Resolution 92-49 requires the waste to be cleaned up to background, or if that is not reasonable, to an alternative level that is the most stringent level that is economically and technologically feasible in accordance with Title 23, California Code of Regulations (CCR) Section 2550.4. Any alternative cleanup level to background must (1) be consistent with the maximum benefit to the people of the state; (2) not unreasonably affect present and anticipated beneficial use of such water; and (3) not result in water quality less than that prescribed in the Basin Plan and applicable Water Quality Control Plans and Policies of the State Board.
19. Chapter IV of the Basin Plan contains the *Policy for Investigation and Cleanup of Contaminated Sites*, which describes the Regional Board's policy for managing contaminated sites. This policy is based on California Water Code Sections 13000 and 13304, the Title 27, Division 2, Subdivision 1 regulations, and State Board Resolution Nos. 68-16 and 92-49. The policy addresses site investigation, source removal or containment, information required to be submitted for consideration in establishing cleanup levels, and the bases for establishment of soil and groundwater cleanup levels.
20. The State Board's *Water Quality Enforcement Policy* states in part: "At a minimum, cleanup levels must be sufficiently stringent to fully support beneficial uses, unless the Regional Board allows a containment zone. In the interim, and if restoration of background water quality cannot be achieved, the Order should require the discharger(s) to abate the effects of the discharge. Abatement activities may include the provision of alternate water supplies." (Enforcement Policy, p. 19)
21. Section 13304(a) of the California Water Code provides that:

"Any person who has discharged or discharges waste into waters of the state in violation of any waste discharge requirements or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board clean up the waste or abate the effects of the waste, or, in the case of threatened

pollution or nuisance, take other necessary remedial action, including but not limited to, overseeing cleanup and abatement efforts. Upon failure of any person to comply with the cleanup or abatement order, the Attorney General, at the request of the regional board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In the suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant."

22. Section 13267(b) of the California Water Code provides that:

"In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

The technical reports required by this Order are necessary to assure compliance with Section 13304 of the California Water Code. Existing data and information about the site indicates that waste has been discharged or is discharging at the property, which is owned and operated by the Discharger named in this Order.

23. Section 13304(c)(1) of the California Water Code provides that:

"... the person or persons who discharged the waste, discharges the waste, or threatened to cause or permit the discharge of the waste within the meaning of subdivision (a), are liable to that government agency to the extent of the reasonable costs actually incurred in cleaning up the waste, abating the effects of the waste, supervising cleanup or abatement activities, or taking other remedial actions. . ."

24. If the Discharger fails to comply with this Order, the Executive Officer may request the Attorney General to petition the superior court for the issuance of an injunction.

25. If the Discharger intentionally or negligently violates this Order, then the Discharger may be liable civilly in a monetary amount provided by the California Water Code.

26. The issuance of this Order is an enforcement action taken by a regulatory agency and is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), pursuant to Title 14 CCR Section 15321(a)(2). The implementation of this Order is also an action to assure the restoration of the environment and is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), in accordance with Title 14 CCR, Sections 15308 and 15330.

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27. Any person affected by this action of the Regional Board may petition the State Board to review the action in accordance with Title 23 CCR Sections 2050-2068. The regulations may be provided upon request and are available at www.waterboards.ca.gov. The State Board must receive the petition within 30 days of the date of this Order.

REQUIRED ACTIONS

IT IS HEREBY ORDERED that, pursuant to California Water Code Section 13304 and Section 13267, Sierra Cedar shall:

1. Investigate the discharges of waste, clean up the waste, and abate the effects of the waste, forthwith, resulting from activities at the former Feather River Forest Products Site at 6124 Avondale Avenue, Yuba County Assessor Parcel Numbers 020-030-041, in conformance with State Board Resolution No. 92-49 *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304* and with the Regional Board's *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins* (in particular the Policies and Plans listed within the Control Action Considerations portion of Chapter IV). "Forthwith" means as soon as is reasonably possible. Compliance with this requirement shall include, but not be limited to, completing the tasks listed below.

WATER SUPPLY WELL SURVEY

2. By 4 November 2005, submit the results of a water supply well survey within one-half mile of the site and a sampling plan to sample any water supply well(s) threatened to be polluted by waste originating from the site. The sampling plan shall include specific actions and a commitment by the Discharger to implement the sampling plan, including obtaining any necessary agreements.
3. Within 30 days of Regional Board staff concurrence with the water supply well sampling plan, implement the sampling plan and submit the sampling results in accordance with the approved time schedule, which shall become part of this Order.
4. Within 30 days of Regional Board staff notifying the Discharger that an alternate water supply is necessary, submit a work plan and schedule to provide an in-kind replacement for the specified water supply. The Discharger shall implement the work plan in accordance with an approved time schedule, which shall become part of this Order.

PUBLIC PARTICIPATION

5. By 4 November 2005, submit a *Public Participation Plan*. The *Public Participation Plan* shall include, but not be limited to, public notification of field activities, preparation and distribution of fact sheets to interested persons, and maintaining a public library repository of all documents associated with the site. Additional public participation activities may be necessary, as required by Regional Board staff.

PILOT STUDY

6. By 4 November 2005, submit a time schedule that implements the 2004 Order, depicting that the Discharger initiated the Enhanced Bioremediation Pilot Study cited in the 2004 Order no later than 6 January 2006, and provides for the submittal of a *Pilot Study Results Report* no later than 60 days after completing the final pilot study groundwater sampling. The Pilot Study Results Report must contain recommendations for additional remedial measures, if necessary. The approved time schedule to implement the cleanup shall become a part of this Order.

CLEANUP

7. Within 60 days of staff concurrence with the *Pilot Study Results Report*, submit a *Cleanup Plan*, which describes a site-wide groundwater cleanup remedy and includes a time schedule to conduct the cleanup activities. The approved time schedule to implement the cleanup shall become a part of this Order. The proposed preferred alternative for groundwater must meet the range of cleanup levels as described in the Basin Plan Policy for Investigation and Cleanup of Contaminated Sites and Resolution No. 92-49, and be protective of human health for the potential future residential land use. The Discharger shall attempt to clean up each constituent to background concentrations, or to the lowest level that is technically and economically achievable and which complies with all applicable WQOs of the Basin Plan and promulgated water quality criteria.
8. Within 60 days of Executive Officer approval of the *Cleanup Plan* for soil and groundwater, commence cleanup or installation of the cleanup system. The Discharger shall notify staff a minimum of 72 hours prior to beginning fieldwork.
9. Within 120 days of Executive Officer approval of the *Cleanup Plan*, submit a report describing the status and results of the cleanup work (*Cleanup Implementation Report*). The report shall clearly show whether the installation of any cleanup system is complete, and if not, give a schedule and proposed work plan for installation of the remaining cleanup activities, including a proposed monitoring plan.

GROUNDWATER MONITORING

10. Conduct monitoring of the existing wells and any additional wells in accordance with the groundwater Monitoring and Reporting Program Number R5-2003-0840 and the Monitoring and Reporting Program Number R5-2004-0156, which is a part of the 2004 Order, or any subsequently revised MRP issued by the Executive Officer.

GENERAL REQUIREMENTS

11. Continue to reimburse the Regional Board for reasonable costs associated with oversight of the cleanup of this facility. Failure to provide a name and address changes for invoices and/or failure to reimburse the Regional Board's reasonable oversight costs shall be considered a violation of this Order.

12. Conduct work only after Regional Board staff concur with work plans.
13. Submit all reports with a cover letter signed by the Discharger.
14. Fourteen days prior to conducting any field work, submit a Health and Safety Plan that is adequate to ensure worker and public safety during the field activities in accordance with CCR Title 8, Section 5192.
15. As required by the California Business and Professions Code Sections 6735, 7835, and 7835.1, have appropriate reports prepared by, or under the supervision of, a registered professional engineer or geologist and signed by the registered professional. All technical reports submitted by the Discharger shall include a statement signed by the authorized representative certifying under penalty of law that the representative has examined and is familiar with the report and that to his knowledge, the report is true, complete, and accurate. **D**
16. Upon startup of any remediation system(s), operate the remediation system(s) continuously, except for periodic and required maintenance or unpreventable equipment failure. The Discharger shall notify the Regional Board within 24 hours of any unscheduled shutdown of the remediation system(s) that lasts longer than 48 hours. This notification shall include the cause of the shutdown and the corrective action taken (or proposed to be taken) to restart the system. Any interruptions in the operation of the remediation system(s), other than for maintenance, emergencies, or equipment failure, without prior approval from Regional Board staff or without notifying the Regional Board within the specified time is a violation of this Order. **R**
17. Optimize remedial systems as needed to improve system efficiency, operating time, and/or pollutant removal rates, and report on the effectiveness of the optimization in the Annual Report. **A**
18. Notify Regional Board staff at least three working days prior to any onsite work, testing, or sampling that pertains to environmental remediation and investigation and is not routine monitoring, maintenance, or inspection.
19. Obtain all local and state permits and access agreements necessary to fulfill the requirements of this Order prior to beginning the work. **F**
20. Continue any remediation or monitoring activities until such time as the Executive Officer determines that sufficient cleanup has been accomplished to fully comply with this Order and this Order has been rescinded.
21. If, for any reason, the Discharger is unable to perform any activity or submit any document in compliance with the schedule set forth herein, or in compliance with any work schedule submitted pursuant to this Order and approved by the Executive Officer, the Discharger may request, in writing, an extension of the time specified. The extension request shall include justification for the delay. An extension may be granted by revision of this Order or by a letter from the Executive Officer. **T**

22. If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement or may issue a complaint for administrative civil liability.

This Order is effective upon the date of signature.

THOMAS R. PINKOS, Executive Officer

(Date)

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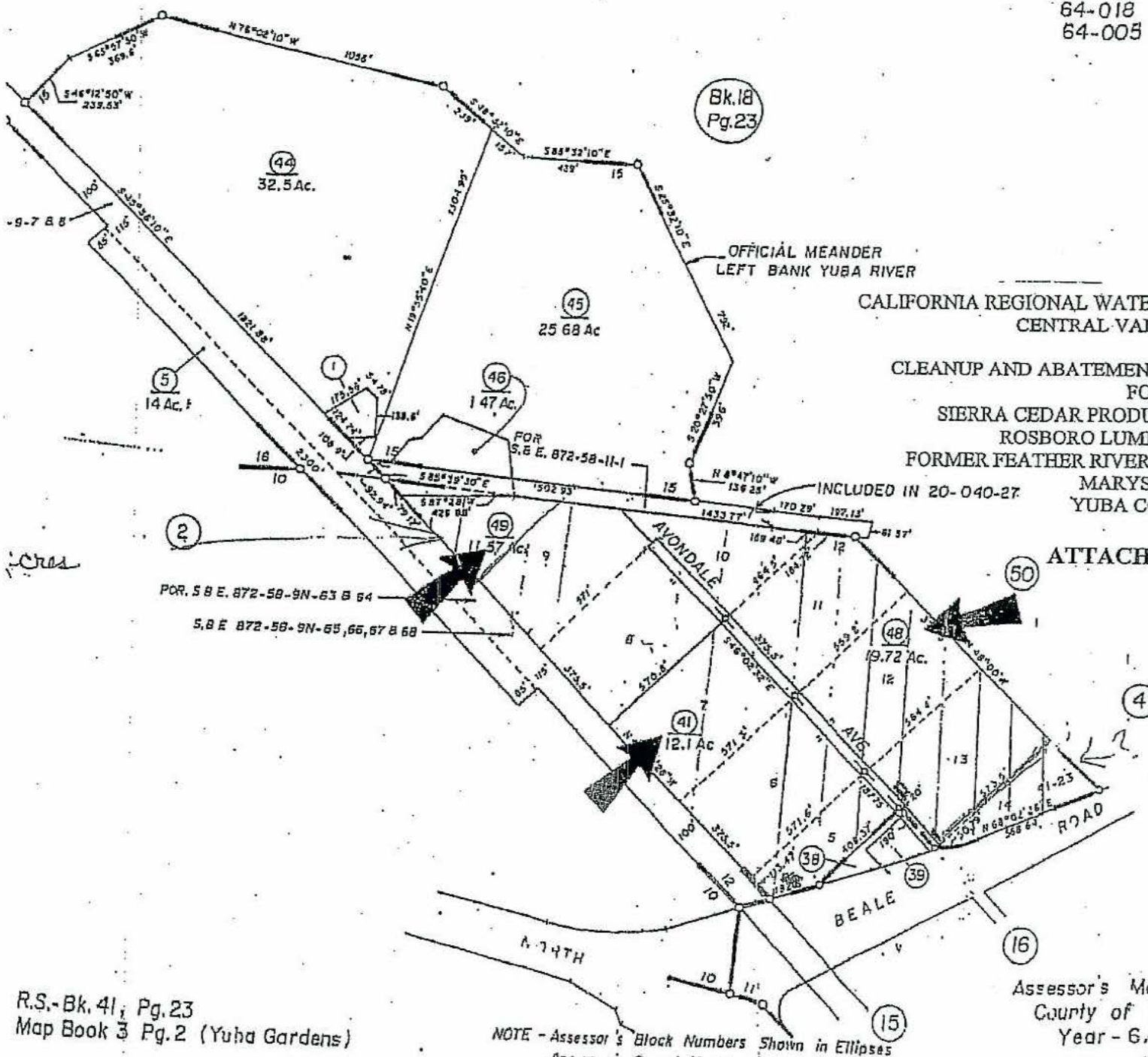
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— PROJ., NEW HELVETIA RANCHO

64-009
64-011
64-018
64-005



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

CLEANUP AND ABATEMENT ORDER NO. _____
FOR
SIERRA CEDAR PRODUCTS INCORPORATED
ROSBORO LUMBER COMPANY
FORMER FEATHER RIVER FOREST PRODUCTS SITE
MARYSVILLE
YUBA COUNTY

ATTACHMENT I

R.S.-Bk. 41, Pg. 23
Map Book 3 Pg. 2 (Yuba Gardens)

NOTE - Assessor's Block Numbers Shown in Ellipses

Assessor's Map Bk. 20 Pg. 3
County of Yuba, Calif.
Year - 6/73

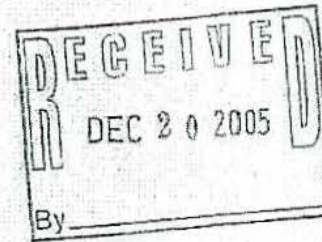
DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 942360001
(916) 653-5791



DEC 1 2005

County of Yuba Planning Division
938 14th Street
Marysville, California 95901



Bellecci & Associates, Inc.
Case: PUD2005-0002, TSTM2005-0038

Staff for The Department of Water Resources has reviewed the subject document and provides the following comments:

Portions of the proposed project may be located within a regulated stream over which The Reclamation Board has jurisdiction and exercises authority. If the project includes any "channel reconfiguration" that was not previously permitted, new plans must be submitted. Section 8710 of the California Water Code requires that a Board permit must be obtained prior to start of any work, including excavation and construction activities, within floodways, levees, and 10 feet landward of the landside levee toes. A list of streams regulated by the Board is contained in the California Code of Regulations, Title 23, Section 112.

Section 8(b)(2) of the Regulations states that applications for permits submitted to the Board must include a completed environmental questionnaire that accompanies the application and a copy of any environmental documents if they are prepared for the project. For any foreseeable significant environmental impacts, mitigation for such impacts shall be proposed. Applications are reviewed for compliance with the California Environmental Quality Act.

Section 8(b)(4) of the Regulations states that additional information, such as geotechnical exploration, soil testing, hydraulic or sediment transport studies, biological surveys, environmental surveys and other analyses may be required at any time prior to Board action on the application.

You may disregard this notice if your project is outside of the Board jurisdiction. For further information, please contact Sam Brandon of my staff at (916) 574-0651.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Mirmazaheri'.

Mike Mirmazaheri, Chief
Floodway Protection Section

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

Linda Fire Protection District

1286 Scales Avenue ☆ Marysville, California 95901

Telephone: (530) 743-1553

Chief

Directors

Richard Webb
December 2, 2005

William Bellflower
Jim Brannon
Larry Trama

Mr. Zack Thomas, Planner
Yuba County Community Development Department
Planning Division
915 8th Street, Suite 123
Marysville, CA 95901

**Re: Request for Comments - Tentative Subdivision Tract Map: TSTM2005-0038 / PUD
2005-0007 (Bellici & Associates)**

Dear Mr. Thomas:

In response to your request on the above referenced project, the District submits the following comments:

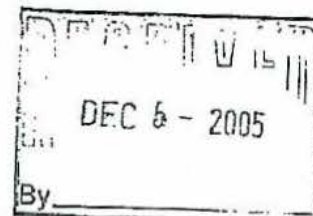
1. The project proponent shall meet all hydrant requirements of the district.
2. Owner shall design and construct all fire suppression facilities in conformance with the requirements of the Linda Fire Protection District and the current Uniform Fire Code.
3. Wood shake roofs shall not be permitted on any structure erected on the subject site.
4. All proposed detention basin sites shall be landscaped. An agreement for the maintenance of the landscaping shall be included to prevent the basins from becoming overgrown with weeds and other dry vegetation.
5. The additional residential development proposed will require additional manpower, facilities and equipment to protect. Project proponents shall participate in the funding mechanisms currently in place for other East Linda Specific Plan developers, i.e. CSA 52 zone of benefit B.
6. Coordination with the fire district of the proposed private gates will be required to insure fire department access is not hampered.

If I may be of assistance, please do not hesitate to contact me at (530) 743-1553.

Sincerely,



Richard H. Webb
Chief



Linda Fire Protection District

1286 Scales Avenue ☆ Marysville, California 95901

Telephone: (530) 743-1553

Chief

Richard Webb

Directors

William Bellflower

Jim Brannon

Larry Trama

January 18, 2006

Mr. Zack Thomas, Planner
Yuba County Community Development Department
Planning Division
915 8th Street, Suite 123
Marysville, CA 95901

**Re: Request for Comments - Tentative Subdivision Tract Map: TSTM2005-0038 / PUD
2005-0007 (Bellici & Associates) (Revised)**

Dear Mr. Thomas:

In order to clarify previous comments pertaining to this project, the district submits the following;

1. Replace item 5 of the December 2, 2005 comment letter with the following: Prior to Final Map Recordation, applicant shall satisfy fire department funding requirements to service the private subdivision. Currently, CSA 52 zone of benefit B provides \$80.00 per year for fire protection with an annual adjustment based on the Consumer Price Index. Formation of the Homeowners Association shall accommodate and necessitate the collection and payment of these revenues.
2. Replace item 6 of the December 2, 2005 comment letter with the following: Prior to Improvement Plan Approval, Applicant shall provide fire department with acceptable gate design and details.

If I may be of assistance, please do not hesitate to contact me at (530) 743-1553.

Sincerely,



Richard H. Webb
Chief

PLANNED UNIT DEVELOPMENT TENTATIVE SUBDIVISION TRACT MAP

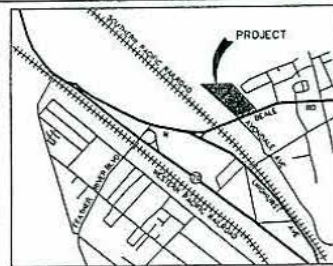
100 LOT SUBDIVISION

COUNTY OF YUBA

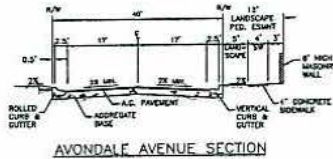
A.P.N. 020-030-048

BELLECCI & ASSOCIATES, INC.
ROSEVILLE, CALIFORNIA

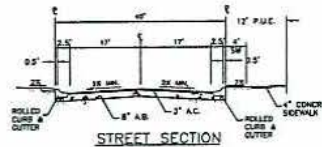
SEPTEMBER 26, 2005 SCALE: 1" = 100'



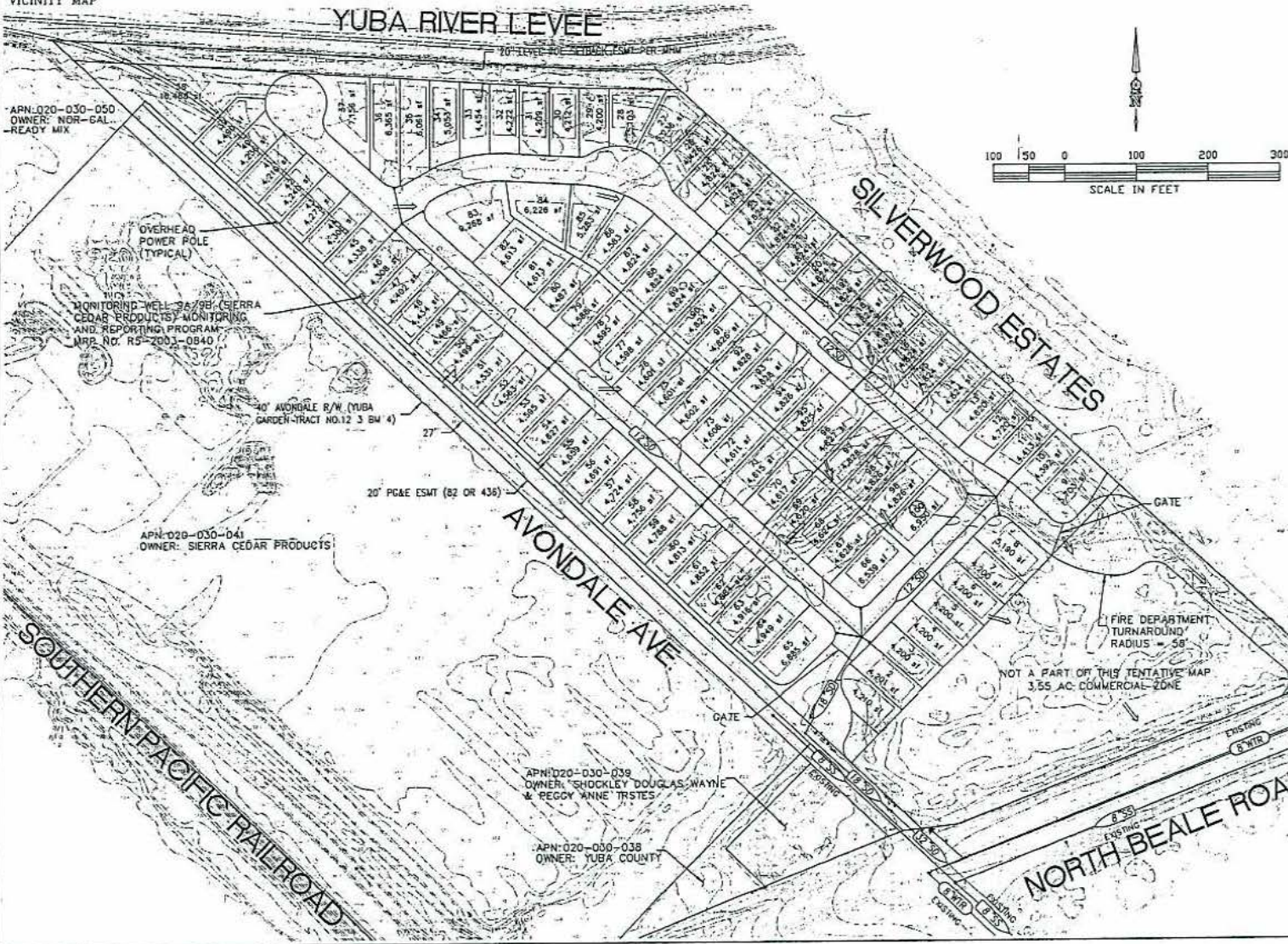
VICINITY MAP



AVONDALE AVENUE SECTION



STREET SECTION



GENERAL NOTES:

- OWNER: WHITE CEDAR, LLC, 6349 AUBURN BLVD, CITRUS HEIGHTS, CA 95621
- APPLICANT/ENGINEER: BELLECCI & ASSOCIATES, INC., 1532 CURDEKA ROAD, SUITE 101, ROSEVILLE, CA 95661
- APN: 020-030-048
- SITE AREA (RESIDENTIAL): 15.56 ACRES GROSS (12.86 ACRES NET)
- SITE AREA (COMMERCIAL): 3.55 ACRES GROSS (NOT PART OF THIS TENTATIVE MAP)
- EXISTING ZONING: 15.56 ACRES R1 & 3.55 ACRES C (NOT PART OF THIS TENTATIVE MAP)
- GENERAL PLAN (EXISTING): SINGLE FAMILY RESIDENTIAL
- PROPOSED ZONING: PLANNED UNIT DEVELOPMENT
- EXISTING USE: VACANT
- PROPOSED USE: RESIDENTIAL
- SERVICES: WATER - LINDA WATER DISTRICT
SEWER - LINDA WATER DISTRICT
FIRE - LINDA FIRE PROTECTION DISTRICT
POLICE - YUBA COUNTY SHERIFF
GAS & ELECTRIC - PACIFIC GAS & ELECTRIC
TELEPHONE - SBC
CABLE - COMCAST
- LOT SIZE: INTERIOR LOT - 42' X 100' (MINIMUM)
CORNER LOT - 57' X 100' (MINIMUM)
- FLOODING: THIS AREA IS NOT SUBJECT TO FLOODING PER FIRM PANEL 060427 0290 B
- TOPOGRAPHY: THE TOPOGRAPHIC INFORMATION SHOWN HEREON WAS COMPILED FROM AN AERIAL SURVEY PERFORMED BY ARMAPS USA, INC. IN FEBRUARY 2005 - CONTOUR INTERVAL IS 1 FOOT.
- SLOPES: ALL PROPOSED SLOPES SHOWN ARE 2:1 MAXIMUM
- BOUNDARY: THE BOUNDARY INFORMATION SHOWN HEREON IS PER RECORD DATA ONLY. ALL AREAS SHOWN ARE APPROXIMATE
- DRAINAGE: RD 784
- SEWER/WATER: LINDA COUNTY WATER DISTRICT
- ASSESSMENTS: LINDA STREET LIGHTING ASSESSMENT DISTRICT
- DENOTES GENERAL DIRECTION OF EXISTING DRAINAGE

NOTE:
PROJECT DRAINAGE
THE PROJECT SITE WILL BE DRAINED TO AN EXISTING STORM DRAIN SYSTEM LOCATED IN AVONDALE AVENUE, APPROXIMATELY 50 FT NORTHWEST FROM THE INTERSECTION OF AVONDALE AVENUE AND NORTH BEAL ROAD. THE EXISTING STORM DRAIN MANHOLE CONNECTS TO AN EXISTING 36" STORM DRAIN.

PROJECT GRADING
THE SITE IS PROPOSED TO BE GRADED SUCH THAT EACH LOT WILL SURFACE DRAIN FROM THE REAR TO THE STREET.