



## SIERRA FOOTHILLS AUDUBON SOCIETY

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January 20, 2008

Tom Last  
Planning Director, City of Grass Valley  
c/o Environmental Science Associates (ESA)  
225 Bush St, Suite 1700  
San Francisco, CA 94104

Dear Planning Commission,

The Sierra Foothills Audubon Society (SFAS) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Idaho-Maryland Mine Project. Our organization has 1,000 members living in the foothills communities near Grass Valley, with 50 members living in the City of Grass Valley and another 100 members living within the Planning Area for the City.

After a thorough analysis of the provided documents, SFAS does not believe that the Draft Environmental Impact Report ("DEIR") for the Project complies with the requirements of the California Environmental Quality Act ("CEQA"). We find that the DEIR is inadequate in its discussions of the environmental impacts and proposed mitigations of impacts that it has found to be significant.

In particular as we will show, the EIR fails to adequately evaluate and mitigate the Project's impacts on affordable housing for Grass valley and it has not determined the impacts to biological resources.

Therefore, we ask that all inadequacies be corrected and the document be re-circulated so that the Planning Commission members and citizens of Grass Valley and citizens in the surrounding area can review the re-circulated document and make appropriate comments. We do not take a position on the project itself at this time, only on the inadequacy of the DEIR.

Rather than repeat arguments that we support in other organizations' submission of comments, we ask to incorporate by reference the discussion of issues raised in the comments submitted by Citizens Looking At Impacts of Mining (CLAIM-GV), The Sierra Fund and the Sierra Nevada Group of the Mother Lode Chapter of the Sierra Club.

**However, we would like to focus our comments on three issues that the DEIR fails to address adequately.**

### **4.3 Biological resources**

The Department of Fish and Game at (<http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/spanimals.pdf>) has identified certain species as “Special Animals”. “Special Animals” is a general term that refers to all of the taxa the California Natural Diversity Database (CNDDDB) is interested in tracking, regardless of their legal or protection status. This list is also referred to as the list of “species at risk” or “special status species”. The Department of Fish and Game considers the taxa on this list to be those of greatest conservation need. The species on this list were used in the development of California’s Wildlife Action Plan (available at: <http://www.dfg.ca.gov/wildlife/WAP>)

Special Concern Birds in the Idaho-Maryland Mine area are:

Cooper's hawk *Accipiter cooperi* (nesting), Sharp-shinned hawk *Accipiter striatus* (nesting), California spotted owl *Strix occidentalis occidentalis*, Olive-sided flycatcher *Contopus borealis* (nesting), Yellow warbler *Dendroica petechia brewsteri* (nesting), Yellow-breasted chat *Icteria virens* (nesting), Hermit warbler *Dendroica occidentalis* (nesting), and Oak titmouse *Baeolophus inornatus*.

In addition the following birds have been identified as Oak Woodland Bird Conservation Plan species for review:

Northern pygmy owl, Lewis' woodpecker, Acorn woodpecker, Nuttall's woodpecker, Red-breasted sapsucker, Ash-throated flycatcher, Yellow-billed magpie, Oak titmouse, White-breasted nuthatch, Bewick's wren, House wren, Western bluebird, Hutton's vireo, Black-throated grey warbler, Lark sparrow, California towhee, Black-headed grosbeak, and Lawrence's goldfinch.

Under CEQA Guidelines section 15065, a project can have significant impacts regardless of whether the affected resource is rare or endangered. Specifically, section 15065 provides for a mandatory finding of significance where project has potential to substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels . . . .”

The DEIR proposed biological resources surveys for plants, birds and amphibians (such as the red-legged frog) prior to construction. We submit these must be required before the project is permitted. This is standard policy when approving any land development within the county. These surveys and the appropriate protocol must be followed including conducting the surveys in all seasons.

In the past, Sierra Foothills Audubon Society has participated in point counts in the nearby grasslands of the Empire State mine. Information on these surveys may be obtained from the Empire Mine State Park. This may be considered background information for the new surveys that must be required.

#### **4.8 Land Use and Planning**

There is no discussion in this section of the impact to the General Plan goals of the proposed Land Use changes of this project. The General Plan Land Use Map has identified some of these parcels for a Business Park (56.41 acres) and some as urban medium density (45.31 acres). The DEIR states that this area is within 1.5 miles of downtown Grass Valley and part of future infill.

Appendix H addresses some of the issues that are involved in the change of this zoning to a Manufacturing-Industrial area. It estimates that 272 housing units currently zoned Urban Medium Density (UMD) would be lost due this change, assuming that 6 units per acre would be built. The actual zoning allows up to 8 units per acre or 360 units. Also, the Business Park designation allows up to 4 units per acre for a potential of 224 more units. In addition surrounding Business Park areas and other UMD areas could result in another 534 housing units not being built because of proximity to the mine. Finally, the County proposed that 4 of these adjacent UMD parcels be zoned Urban High Density to comply with Regional Housing Need Planning for an additional 344 units potentially being lost because of the mine. All of these units could benefit from the nearby Business Park.

The point is that the City of Grass Valley General Plan identified this area as infill to meet its future urban growth needs to remain the economic hub of Nevada County. The DEIR is deficient in failing to analyze the environmental impacts of resultant sprawl in the County of definite housing loss from rezoning the mine parcels and the potential loss of housing in adjoining areas,

#### **4.10 Population and Housing**

Section 4.10.3 Impacts and Mitigation Measures focuses on CEQA guidelines under Appendix G relating to significant population and housing impact. We do not disagree with the conclusions that the proposed Idaho-Maryland Mine “does not induce new housing units or replace existing housing units” creating a significant impact.

However, under Section 4.10.4 Cumulative Impacts, the DEIR says; “As discussed above, the development related to the proposed project could indirectly displace (not yet built) housing units by changing the land use designation for a portion of the Idaho-Maryland site from *UMD-residential* to *Manufacturing Industrial* to accommodate the proposed mining operation. However, the loss of *UMD*-designated land would not adversely impact the

potential to provide sufficiently for the estimated increase in the need for housing units within the city, resulting in a less than significant impact.”

We disagree with the “less than significant impact” conclusion because it does not address specifically the very low- and low-income housing requirements of the Regional Housing Needs Allocation Plan (RHNA).

The I-M DEIR under Section 4.10.2 references the City of Grass Valley 2003-2009 Housing Element, which is “designed to provide the City with a coordinated and comprehensive strategy for promoting the production of safe, decent, and affordable housing. In the same section under “Future Housing Needs” the DEIS says: “According to the Sierra Planning Organization, Grass Valley is responsible for providing 1,448 additional housing units between 2001 and 2009, of which 535 units would be classified as very low- and low-income housing units. The Sierra Planning Organization projects the amount of affordable housing units Nevada County will need for a given time period and divides those housing needs among its participating jurisdictions (City of Grass Valley, 2004).”

**TABLE 2.25 RHNP ALLOCATIONS - NEVADA COUNTY 2001-2008**

|                | Very Low | Low   | Mod   | Above | Total |
|----------------|----------|-------|-------|-------|-------|
| Grass Valley   | 274      | 261   | 333   | 580   | 1,448 |
| Nevada City    | 38       | 36    | 46    | 80    | 200   |
| Truckee        | 324      | 309   | 408   | 704   | 1,745 |
| Cities - Total | 636      | 606   | 787   | 1,364 | 3,393 |
| Unincorporated | 937      | 885   | 1,117 | 1,947 | 4,885 |
| Total County   | 1,573    | 1,490 | 1,904 | 3,311 | 8,278 |

Source: Sierra Planning Organization, 11/2002 *NC Housing Element (2003-2009) NC General Plan Vol 2: Background Data and Analysis Section 2 Housing Amended Dec 2004 Appendix 1 Housing Needs assessment Page 30*

#### Nevada County Very Low- and Low-Income Housing Analysis

Table 2.25 above shows an assignment of 1,822 very low- and low-income housing to the unincorporated areas of Nevada County for 2001-2008.

The Nevada County Housing Element (2003-2009) on various pages addresses the lack of ability of Nevada County to meet its allocated share:

- 1) “Even with the current proposed programs and a larger cooperative approach, Nevada County has fallen, and will continue to fall, short in meeting its affordable housing needs. One of the largest impediments confronting the County is the lack of public or community sewer systems to serve higher density planned areas. With the incorporation of the Town of Truckee in 1992 and the expiration of the 35-year Glenbrook area sewer service agreement with the City of Grass Valley in 1997, substantial higher density residential lands having access to public sewer systems have been lost to the County. While these higher density lands are still planned, they are under the jurisdiction of another city (Town of Truckee) or will need to annex to the City of Grass Valley in order to receive sewer service. Unfortunately,

the Regional Housing Needs Plan (RHNP) for the unincorporated area of Nevada County does not reflect the general lack of public sewer services and the construction trend from the last seven years.” *NC Housing Element (2003-2009) NC General Plan Amended Vol 1 Section 2: Community Development Chapter 8 Housing Dec 2004 Final Page 106*

- 2) “Table 4.5 indicates that since adoption of the 1995 General Plan, there were only three multiple-family projects built with five or more units. The lack of or the unavailability of public sewage disposal systems is the primary reason that more of the 557 vacant acres of R2 and R3 lands are not being developed. A public sewer system is cited as being unavailable if the designated lands are within the SOI of a city and connection is conditioned upon annexation.” *NC Housing Element (2003-2009) NC General Plan Vol 2: Background Data and Analysis Section 2 Housing Amended Dec 2004 Appendix 3 Housing Production Opportunities Page 46*
- 3) “The higher-density residential areas were identified as the target for locating housing for lower income households in the 1995 Housing Element. While the unincorporated areas have ample land area (557 acres of R2 and R3; 6,827 acres within the Newtown reserve; and 8,491 acres of land zoned IDR) designated for higher density multiple-family housing, inadequate public services proved to be the primary reason why new affordable multiple-family development has not been constructed. In addition, many of the lands designated for higher density multiple-family development (Table 6.9) were located within the Grass Valley SOI. Up until 1998, there was a 30-year agreement with the County whereby the city would extend sewer service to the unincorporated area in the Glenbrook basin. With the expiration of the 30-year agreement in 1998, the City of Grass Valley adopted a policy of requiring annexation prior to receiving sewer service. As a result, since the adoption of the 1995 Housing Element, Nevada County was unable to accommodate the construction of multiple-family housing in the Glenbrook basin, a region that has historically been the area where much of the multiple-family housing and retail shopping was developed in the unincorporated county. Since these lands are still located in the unincorporated area, the County retains land use jurisdiction until they are annexed into the city. Furthermore, the County’s RHNP allocation includes those lands, as well. Upon annexation, the County will transfer its equivalent RHNP allocation numbers to the City.” *NC Housing Element (2003-2009) NC General Plan Vol 2: Background Data and Analysis Section 2 Housing Amended Dec 2004 Appendix 3 Housing Production Opportunities Page 50*
- 4) “As noted above, Nevada County’s experience has been that higher density housing requires multiple family zoning (R2 or R3) and that such zoning is best suited to provide housing for lower income households. It is also well established in Nevada County that multiple family development will require a community sewer service. Septic systems or on-site package sewer treatment plants are not feasible for high density multiple family developments due to the land area required for such systems and/or the high cost of construction, operation and maintenance. The lands designated for multiple family housing in the 1995 General Plan had access to public sewer or had the expectation that sewer service could be extended. Since 1995 much has changed, especially in the Grass Valley Sphere of Influence area (SOI). A 35-year sewer service agreement expired without extension in the Glenbrook area north of the City of Grass Valley. Grass Valley’s present policy is that sewer

service will only be provided upon annexation. As can be seen below, this policy has largely prevented the County of Nevada to allow planned higher density development in this area.” *NC Housing Element (2003-2009) NC General Plan Vol 2: Background Data and Analysis Section 2 Housing Amended Dec 2004 Appendix 3 Housing Production Opportunities Page 51*

The Nevada County Housing Element contains Policies H 8.1.5 and H 8.3.2 and Implementation Actions H 8.1.3 and H 8.3.2 designed to meet the RHNP requirements:

- Policy H 8.1.5 states: “Consistent with Policy 1.38, the County shall identify and rezone sites within Cities' Sphere of Influences that are without physical and environmental constraints, or constraints within the respective jurisdiction's infrastructure, and available to encourage and facilitate multi-family development to accommodate the County's housing needs.”
- Policy H 8.3.2 states: “Annexation agreements with the cities should be used to assure that sites zoned by the County for multiple-family housing will remain zoned at the same or higher density once annexed to the cities.”
- Implementation H 8.3.2 states: “Annexation agreements between the County, land owners and the appropriate city shall specifically address these sites, along with assurances that sites already zoned and those with the potential for higher densities remain available for multiple family housing at the highest density possible. The County shall work with LAFCo to maintain maximum multiple-family zoning densities.”

Implementation Program H 8.1.3 (*The County, in cooperation with the cities, shall identify 54 acres within the cities' spheres of influence land suitable for development for rezoning to the R3-18 zoning district, by January 2006 (such as parcels identified in Table 4.11a.)*) was a direct result of a suggestion in a communication from the Sierra Planning Organization and led to the development of Table 4.11.a as shown in Appendix B.

Sites 1, 2, and 7-10 in the Appendix B table are the high density sites that approximately constitute the 54 acres referred to in *Implementation Program H 8.1.3*. Sites 7-10 make up 39 of the acres and are adjacent to the mine site. Because of their proximity to downtown Grass Valley and potential sewer hookups, these Urban High Density (UHD) sites and also the Urban Medium Density (UMD) sites in the table represent the best hope to comply with the very low- and low-income housing RHNP requirements in the future. In fact, the County has still not been able to identify alternative acres that would meet the existing RHNP requirements.

Appendix C contain a list of the parcels associated with the Idaho Maryland mine.

Table 1 lists the parcels that are within the proposed Idaho-Maryland mine site. It shows that 588 potential very low- and low-income housing units will be lost if the mine is developed.

Table 2 lists the parcels that are adjacent to the mine site. It shows that an additional 534 potential very low- and low-income housing units could be lost by other land owners due to the proximity to the mine site. An additional 344 potential very low- and low-income housing units could be lost if the parcels identified by the county in table 4.11a are to be rezoned to UHD.

All of these units would qualify for very low- and low-income housing. It must be emphasized that 794 of these units in the Sphere of Influence were proposed by the County to meet its RHNP requirements. In fact, as noted previously, “The Regional Housing Needs Plan (RHNP) for the unincorporated area of Nevada County does not reflect the general lack of public sewer services and the construction trend from the last seven years.”

One can only conclude that Nevada County cannot meet its very low- and low-income housing needs (1,183 units in 2007-2014 – see Appendix D) unless the City of Grass Valley annexes these lands and designates them for medium and high density housing. The rezoning of parcels for mining and the proximity of other such parcels would eliminate that opportunity. This makes this shortfall very much a City of Grass Valley problem.

#### City of Grass Valley Very Low- and Low-Income Housing

The City of Grass Valley’s share of very low- and low-income housing for 2001-2008 was 535 units. In the Grass Valley Housing Element table III-1 on pages III-3 and III-4, 86 R-3 units were identified as either moderate or low, and 364 units as very low- or low. One of those very low- or low parcels has since proposed a development that reduced its proposed development by 71 units. The table also indicated C and M zones that could provide additional very low- or low-income housing. So far history has shown a lack of interest in developing housing in such zoning.

Let us grant that the City has identified most of the units within the City limits that would meet the 2001-2008 RHNP requirements. The question is where will the very low- and low-income housing units come from in the future?

Table III-2 of the City of Grass Valley Housing Element page III-5 shows the vacant land permitting residential uses in the 5-year Sphere of Influence. Only two parcels (6.99 acres on Old Tunnel road) are shown as available for very low-income housing. The rest are shown as possible low-income housing only under a density bonus situation. Eight of the parcels are actually not within the 5-year planning horizon and are above moderate potential. One is actually within the city limits. A comment after the table states: “If additional housing demands are generated or other factors create the need for additional residential lands to accommodate growth, then these lands in the Sphere of Influence may be added to the City’s inventory of vacant land.”

The City General Plan calls for such growth, and it would seem that the City of Grass valley will not be able to identify enough very low- and low-income housing for even the more modest 2007-2014 RHNP allocation of 380 units (see Appendix D) without the availability of the parcels associated or adjacent to the Idaho-Maryland mine site. Note: it would only be speculation as to whether the proposed SDAs, if approved, will be providing any very low-or low-income housing.

This does not include the need for low-income housing for many of the workers projected for the mine. Page 4.10.7 projects that 118 employees would be relocating to Grass Valley. Though a fiscal analysis has not been performed for this project, it has been stated that the average worker would make \$50,000 per year. The lower income limit for moderate housing based on the latest State Income Limits for 2008 (February 28, 2008 Memorandum Division of Housing Policy Development) is \$55,350 for Nevada County. This would mean an additional need for low income housing.

### Conclusion

The DEIR failed to analyze the impacts on very low- and low-income housing that might occur with the requested rezoning of parcels associated with the mine, and has failed to analyze the potentially lost very low- and low-income housing of adjacent parcels that might not be built as medium or high density because of mining impacts. These impacts are likely to be significant.

### Conclusion

Under CEQA, “[a] lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification.” CEQA Guidelines § 15088.5; see also *Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112 (requiring recirculation where the new information changes to the EIR “in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect”).

For example, recirculation is required where the FEIR discloses a “new significant impact” or a “substantial increase in the severity of an environmental impact.” CEQA Guidelines § 15088.5(a)(1) & (a)(2). In view of the many inadequacies in the EIR, it must be revised to reflect any new analysis that is required. This analysis will almost certainly result in the identification of new significant impacts. In addition, some of the impacts that the EIR failed to identify as significant are in fact significant.

To comply with CEQA’s mandate that all of the potentially significant impacts of a project and feasible mitigation measures be subject to public comment and



agency response, the EIR must be revised and be re-circulated so that the Planning Commission members and citizens of Grass Valley and the affected surrounding area can review the re-circulated document and make appropriate comments.

Sincerely

*Donald L Rivenes*

Don Rivenes,  
Conservation Chair  
Sierra Foothills Audubon Society

## Appendix A

Policy H 8.1.5 “Ensure an adequate supply of land to meet the County's share of regional lower-income housing needs during the period from January 1, 2004 to December 31, 2008 through the following:

- a. Evaluate existing industrial and commercial/retail sites that are suitable for rezoning for higher density multi-family residential, while maintaining the County jobs/housing balance goals. **(IP H 8.1.3)**
- b. Increase the supply of sites zoned for multiple-family and low and moderately priced new single-family developments where infrastructure and services are available by analyzing residential sites within the Spheres of Influence of the incorporated cities that are candidates for increased residential density. Consistent with Policy 1.38, the County shall identify and rezone sites within Cities' Sphere of Influences that are without physical and environmental constraints, or constraints within the respective jurisdiction's infrastructure, and available to encourage and facilitate multi-family development to accommodate the County's housing needs. Changes in General Plan and zoning designations within a Sphere of Influence shall be consistent with that jurisdiction's planned residential densities and supported by the respective jurisdiction's environmental documentation. **(IP H 8.1.3)** *NC Housing Element (2003-2009) NC General Plan Amended Vol 1 Section 2 Community Development Chapter 8 Housing Dec 2004 Final Page 111*

Policy H 8.3.2 Work with the cities to maximize the development potential of sites that will eventually be annexed to the cities by increasing the number of sites that are legally permissible, physically possible, and economically feasible for development through the provision of high density zoning and supporting infrastructure. Annexation agreements with the cities should be used to assure that sites zoned by the County for multiple-family housing will remain zoned at the same or higher density once annexed to the cities. **(IP H 8.3.2)** *NC Housing Element (2003-2009) NC General Plan Amended Vol 1 Section 2 Community Development Chapter 8 Housing Dec 2004 Final Page 314*

Implementation Program H 8.1.3 Review land use patterns, to provide adequate supply of higher density residential land uses subject to the respective jurisdiction's infrastructure limitations.

Action: The County will review land use patterns, existing densities, the location of job centers and the availability of services to identify additional areas that may be suitable for higher density residential development within the Grass Valley and Nevada City Spheres of Influence for sites available for rezoning. The

County shall rezone parcels currently designated as residential within Cities' Spheres of Influence consistent with Policy 1.38, and consistent with that jurisdiction's planned densities subject the respective jurisdiction's infrastructure limitations and supporting environmental documentation. The County, in cooperation with the cities, shall identify 54 acres within the cities' spheres of influence land suitable for development for rezoning to the R3-18 zoning district, by January 2006 (such as parcels identified in Table 4.11a.) The County shall coordinate with the Grass Valley and Nevada City, and take all actions feasible to facilitate the availability of the anticipated sites. Specific Parcels as shown on Table 4.11.a and Figure 4.1.a shall not be considered as designated lands for Urban High or Medium Density zoning until such time as the County proceeds with the rezoning under this Implementation Program. *NC Housing Element (2003-2009) NC General Plan Amended Vol 1 Section 2 Community Development Chapter 8 Housing Dec 2004 Final Page IP-1*

#### Implementation Program H 8.3.2

Action:

Preserve multiple family sites through annexation. The density of all existing and potential multiple family sites that are subject to annexation, including the four major annexation projects (North Star, Loma Rica Ranch, and South Hill Village) that the City of Grass Valley is processing, should be built at the maximum density range for the respective sites, consistent with the existing Grass Valley and County General Plans. Annexation agreements between the County, land owners and the appropriate city shall specifically address these sites, along with assurances that sites already zoned and those with the potential for higher densities remain available for multiple family housing at the highest density possible. The County shall work with LAFCo to maintain maximum multiple-family zoning densities. **(AHTF #26)** *NC Housing Element (2003-2009) NC General Plan Amended Vol 1 Section 2 Community Development Chapter 8 Housing Dec 2004 Final Page IP-6*

## Appendix B

“Table 4.11a below provides a Land Inventory and Resource Constraints analysis for the sites identified within the Grass Valley Sphere of Influence. As well as a review of environmental constraints analysis provided by the County GIS analysis. .” *NC Housing Element (2003-2009) NC General Plan Vol 2: Background Data and Analysis Section 2 Housing Amended Dec 2004 Appendix 3 Housing Production Opportunities Page 58-59*

Table 4.11.a

| Parcel | APN       | Acres | CoGPlan | GVGplan | ReZone    | FEMA  | Slope %<br>(at30m<br>res) | Fault | Mining | Analysis |
|--------|-----------|-------|---------|---------|-----------|-------|---------------------------|-------|--------|----------|
| 1      | 35-412-19 | 9.70  | UHD     | UHD     | R3-20     | N/A   | below 30%                 | NONE  | NONE   | None     |
| 2      | 35-480-31 | 9.25  | UHD     | UHD     | R3-20     | N/A   | below 30%                 | NONE  | NONE   | None     |
| 3      | 35-412-   | 11.35 | UMD     | UMD     | R2-4.1-8  | N/A   | below 30%                 | NONE  | NONE   | None     |
| 4      | 35-412-15 | 9.15  | UMD     | UMD     | R2-4.1-8  | N/A   | below 30%                 | NONE  | NONE   | None     |
| 5      | 35-412-18 | 4.50  | UMD     | UMD     | R21t.1-8  | N/A   | below 30%                 | NONE  | NONE   | None     |
| 6      | 09-270-04 | 10.68 | USF     | UHD     | R3-20     | ZA1/B | 35% portion               | NONE  | MRZ-2' |          |
| 7      | 09-560-33 | 13.04 | BP      | UMD     | R3-20     | N/A   | below 30%                 | NONE  | NONE   | None     |
| 8      | 09-560-34 | 5.32  | BP      | UMD     | R3-20     | N/A   | below 30%                 | NONE  | MRZ-2  | None     |
| 9      | 09-560-05 | 7.92  | BP      | UMD     | R3-20     | N/A   | below 30%                 | NONE  | NONE   | None     |
| 10     | 09-560-32 | 2.43  | BP      | UMD     | R3-20     | N/A   | below 30%                 | NONE  | NONE   | None     |
| 11     | 09-560-37 | 8.91  | BP      | UMD     | R2-4.01-8 | N/A   | below 30%                 | NONE  | MRZ-2  | None     |
| 12     | 09-560-36 | 10.25 | BP      | UMD     | R2-4.01-8 | N/A   | below 30%                 | NONE  | MRZ-2  | None     |
| 13     | 09-560-39 | 4.03  | BP      | IJMD    | R2-4.01-8 | N/A   | below 30%                 | NONE  | MRZ-2  | None     |
| 14     | 09-560-18 | 1.83  | BP      | UMD     | R2-4.01-8 | N/A   | below 30%                 | NONE  | MRZ-2  | None     |
| 15     | 09-560-38 | 2.03  | BP      | UMD     | R2-4.01-8 | N/A   | below 30%                 | NONE  | NONE   | None     |
| 16     | 09-560-16 | 1.20  | BP      | UMD     | R2-4.01-8 | N/A   | below 30%                 | NONE  | MRZ-2  | None     |
| 17     | 09-560-25 | 8.67  | BP      | UMD     | R2-4.01-8 | N/A   | below 30%                 | NONE  | MRZ-2  | None     |
| 18     | 09-560-14 | 6.01  | BP      | UMD     | R2-4.01-8 | N/A   | below 30%                 | NONE  | MRZ-2  | None     |
| 19     | 09-560-46 | 9.36  | BP      | UMD     | R2-4.01-8 | N/A   | below 30%                 | NONE  | MRZ-2  | None     |
| 20     | 09-560-13 | 1.31  | BP      | UMD     | R2-4.01-8 | N/A   | below 30%                 | NONE  | MRZ-2  | None     |
| 21     | 09-560-10 | 8.86  | BP      | UMD     | R2-4.01-8 | N/A   | below 30%                 | NONE  | NONE   | None     |
| 22     | 09-560-45 | 9.64  | BP      | UMD     | R2-4.01-8 | N/A   | below 30%                 | NONE  | MRZ-2  | None     |
| 23     | 09-560-35 | 0.49  | BP      | UMD     | R2-4.01-8 | N/A   | Below                     | NONE  | MRZ-2  | None     |

'MRZ2: State Board of Mines and Geology designated lands. Analysis shows site designation, however, one site is undergoing final reclamation, and no further mining will occur. Other MRZ2(b) lands show potential of load gold accessible from off site, and would not prohibit development as multifamily residential.

Due to the resolution of the source data used to derive the slope values presented here, the slope data can only be used to describe regional trends in slope and should not be used to determine slope for individual parcels.

Rezoning the above listed sites to be consistent with the density of the Grass Valley General Plan would yield the approximate density shown in Table 4.11a above.” *NC Housing Element (2003-2009) NC General Plan Vol 2: Background Data and Analysis Section 2 Housing Amended Dec 2004 Appendix 3 Housing Production Opportunities Page 58-59*

## Appendix C

The following table shows the total likely buildable units in the land within the mine site perimeters and adjacent to the mine. The Cty# represents the number assigned by the county in table 4.11a in Appendix B. The maximum units and likely units are based on Grass Valley zoning upon annexation and the available acreage.

### Idaho Maryland Parcels Land Analysis SOI 2000-2005

Potential total housing units lost if mine developed = 1122

Potential housing units lost by other land owners = 534

Potential units lost by others under county proposed zoning = 878

**Table 1**

East Bennett within Idaho Mine proposed site – potential lost units 588

| Parcel #  | Cty# | Owner    | Impr | Acres  | NC GP | Pot GV Zoning | Mining Desig | Max Units | Likely Units |
|-----------|------|----------|------|--------|-------|---------------|--------------|-----------|--------------|
| 09-560-36 | 12   | Erickson | 0    | 10.25  | BP    | UMD           | MRZ2         | 8         | 82           |
| 09-560-25 | 17   | I-M Mine | 0    | 8.67   | BP    | UMD           | MRZ2         | 8         | 69           |
| 09-560-46 | 19   | I-M Mine | 0    | 9.36   | BP    | UMD           | MRZ2         | 8         | 74           |
| 09-560-35 | 23   | Erickson | 0    | .49    | BP    | UMD           | MRZ2         | 8         | 4            |
| 09-560-45 | 22   | I-M Mine | 0    | 9.64   | BP    | UMD           | MRZ2         | 8         | 77           |
| 09-560-14 | 18   | I-M Mine | 0    | 6.01   | BP    | UMD           | MRZ2         | 8         | 48           |
| 09-560-16 | 16   | I-M Mine | 0    | 1.20   | BP    | UMD           | MRZ2         | 8         | 9            |
| 09-560-18 | 14   | I-M Mine | 0    | 1.83   | BP    | UMD           | MRZ2         | 8         | 14           |
|           |      |          |      |        |       |               |              |           |              |
| 09-550-38 |      | Erickson | 5295 | 40.1   | BP    | BP            | ?            | 4         | 160          |
| 09-550-37 |      | Erickson | 0    | 4.47   | BP    | BP            | ?            | 4         | 17           |
| 09-550-32 |      | Erickson | 0    | .48    | BP    | BP            | ?            | 4         | 1            |
| 09-560-29 |      | I-M Mine | 0    | 1.65   | BP    | BP            | ?            | 4         | 6            |
| 09-560-30 |      | I-M Mine | 0    | 3.93   | BP    | BP            | ?            | 4         | 15           |
| 09-560-19 |      | I-M Mine | 0    | 3.02   | BP    | BP            | ?            | 4         | 12           |
| Total     |      |          |      | 101.10 |       |               |              |           | 588          |

## Appendix C (continued)

**Table 2**

East Bennett adjacent to Idaho Mine proposed area – potential lost units 534

| Parcel #  | Cty# | Owner    | Impr | Acres | NC GP | Ptl GV Zoning | Mining Desig | Max Units | Likely Units |
|-----------|------|----------|------|-------|-------|---------------|--------------|-----------|--------------|
| 09-560-33 | 7    | Erickson | 0    | 13.04 | BP    | UMD           | None         | 8         | 104          |
| 09-560-34 | 8    | Erickson | 0    | 5.32  | BP    | UMD           | MRZ2         | 8         | 42           |
| 09-560-05 | 9    | Erickson | 0    | 7.92  | BP    | UMD           | None         | 8         | 63           |
| 09-560-32 | 10   | Erickson | 0    | 2.43  | BP    | UMD           | None         | 8         | 19           |
| 09-560-37 | 11   | Erickson | 0    | 8.91  | BP    | UMD           | MRZ2         | 8         | 71           |
| 09-560-39 | 13   | Erickson | 0    | 4.03  | BP    | UMD           | MRZ2         | 8         | 32           |
| 09-560-38 | 15   | Erickson | 0    | 2.03  | BP    | UMD           | None         | 8         | 16           |
| 09-560-10 | 21   | Erickson | 0    | 8.86  | BP    | UMD           | None         | 8         | 70           |
|           |      |          |      |       |       |               |              |           |              |
| 09-550-42 |      | DeMar    | 0    | 11.80 | BP    | BP            | ?            | 4         | 20           |
| 09-550-20 |      | Walsh    | 0    | .33   | BP    | BP            | ?            | 4         | 1            |
| 09-560-31 |      | Erickson | 0    | .72   | BP    | BP            | ?            | 4         | 2            |
| 09-680-48 |      | Miller   | 0    | .14   | BP    | BP            | ?            | 4         | 2            |
| 09-680-49 |      | Miller   | 0    | .22   | BP    | BP            | ?            | 4         | 3            |
| 09-680-50 |      | Miller   | 0    | 2.97  | BP    | BP            | ?            | 4         | 11           |
| 09-680-51 |      | Miller   | 0    | 3.56  | BP    | BP            | ?            | 4         | 14           |
| 09-680-52 |      | Miller   | 0    | 9.62  | BP    | BP            | ?            | 4         | 38           |
| Total     |      |          |      | 86.89 |       |               |              |           | 534          |

Parcels 09-560-33, 09-560-34, 09-560-05 and 09-560-32 are being proposed by the county to be rezoned to R3-20 resulting in 344 more units lost.

Parcel 09-550-42 is already within the GV city limits.

Other parcels that are part of the Idaho-Maryland proposal that are not included in the potential lost very low- and low-income housing.

New Brunswick site

| Parcel #  | Cty# | Owner    | Impr | Acres | NC GP | Ptl GV Zoning | Mining Desig | Max Units | Likely Units |
|-----------|------|----------|------|-------|-------|---------------|--------------|-----------|--------------|
| 09-630-37 |      | Erickson | 0    | 21.80 | IND   | BP            | MI-SP        | 4         | 87           |
| 09-630-39 |      | Erickson | 0    | 15.07 | IND   | BP            | MI-SP        | 4         | 60           |

Round Hole site

| Parcel #  | Cty# | Owner   | Impr | Acres | NC GP | Pot GV Zoning | Mining Desig | Max Units | Likely Units |
|-----------|------|---------|------|-------|-------|---------------|--------------|-----------|--------------|
| 09-690-37 |      | Whisper | 0    | 7.13  | BP    | SP1-A         | ?            | 4         | 28           |

## Appendix D

Sierra Planning Organization 2007-2014 Regional Housing Need Plan

### 2007-2014 RHNA Distribution to Local Governments

As Alternative 2 was developed to comply with a change in law (AB 2158, statutes of 2003), the Methodology Committee decided on Alternative 2 in distributing RHNA to each jurisdiction as follows:

| <b>2007-2014 Regional Housing Need</b> | Very-Low | Low   | Moderate | Above Moderate | Total |
|--|----------|-------|----------|----------------|-------|
| Total                                  | 1221     | 982   | 1120     | 2294           | 5617  |
| <b>Region</b>                          | 22%      | 17%   | 20%      | 41%            | 100%  |
| Nevada CY Gov'ts                       | 1186     | 961   | 1090     | 2235           | 5472  |
| Nevada County                          | 656      | 527   | 593      | 1212           | 2988  |
|  | 22.0%    | 17.6% | 19.8%    | 40.6%          | 100%  |
| Grass Valley                           | 199      | 181   | 222      | 492            | 1094  |
|  | 18.2%    | 16.5% | 20.3%    | 45.0%          | 100%  |
| Nevada City                            | 26       | 23    | 27       | 55             | 131   |
|  | 19.8%    | 17.6% | 20.6%    | 42.0%          | 100%  |
| Truckee                                | 305      | 230   | 248      | 476            | 1259  |
|  | 24.2%    | 18.3% | 19.7%    | 37.8%          | 100%  |
| Sierra CY Gov'ts                       | 35       | 21    | 30       | 59             | 145   |
| Sierra County                          | 31       | 17    | 26       | 50             | 124   |
|  | 25.0%    | 13.7% | 21.0%    | 40.3%          | 100%  |
| Loyalton                               | 4        | 4     | 4        | 9              | 21    |
|  | 19.0%    | 19.0% | 19.0%    | 43.0%          | 100%  |