

## 4.1 AESTHETICS

This section provides information on aesthetic resources that occur or could occur within the Park, and could be impacted by Program Actions of the Project. Section 4.0, Environmental Analysis, provides a description of DPR's analytical methodology that is applied to each resource category, including Aesthetic Resources, from a program and area-specific perspective.

### 4.1.1 EXISTING CONDITIONS

Section 4.0 provides a regional overview of the Park's existing conditions. The topography, flora, water features, and climate combine to create the Park's aesthetic character. A brief reiteration of regional features affecting the Park's aesthetic resources is included below.

The Park lies in the foothills of the Sierra Nevada Mountain Range and is characterized by diverse topography representative of the western Sierra Nevada foothills. Steep to very steep rolling hills with perennial drainages are interspersed with more gentle plateaus. Park elevations range from 1,900 to 2,900 feet above mean sea level (amsl). The Park is within a semi-Mediterranean climatic zone and has cold, moist winters and hot, dry summers. Annual precipitation averages about 53 inches (Western Regional Climate Center 2008).

Two perennial streams, ephemeral ponds, man-made drainage corridors, and an emergent marsh are the characteristic hydrologic features within the Park. Coniferous forests with scattered oaks dominate the natural park vegetation, although areas of chaparral, grassland, riparian, and wetland vegetation communities also occur within the Park's boundaries. Mine waste rock and mill tailings are dispersed throughout the Park; in some areas large piles of cobble and sand support sparse vegetative growth. Areas of landscaped lawns and gardens have historic significance and are maintained to be reminiscent of earlier times.

The area surrounding the Park supports open space, residential, and limited commercial and industrial land uses.

#### **4.1.1.1 Methods**

DPR and its consultants visited the Park on several occasions to document the existing visual character of the interior Park and surrounding vicinity. Consultants reviewed existing aerial photographs and literature as well as photographed and documented visual elements of the Park during three site visits. This visual analysis employs assessment methods based, in part, on U.S. Department of Transportation, Federal Highway Administration methods (FHWA 1998), Bureau of Land Management, Visual

Resource Management guidelines, and other accepted visual analysis techniques as summarized by Smardon *et al.* (1986).

### **4.1.1.2 Public and Neighbor Views**

Views of the Remediation Areas, or portions thereof, can be seen from numerous locations both within the Park boundary and from surrounding areas. The discussion below describes three visual perspectives: within the Park, surrounding the Park, and from adjacent roadways. A detailed visual description of all Remediation Areas and viewpoint locations is located in Section 4.1.1.3. Figure 4.1-1, Viewpoint Locations, and Figures 4.1-2a through 4.2-1p, Viewpoint Location Photographs, provide views from representative locations throughout the Park where remediation actions may be visible to the public.

#### **Visual Environment Within the Park**

The interior views of the Park are dominated by coniferous forest, predominantly consisting of second growth ponderosa pines, incense-cedar, and Douglas-fir, and historic mining features (DPR 1996). Features resulting from late 19<sup>th</sup> century and early 20<sup>th</sup> century historic mining activities are scattered throughout the Park. These features include old mining roads, shafts, tailings and waste rock piles, mill sites, and historic buildings. Many of the features are visible to the public from either the large visitor center area or the extended network of trails within the Park.

The most dominant historic mining features visible from the visitor center and its surrounding grounds and trails include the Mine Yard and Stamp Mill, Cyanide Plant, Red Dirt Pile, and Historic Grounds. These features include historic mine buildings, old mining equipment, mine shaft entrances, foundations of now-destroyed buildings, residences, and various historic mining elements. Much of the natural vegetation in this location has been removed and replaced with paved or gravel walkways and landscaped vegetation.

The Park's extensive trail system provides a variety of views and viewpoints, (e.g., dense coniferous forest and associated vegetation, historic mine equipment or features, waterways, and man-made structures such as power lines, fences, etc). Due to the dense and tall vegetation, panoramic views are limited from most of the trail system.

## Visual Environment Surrounding the Park

The Park is surrounded by a mixture of residential and commercial development, roadways, and open space. Table 4.1-1, Surrounding Land Uses, provides an overview of the land uses surrounding the Park and the dominant views these areas have of the Park.

**TABLE 4.1-1  
SURROUNDING LAND USES**

Direction from Park	Primary Land Uses	Dominant Park Views
West	City of Grass Valley, Residential, Commercial, Open Space, Highway 49	Coniferous Forest
East	Rural Residential, SR 174	Coniferous Forest, Park Trails
North	Rural Residential, School, SR 174, Commercial, E. Bennett Road	Coniferous Forest
South	Osborne Hill Road, Open Space	Coniferous Forest

As summarized in Table 4.1-1, above, much of the Park's interior is shielded by the dense coniferous forest. Peripheral views toward the interior of the Park are available at trailheads on the east (Osborne Hill Road) and west (East Empire Street) and provide views of trail cutouts and dense, coniferous forest on either side. The Osborne Hill Loop Trail, accessible from Osborne Hill Road, also includes views of power lines and fencing. The most intrusive views of the Park interior are from East Empire Street, discussed in detail below.

### Views from Roadways Adjacent to the Park

Four roads provide views of the Park; these include SR 20/SR 49 (also referred to as Highway 49), East Empire Street, SR 174, and Osborne Hill Road.

#### State Route 20/State Route 49

SR 49 is a north-south highway connecting the western portion of Nevada County, including the City of Grass Valley, to the Sacramento region via Interstate 80 (I-80). For most of its length, SR 49 is a two-lane highway with many local access points; however, it turns into a four-lane freeway between Nevada City and Grass Valley. Posted speed limits on SR 49 range between 35 and 55 miles per hour. From the northern boundary of Nevada City to the southwestern boundary of Grass Valley, SR 20 and SR 49 are merged into a single highway.

The Park is visible in varying degrees along an approximately 1½ mile segment of SR 49. These views are limited due to intervening vegetation,

structures (commercial and rural residential), and distance. SR 49 comes within 350 feet of the Park boundary just south of the intersection with McKnight Way, but for the remainder of its length does not pass close to the Park.

### **East Empire Street**

East Empire Street is an east-west arterial two-lane road, beginning at the intersection of SR 20/SR 49 and East Empire Street, extending east approximately 1½ miles to its terminus where it intersects with SR 174. East Empire Street is a Nevada County-maintained road intersecting several City of Grass Valley streets. East Empire Street provides access to the entrance of the Park approximately 1 mile from its origination at SR 20/SR 40. The speed limit on East Empire Street is 25 miles per hour.

East Empire Street provides the most comprehensive views of the Park from any local roadways. Views available to motorists and/or pedestrians on East Empire Street include buildings within the historic grounds, the Visitors Center, and mine-related buildings in the mine yard. However, even these views are limited, mostly by intervening vegetation and an elevation differential between East Empire Street and the Park (see Figure 4.1-2d, 4.1-2e, and 4.1-2j).

### **State Route 174**

SR 174 is a 13-mile, two-lane state highway connecting I-80 in Colfax with SR 20/SR 49 in Grass Valley. An approximately ½-mile stretch of SR 174 bisects the Central and Union Hill portions of the Park. The speed limit on SR 174 through this portion of the Park is 35 miles per hour.

Views of the Park from both sides of SR 174 are limited to dense, coniferous forest, a very small portion of the Magenta Drain Area, and one residence (see Figure 4.1-2e and 4.1-2h).

### **Osborne Hill Road**

Osborne Hill Road is a private residential road, beginning at its intersection with SR 174 and extending south approximately 1 ½ miles to its terminus its intersection with Goodhall Mine Road. The road provides access to trail entrances in the Osborne Hill area of the Park. The speed limit on Osborne Hill Road is 25 miles per hour.

Views of the Park from Osborne Hill Road are limited to dense, coniferous forest except when trail entrances provide views further into the Park. No

historic mine features are visible from Osborne Hill Road (see Figure 4.1-2f).

#### **4.1.1.3 Public Views of Remediation Areas**

As described in Sections 2.6.3 and 2.6.4 of the Project Description, work in each of the 10 Remediation Areas would result in one or more Program Actions. Table 4.1-2, Visual Character and Public Viewpoints of Remediation Areas with Program Actions, provides a description of the existing visual characteristics of each Remediation Area and provides information where each Remediation Area could be visible to the public from within and outside the Park boundary. This information forms the basis for the impact assessment section.

**TABLE 4.1-2  
VISUAL CHARACTER AND PUBLIC VIEWPOINTS OF REMEDIATION AREAS WITH PROGRAM ACTIONS**

Remediation Areas	Program Actions	Existing Visual Character	Viewpoint Locations of Remediation Areas	
			Outside Park	Within Park
<b>Area 1</b> Mine Yard and Stamp Mill Area	<ul style="list-style-type: none"> <li>Implement passive treatment measures;</li> <li>Other water treatment measures (e.g., permanent zeolite cell installation); or</li> <li>Remediation of structures.</li> </ul>	<ul style="list-style-type: none"> <li>Historic buildings associated with mining and milling process</li> <li>Stamp mill foundation</li> <li>Unpaved open space between buildings</li> <li>Visitors center and parking lot</li> <li>Periphery of area has coniferous forest</li> <li>Public restrooms</li> </ul>	East Empire Street	<ul style="list-style-type: none"> <li>Cyanide Plant Area</li> <li>Red Dirt Pile/Overflow parking lot</li> <li>Conveyance Corridor and Adit Project</li> <li>Historic Grounds Area</li> <li>Historic Mine and Mill Sites (New Rich Hill Shaft)</li> <li>Hardrock Trail</li> </ul>
<b>Area 2</b> Cyanide Plant Area	<ul style="list-style-type: none"> <li>Selective removal and replacement of surface materials;</li> <li>Complete removal and/or replacement of surface materials;</li> <li>Placement of cover over selected areas; and/or</li> <li>Use of institutional controls to prevent access.</li> </ul>	<ul style="list-style-type: none"> <li>Exposed foundation of Cyanide Plant</li> <li>Man-made drainage ditch</li> <li>Periphery of area has coniferous forest</li> </ul>	None	<ul style="list-style-type: none"> <li>Mine Yard and Stamp Mill Area</li> <li>Red Dirt Pile/ Overflow parking lot</li> <li>Conveyance Corridor and Adit Project</li> <li>Hardrock Trail</li> </ul>

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Remediation Areas	Program Actions	Existing Visual Character	Viewpoint Locations of Remediation Areas	
			Outside Park	Within Park
<b>Area 3</b> Conveyance Corridor and Adit Project	<ul style="list-style-type: none"> <li>In-situ covers establishment and stabilization;</li> <li>Selective removal and replacement of surface materials;</li> <li>Placement of cover over selected areas;</li> <li>Stormwater collection and diversion structures; and/or</li> <li>Other water management measures.</li> </ul>	<ul style="list-style-type: none"> <li>Railroad tracks and cars</li> <li>Coniferous forest</li> <li>Man-made drainage ditch</li> <li>Stormwater control measures</li> <li>Primary Adit and locked gate</li> </ul>	None	<ul style="list-style-type: none"> <li>Mine Yard and Stamp Mill Area</li> <li>Cyanide Plant Area</li> <li>Red Dirt Pile</li> </ul>
<b>Area 4</b> Sand Dam Area	<ul style="list-style-type: none"> <li>In-situ covers establishment and stabilization;</li> <li>Selective removal and replacement of surface materials;</li> <li>Placement of cover over selected areas;</li> <li>Use of institutional controls to prevent access;</li> <li>Stormwater collection and diversion structures; and/or</li> <li>Other water management measures.</li> </ul>	<ul style="list-style-type: none"> <li>Open Space</li> <li>Coniferous forest</li> <li>Freshwater emergent wetland</li> <li>Perennial stream (little Wolf Creek)</li> <li>Riparian habitat surrounding perennial stream</li> </ul>	None	<ul style="list-style-type: none"> <li>Conveyance Corridor and Adit Project</li> <li>Hardrock Trail</li> <li>Historic Mine and Mill Sites (Golden Treasure Mine)</li> <li>Penn Gate</li> </ul>

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Remediation Areas	Program Actions	Existing Visual Character	Viewpoint Locations of Remediation Areas	
			Outside Park	Within Park
<p><b>Area 5</b> Historic Mine and Mill Sites</p>	<ul style="list-style-type: none"> <li>• Use of institutional controls to prevent access;</li> <li>• In-situ covers establishment and stabilization;</li> <li>• Selective removal and replacement of surface materials; and/or</li> <li>• Placement of cover over selected areas;</li> </ul>	<ul style="list-style-type: none"> <li>• Coniferous forest</li> <li>• Mill Tailings and mine waste rock</li> </ul>	Residences on Osborne Hill Road	Almost all trails within the Park
<p><b>Area 6</b> Magenta Drain Area</p>	<ul style="list-style-type: none"> <li>• Use of institutional controls to prevent access;</li> <li>• Implement active treatment measures;</li> <li>• Implement passive treatment measures; and/or</li> <li>• Other water management measures.</li> </ul>	<ul style="list-style-type: none"> <li>• Man-made drainage</li> <li>• Riparian habitat surrounding man-made drainage</li> </ul>	Residences off Colfax Avenue, Race Street, and Wiley Lane City of Grass Valley tennis courts	Memorial Park Trail

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Remediation Areas	Program Actions	Existing Visual Character	Viewpoint Locations of Remediation Areas	
			Outside Park	Within Park
<p><b>Area 7</b> Stacy Lane Pond</p>	<ul style="list-style-type: none"> <li>In-situ covers establishment and stabilization;</li> <li>Selective removal and replacement of surface materials;</li> <li>Placement of cover over selected areas;</li> <li>Stormwater collection and diversion structures; and/or</li> <li>Other water management measures;</li> </ul>	<ul style="list-style-type: none"> <li>Coniferous forest</li> <li>Seasonal pond/open water</li> <li>Small wetland and associated riparian vegetation</li> </ul>	Residences off Stacy Lane Trail	Stacy Lane Trail Historic Mine and Mill Areas
<p><b>Area 8</b> Historic Grounds Area</p>	<ul style="list-style-type: none"> <li>In-situ covers establishment and stabilization;</li> <li>Selective removal and replacement of surface materials;</li> <li>Placement of cover over selected areas;</li> <li>Use of institutional controls to prevent access;</li> <li>Stormwater collection and diversion structures;</li> <li>Other water management measures; and/or</li> <li>Remediation of structures.</li> </ul>	<ul style="list-style-type: none"> <li>Concrete pools</li> <li>Historic buildings</li> <li>Landscaped areas</li> </ul>	East Empire Street	<ul style="list-style-type: none"> <li>Mine Yard and Stamp Mill Area</li> <li>Cyanide Plant Area</li> </ul>

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Remediation Areas	Program Actions	Existing Visual Character	Viewpoint Locations of Remediation Areas	
			Outside Park	Within Park
<b>Area 9</b> Residences and Residences Yards	<u>Residence Interiors</u> <ul style="list-style-type: none"> <li>Remediation of structures (initiated in 2008).</li> </ul> <u>Exterior and Yards</u> <ul style="list-style-type: none"> <li>In-situ covers establishment and stabilization;</li> <li>Selective removal and replacement of surface materials;</li> <li>Complete removal and/or replacement of surface materials; and/or</li> <li>Placement of cover over selected areas.</li> </ul>	<ul style="list-style-type: none"> <li>Coniferous forest</li> <li>Historic buildings</li> </ul>	East Empire Street SR 174	<ul style="list-style-type: none"> <li>Mine Yard and Stamp Mill Area</li> <li>Cyanide Plant Area</li> </ul>
<b>Area 10</b> Trails	<ul style="list-style-type: none"> <li>In-situ covers establishment and stabilization;</li> <li>Placement of cover over selected areas;</li> <li>Use of institutional controls to prevent access;</li> <li>Selective removal and replacement of surface materials; and/or</li> <li>Complete removal and/or replacement of surface materials.</li> </ul>	<ul style="list-style-type: none"> <li>Coniferous forest</li> <li>Mine tailings and waste rock</li> <li>Urban landscape, including: <ul style="list-style-type: none"> <li>Historic buildings,</li> <li>Water pipes,</li> <li>Landscaped areas, and</li> <li>Mine equipment.</li> </ul> </li> </ul>	Osborne Hill Road East Empire Street SR 174 Memorial Park	<ul style="list-style-type: none"> <li>All Remediation Areas</li> </ul>

## 4.1.2 REGULATORY SETTING

### 4.1.2.1 State

#### **California Department of Transportation: California Scenic Highway Program**

The California Scenic Highway Program was enacted in 1963 to protect and enhance California's scenic beauty by identifying and conserving those portions of the state highway system that would diminish aesthetic values of surrounding lands if changed. A highway may be eligible for designation as "scenic" based on landscape viewed by travelers on that highway, quality of the landscape viewed, and the extent development would intrude on enjoyment of the landscape. Prior to official designation of a highway as scenic, a city or county must nominate the highway for designation and adopt ordinances that protect its scenic quality. The city or county then applies to the California Department of Transportation for scenic highway approval.

#### **California Department of Parks and Recreation**

DPR must comply with the Park's General Plan, as well as applicable state and federal rules and regulations governing historic buildings, structures, and districts and any local regulations (e.g. Nevada County General Plan policies) applicable to aesthetic impacts located outside the Park boundaries.

Empire Mine State Historic Park Resource Management Plan and General Development Plan

The California State Parks and Recreation Commission adopted the Empire Mine State Historic Park Resource Management Plan, General Development Plan (General Plan) and Environmental Impact Report (EIR) in 1977, amended in 1996 (DPR 1978, 1996). The purpose of the Plan is to provide long-term general guidelines for all Park development at Empire Mine State Historic Park in accordance with the Park's historic designation. Overall, these planning documents give priority to the Park's historic resources.

Resource Management Plan policies support the General Plan's goals for preservation of the aesthetic value of the Park. Applicable policies include:

#### **Policy 4: Natural Setting**

Scenic values at the Empire Mine State Historic Park are pleasant and typical of Sierra Nevada coniferous forests and hills. The coniferous forest provides an attractive backdrop for the mine facilities. Features such as the mine tailings and gardens add color to the landscape.

The coniferous forest provides an attractive backdrop for the mine facilities. Features such as the mine tailings and gardens add color to the landscape.

The natural vegetation at Empire Mine State Historic Park has been strongly modified by many decades of human use and other impacts, from which it is now vigorously recovering. To return the forest lands to their decimated appearance during the historic prime period, even if physically reasonable, would almost certainly be aesthetically unacceptable. The objective of DPR with respect to natural vegetation is to maintain and perpetuate a healthy and attractive forest environment for the historic resources, keeping this environmental element subordinate to the historic scene at all times. Vistas for enjoyment or interpretation of the prime resources of the unit shall be kept open where appropriate and not allowed to be lost through overgrowth. The department shall prepare and adopt a detailed Resource Management Program, which shall provide for the management of the vegetation and related natural features designed to attain this objective.

### **Policy 5: Other Scenic Areas/Succession**

Scenic areas containing vegetation such as black oaks and riparian growth are found throughout the historic park. These areas are presently in the midst of successional changes in vegetation. Large numbers of shade-tolerant intense-cedar, for instance, threaten to shade-out and replace black oaks, which require full sunlight. Dense blackberry shrubs are spreading through the unit and manzanita growth is no longer controlled by the natural system of periodic fires which once existed. Procedures for the preservation of these areas include selective vegetation removal and controlled burning.

### **Policy 6: Gardens and Grounds**

The Empire Mine gardens and grounds shall be restored, wherever possible, to the period of significance. Native vegetation shall be controlled or removed where it is encroaching upon historic areas containing non-native plant material. Non-native plantings shall be restored.

### **Policy 7: Other Areas of Non-Native Vegetation**

Several areas of the historic park contain non-native plants introduced by man, such as tree-of-heaven, cherry, and plum trees. This vegetation

shall be preserved and protected for its historic value, but shall not be permitted to overcome native vegetation. Management methods such as selective removal could be implemented (DPR 1978).

### 4.1.3 THRESHOLDS OF SIGNIFICANCE

The following thresholds have been prepared based on the State CEQA Guidelines (Appendix G) and Section 15065 of the State CEQA Guidelines. The Project would have a significant impact on aesthetic resources if it will:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

### 4.1.4 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

#### 4.1.4.1 Programmatic EIR Impact Assessment

To identify potentially significant impacts resulting from Program Actions, each proposed Program Action was assessed against the significance thresholds listed in Section 4.1.3. Table 4.0-1, Proposed Program Actions and Anticipated Project Actions at the Park, summarizes the results of the impact analysis, and assesses reasonably foreseeable impacts that could occur to each of the identified environmental resources. The Program Actions are described in detail in Section 2.0 of the Draft PEIR. The discussion below lists each type of potential aesthetic impact and provides an analysis of potential impacts from each Program Action, assesses the significance of each impact, and if necessary, identifies measures that would reduce impacts to a level below significance.

#### **Impact 4.1-1: Program Actions Could Substantially Degrade the Existing Visual Character or Quality of the Park and its Surroundings**

Several Program Actions could change the existing visual character and quality of the Park as viewed by people outside the Park boundary. Program Actions, as detailed in Section 2.6.3 of the Project Description, that could be visible by individuals outside the Project boundary include:

- Selective or complete removal and/or replacement of surface materials;
- Placement of cover over selected areas;

- Use of engineered controls to prevent access;
- Stormwater collection and diversion structures;
- Implement active treatment measures; and/or
- Remediation of structures.

Section 2.6.3 of the Project Description provides Project Actions necessary to implement the Program Actions above. Those Project Actions that could be visible to people outside the Park include:

- Operation of heavy construction equipment;
- Transportation of contaminated soils leaving the Park and importation of clean fill material entering the Park;
- Mobilization and demobilization of heavy construction equipment to the Park;
- Demolition and/or removal of any structures, including temporary facilities;
- Importation of supplies and materials that could be used for remediation activities;
- Temporary and permanent fencing installation;
- Grading activities;
- Boring activities;
- Excavation activities;
- Blasting activities;
- Scarifying activities;
- Planting and seeding activities;
- Dredging and sediment removal;
- Stormwater BMP installation and maintenance activities;
- Physical contact with cultural and surface water resources;
- Removal of trees and other vegetation;
- Construction of ancillary structures, including utilities for either a temporary or permanent active water treatment facility;
- Construction and installation of permanent exclusion barriers;
- Construction and maintenance of access roads; and/or
- Monitoring activities.

As shown in Tables 4.1-1 and 4.1-2, views from residential and commercial uses surrounding the Park are limited to dense coniferous forest, the Magenta Drain Area, and trails. Motorists on East Empire Street have views of dense coniferous forest and partial views of historic buildings within the Mine Yard and Stamp Mill and Historic

Grounds. Views are available to motorists on Osborne Hill Road and SR 174 (see Figure 4.1-2d, 4.1-2e, 4.1-2f, 4.1-2h, and 4.1-2j).

As stated above in Section 4.1.1.3, the dense coniferous forest and tall trees limit the views into the Park, including views of Project Actions. In addition, the majority of external views of the Park are substantial distances from the Park (e.g., Grass Valley and residential and commercial areas along SR 49). Residential views of the Magenta Drain Area are discussed below. Most Program Actions and resulting Project Actions would not be visible to individuals outside the Park because of the visual buffer created by forest vegetation.

With regard to motorists on East Empire Street, SR 49, and SR 174, it is unlikely a significant change in the visual quality of available Park views would occur as a result of Program Actions. Motorists would only have views of the Park for approximately ½ to 1½ miles on these roadways at the anticipated speeds of 35 to 55 miles per hour, which equates to less than a minute of potential viewing time. Views of the Park from SR 49 would be at distances ranging from 500 feet to 1½ miles, while views of the Park from both SR 49 and SR 174 would be limited to the dense coniferous forest common along these roadways. Given the distances and screening identified above, motorists traveling on roads with views of the Park are unlikely to notice a substantial change in the visual character or quality of the Park as a result of Program or Project Actions.

Standard Project Requirement AES-1 requires that new fences will be of a color that blends in with the natural surroundings.

Per Specific Project Requirement AES-2, materials required for remediation will be stored outside of the viewshed of State Route 174.

Pursuant to Specific Project Requirement AES-3, the Project Proponents will post information signs near Remediation Areas with restricted access or closures resulting from Program Actions lasting longer than 3 months. AES-3 provides that the signs will include an explanation and description of the Program Action, as well as the anticipated duration of the remediation and projected completion date.

With implementation of the Standard and Specific Project Requirements cited above, visual impacts associated with removal of vegetation at the Park boundary resulting in a change in the visual quality or character to people outside the Park, is less than significant.

**Level of Significance Before Mitigation:** Less than Significant

**Mitigation Measures:** None Required

### Impact 4.1-2: Program Actions Could Introduce a Substantially New Source of Light or Glare

Standard Project Requirement NOISE-1 (see Section 4.9, Noise, of this Program EIR) limits Program Actions to daylight hours. Therefore, aside from the water treatment facility that could be constructed adjacent to the Park Office in the Magenta Drain Area (Remediation Area 6), Project Actions would not result in new nighttime lights at the Park. The impact analysis for Remediation Area 6 is provided below in Impact 4.1-3.

**Level of Significance Before Mitigation:** Less than Significant

**Mitigation Measures:** None Required

#### 4.1.4.2 Area-Specific EIR Impact Assessment

To identify potentially significant impacts resulting from the Project, each proposed Program Action was assessed for each Remediation Area using the significance thresholds listed in Section 4.1.3, Thresholds of Significance. Table 4.1-3, Area-Specific Aesthetic Impacts Analysis, summarizes the area-specific aesthetic impacts.

**TABLE 4.1-3  
AREA-SPECIFIC AESTHETICS IMPACTS ANALYSIS**

Remediation Areas	Thresholds of Significance			
	Substantial effect on a scenic vista.	Substantial effect on scenic resources or a scenic highway.	Substantial degradation to visual character of site and surroundings.	Introduction of substantial light or glare.
<b>Area 1:</b> Mine Yard and Stamp Mill Area	NI	NI	LS	LS
<b>Area 2:</b> Cyanide Plant Area	NI	NI	LS	LS
<b>Area 3:</b> Conveyance Corridor and Adit Project Area	NI	NI	LS	LS
<b>Area 4:</b> Sand Dam Area	NI	NI	LS	LS
<b>Area 5:</b> Historic Mine and Mill Areas	NI	NI	LS	LS
<b>Area 6:</b> Magenta Drain Area	NI	NI	PS	PS
<b>Area 7:</b> Stacy Lane Pond Area	NI	NI	LS	LS

Remediation Areas	Thresholds of Significance			
	Substantial effect on a scenic vista.	Substantial effect on scenic resources or a scenic highway.	Substantial degradation to visual character of site and surroundings.	Introduction of substantial light or glare.
<b>Area 8:</b> Historic Grounds Area	NI	NI	LS	LS
<b>Area 9:</b> Residences and Residences' Yards Areas	NI	NI	LS	LS
<b>Area 10:</b> Trails Areas	NI	NI	LS	LS

**Notes:**

PSU = Potentially Significant and Unavoidable

PS = Potentially Significant Impact

LS = Less than Significant Impact – with Project Specific and Standard Project Requirements

LSM = Less than Significant Impact with Mitigation Incorporated

NI = No Impact

NA = Not Applicable

**Impact 4.1-3: Program Actions at Area-Specific Locations Could Substantially Degrade the Existing Visual Character or Quality of the Park and its Surroundings**

Program Actions at each of the 10 Remediation Areas could substantially degrade the visual character of each Remediation Area. Program Actions that require the following Project Actions could result in adverse impacts to the Park's visual resources:

- Operation of heavy construction equipment;
- Transportation of contaminated soils leaving the Park and importation of clean fill material entering the Park;
- Mobilization and demobilization of heavy construction equipment to the Park;
- Demolition and/or removal of any structures, including temporary facilities;
- Importation of supplies and materials that could be used for remediation activities;
- Temporary and permanent fencing installation;
- Grading activities;
- Boring activities;
- Excavation activities;
- Blasting activities;

- Scarifying activities;
- Dredging and sediment removal;
- Stormwater BMP installation and maintenance activities;
- Physical contact with cultural and surface water resources;
- Removal of trees and other vegetation;
- Construction of ancillary structures, including utilities for either a temporary or permanent active water treatment facility;
- Construction and installation of permanent exclusion barriers;
- Construction and maintenance of access roads; and/or
- Monitoring activities.

### **Mine Yard and Stamp Mill, Cyanide Plant, Conveyance Corridor and Adit Project, Historic Grounds Area, and Residences and Residence Yards**

The visual impacts resulting from Project Actions would be particularly apparent within the Mine Yard and Stamp Mill (Area 1), Cyanide Plant (Area 2), Conveyance Corridor and Adit Project (Area 3), Historic Grounds Area (Area 8), and Residences and Residences Yards (Area 9) because the relatively high visitor traffic volumes in these Remediation Areas means that the work areas would be visible to substantial numbers of people. The Remediation Areas noted above are in close proximity to one another and each area is fully or partially visible from the other areas. Therefore, a Program Action using the Project Actions listed in the bullets above at one of the Remediation Areas would not only impact the visual character of that Remediation Area, but also could affect views within other areas of the Park (see Figure 4.1-2a, 4.1-2b, and 4.1-2c).

It can be assumed that most visitors to the Park have a preconceived expectation of the aesthetic character and views likely to be encountered at a historic gold mine. The visual environment created by Project Actions likely would be inconsistent with these visitor preconceptions, thus increasing the perceived visual impact of Project Actions conducted in these Remediation Areas.

The Standard and Specific Project Requirements described above in Impact 4.1-1 (AES-1 through AES-3) were developed to reduce the visibility of the Program Actions and to explain the Program Actions and provide their anticipated duration.

### **Sand Dam Area, Stacy Lane Pond Area, and Historic Mine and Mill Sites**

The Sand Dam Area (Area 4), Historic Mine and Mill Areas (Remediation Area 5), and Stacy Lane Pond Area (Area 7) are areas of far less intensive visitation as compared to the Remediation Areas discussed previously. Areas 4, 5, and 7

are also characterized by an abundance of natural vegetation versus the more disturbed, human-created landscapes described for Remediation Areas 1 through 3, 8, and 9. Despite these differences, Program Actions requiring the use of a range of Project Actions could result in a visual impact if excessive natural vegetation is removed or man-made landscape is added to the existing natural environment (see Figure 4.1-2n, 4.1-2o, and 4.1-2p). There is, however, a Specific Project Requirement (BIO-7) that was developed to minimize impacts to vegetation that would also reduce aesthetic impacts in well vegetated areas of the Park.

Per Specific Project Requirement BIO-7, prior to implementation of Program Actions, the Project Proponents will determine and use the minimum area necessary for Program Actions, including staging and access, and will place orange construction fencing or flagging around the limits of the proposed work area. Existing disturbed areas will be used to the extent possible. Remediation personnel will minimize habitat disturbance by remaining within the designated work area at all times. Excavated soils or other materials will not be placed outside the designated work area. Program Action-related habitat disturbances will be prohibited outside the designated work areas.

Incorporation of Specific Project Requirement BIO-7, in combination with Specific Project Requirements AES-1 and AES-3 above, aesthetics impacts to Remediation Areas 4, 5, and 7 would be reduced to a less than significant level.

### **Magenta Drain Area**

Program and Project Actions related to Area 6 could result in the removal of the vegetation buffer currently impeding views of the Magenta Drain. Removal of this buffer would result in views by passenger vehicles traveling along SR 174 and Race Street and/ or residential and commercial receptors. With regard to motorists on SR 174 and Race Street, it is unlikely a significant change in the visual quality would occur as a result of Program and Project Actions due to the limited time available for viewing. Motorists would only have views of the Park for approximately  $\frac{1}{4}$  to  $\frac{1}{2}$  mile on these roadways at the anticipated speeds of 25 to 35 miles per hour, which equates to less than a minute of potential viewing time. Views from residences adjacent to the Magenta Drain would change more substantially due to the removal of vegetation, use of construction equipment, and surface disturbance as a result of Project and Program Actions. The impact to this area would be temporary and minimized with Specific Project Requirements AES-1, Noise-1, and BIO-7 described above. In addition, Specific Project Requirement AES-2 requires that all materials for remediation will be stored outside the viewshed of SR 174 (see Figure 4.1-2g, 4.1-2h, and 4.1-2i).

If an active water treatment plant (permanent and/or temporary) is constructed in Area 6 (see Figure 2.0-8) it would result in two aesthetic impacts, a temporary impact during construction and a permanent impact from the presence of the active water treatment plant. The active water treatment plant could include some or all of the following features, access road, water storage ponds and/or tanks, 1 ½ to 2 story building, pipeline, and nighttime and/or safety lighting. The maximum disturbance area necessary for these features is 10 acres. The active water treatment plant and associated construction Program and Project actions would be inconsistent with the current viewshed of coniferous forest and historic buildings available to travelers along this stretch of East Empire Street (see Figure 4.1-2j).

A temporary water treatment plant could be constructed at the Magenta Drain Portal (see Figure 2.0-8). The construction and operation of this facility would have less aesthetic impacts than the permanent active water treatment facility because it would be constructed in a shorter construction window, be smaller in scale and would be removed prior to construction of a permanent water treatment facility. Further, the Project Actions necessary to construct the temporary water treatment plant would incorporate all applicable Standard and Specific Project Requirements.

Program and Project actions related to construction of the active water treatment plant would result in removal of coniferous forest. The removal of coniferous forest would allow motorists traveling along East Empire Street views of the Program and Project actions, including associated construction equipment, partially built structures, and associated construction materials and personnel. Motorists are unlikely to experience a significant change in the visual quality as the active water treatment plant would be visible for ¼ to ½ mile at speeds of 25 to 35 miles per hour, which equates to less than a minute of potential viewing time. The active water treatment plant structure would permanently change existing viewshed to motorists along East Empire Street with the addition of new structures/ facilities and a new source of nighttime lighting.

To limit aesthetic impacts of the active water treatment plant, Specific Project Requirements AES-1, AES-2, NOISE-1, and BIO-7 will be required during and/or after construction of the active water treatment plant. In addition, the following Specific Project Requirements are provided.

Specific Project Requirement AES-4 states that any new structures resulting from remediation will be compatible with the materials, color and design of existing structures at the Park.

Specific Project Requirement AES-5, provides that to reduce direct and reflected light pollution, outdoor lighting at any permanent structure will be equipped with

shields that concentrate the illumination downward. The direct source of the lighting (bulb, lens, filament, tube, etc) will not be visible off site and the lighting will be installed as low as possible on poles and/or structures as to minimize reflected light pollution of the night sky. The candle power of the illumination at ground level will not exceed what is required by any safety or security regulations of any government agency with regulatory oversight.

### Trails

Program Actions could result in the reconstruction of some existing official trails, construction of new trails, and the closing of other trails to reduce erosion and protect trail users from potential hazards. DPR could also install signage and fences at some trail locations. Overall, the visual character of the site after Project completion would not be significantly different from existing aesthetic conditions, with the exception of the installation of permanent fences along some trails, which could be installed by DPR along certain trail segments where elevated levels of metals are present in the soil. Standard Project Requirement AES-1 above addresses installation of new fencing.

**Level of Significance Before Mitigation:** Less than Significant

**Mitigation Measures:** None Required

#### 4.1.5 EFFECTS CONSIDERED NO IMPACT OR LESS THAN SIGNIFICANT WITHOUT PROJECT REQUIREMENTS

The following describes environmental effects that were determined to be less than significant without Project Requirements or no impact; therefore, they are not discussed in detail in the Draft PEIR.

- Substantial Effect on a Scenic Vista: The General Plan for the Park (DPR 1978) identifies five panoramic view overlooks within the Park. Overlooks are designated locations for the public to observe expansive vistas of surrounding landscapes. Many of the designated overlooks have been overgrown with vegetation since 1978 and no longer provide visitors with expansive vistas. Further, the vistas were sited to look away from the Park and therefore do not provide views of Program Actions or other activities within the Park boundary. Thus, the proposed Program Actions would have no impact on any of the designated scenic vistas.
- Substantially Damage Scenic Resources, Including, but not Limited to, Trees, Rock Outcroppings, and Historic Buildings Within a State Scenic Highway: The Project is not within a designated State Scenic Highway; therefore, the Project would have no effect on scenic resources associated with a State Scenic Highway, including, but not limited to, trees, rock outcroppings, and historic

buildings. SR 174, an eligible State Scenic Highway, traverses the Park from northwest to southeast and then extends along the eastern boundary of the Park and the Union Hill area (see Figure 4.1-1 Empire Mine SHP Panoramic Overlooks). The state legislature designated the part of SR 174 in unincorporated Nevada County (between the county line and the Grass Valley city limits) as eligible for the State Scenic Highway System. However, Concerned Citizens for 174 successfully opposed the designation because it would restrict the property rights of residents along the highway. Therefore, while eligible for listing, SR 174 is not part of the California Scenic Highway Program.

#### **4.1.6 FINDINGS**

Implementation of the Project would have no impact to scenic vistas and scenic resources within a State Scenic Highway. With implementation of Standard and Specific Project Requirements, temporary impacts from Program Actions to the existing visual character of the Park, alteration of the visual conditions at the Remediation Areas, and impacts resulting from the addition of light and glare would be less than significant.