



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION IN CONNECTION WITH THE ADOPTION OF AN ORDINANCE AMENDING ZONING DISTRICT MAP NO. 078 TO ADD THE MINERAL EXTRACTION COMBINING DISTRICT TO ASSESSOR'S PARCEL NUMBERS 38-370-17, 38-380-15, 38-380-16 AND 38-430-02 (FILE NOS. Z15-004 AND EIS15-014)

WHEREAS, the County is proposing zoning map amendment (Z15-004) being sought by Hansen Brothers Enterprises, property owner; and

WHEREAS, on March 10, 2017, the Planning Department staff prepared an Initial Study and Mitigated Negative Declaration ("IS/MND") for the Project (EIS15-014/SCH2017032040) a copy of which is attached to this Resolution as Exhibit A; and

WHEREAS, the IS/MND was submitted directly to affected local, regional, state, and federal agencies, and was released for a 30-day public review period, commencing on March 14, 2017 and ending April 12, 2017; and

WHEREAS, the IS/MND analyzed all of the potential environmental impacts of the proposed Project and found that no significant impacts would result from the approval of the Project; and

WHEREAS, on May 11, 2017, the Planning Commission held a public hearing on the proposed Project in which the Commission reviewed the proposed IS/MND together with all comments received during the public review period, and recommended on a 4-0 vote (1 absent) adoption of this same Mitigated Negative Declaration before making a recommendation to the Board on the rezone.

NOW, THEREFORE, BE IT RESOLVED that the Nevada County Board of Supervisors has reviewed and considered the recommendation of the Planning Commission and has independently reviewed the Initial Study and proposed Mitigated Negative Declaration (EIS15-014), together with all comments received during the public review period, and pursuant to the California Environmental Quality Act Guidelines Sections 15073.5 and 15074 hereby finds and determines as follows:

1. The above recitals are true and correct.
2. That there is no substantial evidence in the record supporting a fair argument that the proposed project, as mitigated and conditioned, might have any significant adverse impact on the environment;
3. That the proposed Mitigated Negative Declaration reflects the independent judgment of the Board of Supervisors; and that the mitigation measures, as agreed to by the applicant, will reduce potentially significant impacts to less than significant levels;

4. That the amendment to Mitigation Measure 12A and 16A to clarify the intent of the application of the proposed noise standards to this specific project and requirements for maintaining the Red Dog Road crossing does not necessitate recirculation of the draft initial study/proposed mitigated negative declaration because no new impacts have been identified and because this amendment is meant to further clarify the intent of the mitigation which makes the amended mitigation measures more effective than the original; and
5. That the location and custodian of the documents which constitute the record of these proceedings is the Nevada County Planning Department, 950 Maidu Avenue, Nevada City, California.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts the Mitigated Negative Declaration (EIS15-014) for the ***Hansen Brothers Greenhorn Creek Aggregate Mine Expansion*** Project, to allow for the rezoning of the project parcels to add the “ME” Zoning Combining District.