



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM; AND CERTIFYING THE NATIONAL ENVIRONMENTAL POLICY ACT ENVIRONMENTAL ASSESSMENT AND PROPOSED FINDING OF NO SIGNIFICANT IMPACT FOR BRUNSWICK COMMONS, A 41- UNIT AFFORDABLE APARTMENT COMPLEX, DESIGNED TO PROVIDE SUPPORTIVE HOUSING TARGETING THE HOMELESS AND MENTALLY ILL, AND A 10,558 SQUARE FOOT COUNTY RESOURCE CENTER WITH 9-UNITS OF TRANSITIONAL HOUSING; AND APPROVAL OF PROJECT

WHEREAS, the Nevada County Board of Supervisors has established homelessness and affordable housing as a legislative priority A; and

WHEREAS, the County is the owner of a 5.0+ acre parcel; of real property located at 936 Old Tunnel Rd., Grass Valley, CA 95945, APN No. 035-400-054 ("Property"); and

WHEREAS, the Nevada County Health and Human Services Agency, Housing and Community Services Division in partnership with the Regional Housing Authority and the Hospitality House is sponsoring and acting as lead agency for the development of "Brunswick Commons," a 41-unit affordable apartment project providing supportive housing to the homeless and the mentally ill, to be located on a 2.32 + portion of the Property; and

WHEREAS, in addition to the affordable housing project, the Nevada County Health and Human Services Agency, Housing and Community Services Division is proposing the development of a 10,588 sq. ft. resource center, hereinafter the "Community Resource Center," on a 1.0 + acre portion of the Property for the provision of social services to Project residents and other members of the community in need, as well as providing 9-units of transitional housing; and

WHEREAS, the Brunswick Commons housing complex and the Community Resource Center are hereinafter collectively referred to as the "Project;" and

WHEREAS, the Property will remain under the ownership of the County, subject to a proposed ground lease for the development, construction and operation of the Brunswick Commons housing complex with Regional Housing Authority and its co-developer, Pacific West Communities, Inc., for a period of at least 56 years, but up to 99-years, while the Community Resource Center will be developed, constructed, and operated separately; and

WHEREAS, the County of Nevada pursuant to Government Code sections 53090 through 53095 is exercising its sovereign authority to exempt itself from the City of Grass Valley's building and zoning ordinances, including building permits and Project approvals; and

WHEREAS, the draft Initial Study (IS) and proposed Mitigated Negative Declaration (MND) provided as Exhibit A and attached hereto was circulated for public review and comment for 30 days in accordance with Public Resources Code section 15105, and the Notice of Intent to adopt the IS/MND was duly published and posted as provided in section 15072 of the CEQA Guidelines; and; and

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

WHEREAS, the County has prepared a reporting and monitoring program in accordance with Government Code Section 15074(d), which is outlined in the IS/MND, which either mitigate or avoid potentially significant environmental impacts; and

WHEREAS, on June 25, 2019, the Board of Supervisors held a public hearing on the proposed Project in which the Board reviewed the proposed IS/MND together with all comments received during the public review period, and adopted the Mitigated Negative Declaration; and

WHEREAS, an Environmental Assessment in compliance with the National Environmental Policy Act of 1969 (NEPA) was conducted, finding the project, as mitigated, will have no Significant Impact on the quality of the human environment, thus an Environmental Impact Statement is not required; and

WHEREAS, the Environmental Assessment and proposed Finding of No Significant Impact provided as Exhibit B and attached hereto was circulated for public review and comment as required by law; and

NOW, THEREFORE, BE IT RESOLVED, that the Nevada County Board of Supervisors has considered and independently reviewed the Initial Study and proposed Mitigated Negative Declaration for the Project, together with all comments received during the public review period, and pursuant to section 15074 and 15097 of chapter 3 of Title 14 of the California Code of Regulations (California Environmental Quality Act Guidelines) hereby finds and determines as follows:

- A. The above recitals are true and correct.
- B. On the basis of the whole record before the Board of Supervisors, there is no substantial evidence that the proposed Project as revised by incorporation of the mitigation measures, will have a significant effect on the environment as mitigated.
- C. The IS/MND reflects the Board's independent judgment and analysis.

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby approves and adopts the Project.

BE IT FURTHER RESOLVED that the Clerk of the Board is directed to file a Notice of Determination pursuant to CEQA Guidelines Section 15075 within five working days after adoption of this resolution and approval of the proposed Project.

BE IT FURTHER RESOLVED that the Nevada County Board of Supervisors has considered and independently reviewed the NEPA Environmental Assessment and proposed Finding of No Significant Impact for the Project, together with all comments received during the public review period, and certifies the findings and finds and determines as follows:

- A. The following mitigation measures will be implemented:
 - a. A Section 404 fill permit must be obtained from the U. S. Army Corp of Engineers for impacts to the drainage channel prior to start of construction.
 - b. Prior to issuance of building permits, a geotechnical report be prepared, and reviewed and approved by the Nevada County Building Department. Its recommendations will be incorporated into the design and construction of the project.

- B. On the basis of the whole record before the Board of Supervisors that there is no substantial evidence that the proposed Project, as revised by incorporation of the mitigation measures, will have a significant impact on the quality of the human environment.

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby approves the NEPA Environmental Assessment and Finding of No Significant Impact for the Project, and authorizes the Director of Housing and Community Services to Certify the NEPA Environmental Assessment on behalf of the County of Nevada and any and all other documents related thereto.

BE IT FURTHER RESOLVED, that the documents and materials constituting the record of the proceedings on which these decisions are based are located and in the custody of the Nevada County Housing and Community Services Division at 950 Maidu Avenue, Nevada City, California.

BE IT FURTHER RESOLVED the Nevada County Board of Supervisors consent to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied.