



RESOLUTION NO. 18-106

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

A RESOLUTION ADOPTING A NEGATIVE DECLARATION FOR ORDINANCE ORD17-2 AMENDING SECTION L-II 3.3 OF ARTICLE 3 OF THE NEVADA COUNTY LAND USE AND DEVELOPMENT CODE TO ADOPT A DEFINITION AND PERMITTING STANDARDS FOR AGRITOURISM (FILE NOS. ORD17-2 AND EIS17-0009)

WHEREAS, the County is proposing zoning code amendments at the request of the County Agricultural Commissioner and recommendation of the Nevada County Agricultural Advisory Commission; and

WHEREAS, on October 27, 2017 the Planning Department staff prepared an Initial Study and Negative Declaration ("IS/ND") for the Project, a copy of which is attached to this Resolution as Exhibit A; and

WHEREAS, the IS/ND was submitted directly to affected local, regional, state, and federal agencies and was released for a 30-day public review period, commencing on October 27, 2017 and ending November 27 2017; and

WHEREAS, the IS/ND analyzes 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 December 14, 2017, the Planning Commission held a public hearing on the proposed Project in which the Commission reviewed the proposed IS/ND together with all comments received during the public review period, and recommended adoption of this same Negative Declaration before making a recommendation to the Board on the proposed Project.

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 Negative Declaration (EIS17-0009), together with all comments received during the public review period, and hereby finds and determines as follows:

1. The above recitals are true and correct.
2. On the basis of the whole record before the Board of Supervisors, there is no substantial evidence that the proposed Project will have a significant effect on the environment.
3. The IS/ND reflects the Board's independent judgment and analysis.
4. The documents and materials constituting the record of the proceedings on which this decision is based are located and in the custody of the Nevada County Planning Department at 950 Maidu Avenue, Nevada City, California.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts the Negative Declaration (EIS17-0009) for the *Agritourism Ordinance Amendment* Project, to support and promote the success of the agricultural industry in unincorporated Nevada County.

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 after adoption of this resolution and approval of the proposed Project.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 13th day of March, 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward Scofield, Chair

EXHIBIT A.

NEVADA COUNTY, CALIFORNIA INITIAL STUDY

To: State Clearinghouse*, Nevada County Building; Nevada County Department of Public Works; Nevada County Environmental Health Department; County Counsel*; Nevada County Agricultural Commissioner; Nevada County CEO; All Nevada County Fire Districts; Nevada Irrigation District; Resource Conservation District; Northern Sierra Air Quality Management District; Nevada County Fire Protection Planner; Native American Heritage Commission; United Auburn Indian Community; Washoe Tribe of Nevada and California; USDA-Natural Resources Conservation Service; USDA-Department of Conservation; Nevada County Board of Realtors; Nevada County Contractors Association; Greater Grass Valley Chamber of Commerce; Friends of Nevada City; Friends of Banner Mtn.; General Plan Defense Fund.; Greater Cement Hill Neighborhood Assn.; Grass Valley Greenhorn Assn.; Greater Champion Neighborhood Assn.; Lake Vera Round Mtn. Neighborhood Assn.; Owl Creek Road Assn.; Penn Valley Chamber of Commerce; Penn Valley Community Center Foundation; Forest Springs, LLC; San Juan Ridge Taxpayers Assn.; Susan Snider; Nevada County Farm Bureau; District I-V Board of Supervisors; Sierra Nevada Group/Sierra Club; Federation of Neighborhood Association; Rural Quality Coalition.

**Complete Draft Initial Study/Proposed Negative Declaration. All others NOA/NOI only.*

Date: October 27, 2017

Project Title: Agricultural Marketing (Agritourism)

File Number: PLN17-0037; ORD17-2; EIS17-0009

Project location: Agricultural Exclusive, General Agricultural, Forest and Residential Agricultural Zoning Districts, Unincorporated Area of Nevada County

Assessor's Parcel Numbers: N/A

Lead Agency Name and Address: County of Nevada, 950 Maidu Ave. Nevada City, CA 95959

Prepared by: Tyler Barrington, Principal Planner, (530) 470-2723, tyler.barrington@co.nevada.ca.us

Owner: N/A

Representative: Chris de Nijs, Agricultural Commissioner

Zoning District: AE, AG, FR, RA

General Plan Designation: Rural, RES, EST

Project Location and Surrounding Land Uses: Rural Agricultural Areas of Unincorporated Nevada County.

Project Description: Proposed amendments to the Nevada County Land Use and Development Code (LUDC) Chapter II Zoning Regulations related to agricultural marketing (Agritourism). The proposed project is an effort by the County to support the agricultural economy of Nevada County by allowing agritourism activities on a farm or working ranch within the primary agricultural zoning districts (Agricultural Exclusive" AE," General Agriculture "AG", Forest "FR" and Residential Agricultural "RA") subject to the same basic health and safety standards as a field retail or farm stand within that zone

and adds requirements that agritourism activities cease by 10 p.m. and adhere to the County's allowable noise limits established by Land Use and Development Code LUDC). Additionally, many of the ag related activities proposed by this ordinance are already occurring on developed and operating farms. The creation of the definition is intended to capture those activities and uses that are already occurring and are expected as ancillary uses to an active operating farm. Conversely, by including a definition of allowed and anticipated compatible uses it also will preclude those use that are not traditionally accessory to an active ag operation including concerts, weddings and other non-ag related events. For purposes of this project Agritourism is defined as follows:

“The act of visiting a working farm or ranch, or any agricultural or horticultural operation for the purpose of involvement in the ancillary activities of the farm, ranch or agricultural operation that also adds to the economic vitality of the operation. Agritourism uses include, but are not limited to, marketing events, farm tours, facilities for the promotion of agricultural crops grown onsite, the sale of farm/ranch branded agricultural related merchandise, educational classes and lectures, U-pick produce, seasonal celebrations, and other gatherings, activities and uses found to be appurtenant to the agricultural business, but shall not include concerts and weddings or other commercial activities/events that are not related to the promotion of the working farm, ranch or agricultural/horticultural operation.”

In addition to adding this definition, the project adds an exclusion of “cannabis and cannabis related products” to the County's Agricultural Products definition as follows:

Agricultural Products - For the purpose of this section, includes fresh fruits, vegetables, nuts, herbs, flowers, honey, poultry, fish, animal & animal products, hay and Christmas trees, but does not include plant nursery stock, live animals, cannabis or cannabis products, wine or wine products.

The entire draft ordinance can be viewed by visiting the Nevada County Planning Department webpage: <https://www.mynevadacounty.com/512/Planning-Department> or by contacting the Nevada County Planning Department (530) 265-1222.

Other Permits Required: N/A

Relationship to Other Projects: In January 2017, the Nevada County Board of Supervisors adopted Ordinance 2427, which in addition to other changes revised the County Land Use and Development Code (LUDC) Sec. L-II 3.3 Agricultural Uses pertaining to standards, permitting requirements and definitions for Field Retail Stands, Farm Stands, Community Supported Agriculture and Certified Farmers Markets. This project is an additional effort by the County to support the agricultural economy of Nevada County by allowing agritourism activities on a farm or working ranch.

SUMMARY OF IMPACTS AND PROPOSED MITIGATION MEASURES

Environmental Factors Potentially Affected: All of the following environmental factors have been considered. Those environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Less Than Significant with Mitigation" as indicated by the checklist on the following pages.

—	1. Aesthetics	—	2. Agriculture / Forestry Resources	—	3. Air Quality
—	4. Biological Resources	—	5. Cultural Resources	—	6. Geology / Soils
—	7. Greenhouse Gas Emissions	—	8. Hazards / Hazardous Materials	—	9. Hydrology / Water Quality
—	10. Land Use / Planning	—	11. Mineral Resources	—	12. Noise
—	13. Population / Housing	—	14. Public Services	—	15. Recreation
—	16. Transportation / Circulation	—	17. Utilities / Service Systems	—	18. Mandatory Findings of Significance

Recommended Mitigation Measures: None Required.

INITIAL STUDY AND CHECKLIST

Introduction

This checklist is to be completed for all projects that are not exempt from environmental review under the California Environmental Quality Act (CEQA). CEQA requires a brief explanation for answers to the Appendix G: Environmental Checklist except “No Impact” responses that are adequately supported by noted information sources. Answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. This Initial Study uses the following terms to describe the level of significance of adverse impacts. These terms are defined as follows.

- **No Impact:** An impact that would result in no adverse changes to the environment.
- **Less than Significant Impact:** An impact that is potentially adverse but does not exceed the thresholds of significance as identified in the impact discussions. Less than significant impacts do not require mitigation.
- **Less than Significant with Mitigation:** An environmental effect that may cause a substantial adverse change in the environment without mitigation, but which is reduced to a level that is less than significant with mitigation identified in the Initial Study.
- **Potentially Significant Impact:** An environmental effect that may cause a substantial adverse change in the environment; either additional information is needed regarding the extent of the impact to make the significance determination, or the impact would or could cause a substantial adverse change in the environment. A finding of a potentially significant impact would result in the determination to prepare an EIR.

1. AESTHETICS

Existing Setting: The aesthetic character of the County is generally rural, natural, and historic. Important aesthetic resources in the County include natural and historic forms, including river gorges, creeks, mountains, hills, meadows, geologic formations, and native vegetation, which consist of grass-oak woodlands, montane, brush lands, mixed conifer forest, and eastside pine with sage. Historic forms within the County include bridges, homes, and other structures more than 50 years old. Sites and natural forms with cultural importance to, or repeated use by, Native American tribes also contribute to aesthetic significance.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Have a substantial adverse effect on a scenic vista or views open to the public?			✓		A, 17, 18, 19
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				✓	A, 17, 18, 19
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			✓		A, 17, 18, 19
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				✓	A, 17, 18, 19

Impact Discussion:

1a-1d: The proposed project is a zoning text amendment intended to help stimulate the agricultural economy of Nevada County by allowing marketing opportunities and promotion of an agricultural operation through onsite agritourism activities. Additionally, many ag related activities are occurring on developed and operating farms. The creation of the definition is intended to capture those activities and uses that are already occurring and are expected as ancillary uses to an active operating farm. Conversely, by including a definition of allowed and anticipated compatible uses it also will preclude those use that are not traditionally accessory to an active ag operation including concerts, weddings and other non-ag related events. Under current standards, typically these type of ancillary marketing activities for agricultural producers would require a discretionary use permit, which results in significant cost and time to obtain. From an aesthetic standpoint, the County’s agricultural zones are typically in rural pastoral areas of the County that provide significant aesthetic value to the County. The uses associated with the proposed ordinance would be ancillary to the farming activities occurring on a given site. While no discretionary permit would be required, thus not requiring design review, it is anticipated that any structures constructed to support this use would be consistent with the existing character of the site and the rural area which they are located and subject to building code requirements. It is more likely that the agricultural operation would use existing structures, such as farm houses or barns to support the uses allowed by this ordinance change and there would be little to no impact to aesthetic resources in Nevada County. Since this project only allows ancillary agritourism activities within the rural zoning districts of the County, impacts to aesthetic resources are anticipated to be less than significant. The actions required to implement this ordinance amendment is a legislative action only that cannot be foreseen to result in a significant impact to significant view sheds or aesthetic resources in Nevada County.

Mitigation Measures: None Required.

2. AGRICULTURAL/FORESTRY RESOURCES

Existing Setting: Farmlands of local importance is scattered throughout western Nevada County with major concentrations occurring northeast and east of Nevada City, near Penn Valley, and in the south and southeast County. Countywide, there are approximately 23,000 acres of Farmlands of Local Importance, 1,789 acres of Farmlands of Statewide Importance, 547 acres of Unique Farmlands and 435 acres of Prime Farmlands. There are no important agricultural lands mapped in eastern Nevada County. Generally, Nevada County soils are poor for intensive agricultural use; however, some soil types could support limited intensive agricultural use, including timber production. Nevada County supports extensive commercial timber resources, the majority of which are under the jurisdiction of the Tahoe National Forest in the eastern areas of the County. County zoning allocates approximately 162,800 acres for primary agricultural use, allowing an additional 39,000 acres for agriculture as an accessory use to residential development. According to the 2015 Nevada County Crop Report there were 686 farms in operation in 2015. A total approximately 5,500 acres are currently under Williamson Act contract, preserving those lands from development. The County General Plan recognizes the importance of agriculture to the County’s economy and lifestyle, identifying important farmlands as a sensitive environmental resource. County policies strongly encourage agricultural operations in rural areas, and seek to minimize and reduce pressures to convert lands zoned for agriculture to more intensive uses.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
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CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			✓		A, 17, 18
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?			✓		A, 17, 18
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓	A, 17, 18
d. Result in the loss of forest land or conversion of forest land to non-forest use?			✓		A, 17, 18
e. Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			✓		A, 17, 18

Impact Discussion: 2a-2e: The purpose of this project is to provide for increased opportunities to allow for the economic vitality of the agricultural community of Nevada County. The proposed change would allow agritourism activities for the purposes of involvement in the ancillary activities of a working farm, ranch or any agricultural or horticultural operation. These activities include but are not limited to, marketing events, farm tours, facilities for the promotion of agricultural crops grown onsite, the sale of farm/ranch branded agricultural merchandise, educational classes and lectures, U-pick produce, seasonal celebrations, and other gatherings, activities and uses found to be appurtenant to the agricultural business. It does not allow concerts, weddings or other commercial activities/events that are not related to the promotion of a working farm, ranch or agricultural/horticultural operation. This change is anticipated to provide a positive impact for agricultural operators in Nevada County by augmenting their income and allowing for additional promotion of their agricultural activities. Additionally, many ag related activities are occurring on developed and operating farms. The creation of the definition is intended to capture those activities and uses that are already occurring and are expected as ancillary uses to an active operating farm. Conversely, by including a definition of allowed and anticipated compatible uses it also will preclude those use that are not traditionally accessory to an active ag operation including concerts, weddings and other non-ag related events. The uses allowed by this ordinance are not foreseen or intended to reduce production areas and will be supportive of the overall agricultural use of the property. Further, uses allowed would be temporary and are not anticipated to conflict with important farmlands, existing zoning for agricultural use or Williamson Act contracts. This change cannot be foreseen to conflict with any forest zoned land or timberland production zone as the proposed uses allowed by this ordinance would be compatible with resource based uses. The allowances for agritourism are anticipated to provide as temporary public uses of the agricultural production site for the promotion of the operation and therefore these uses cannot reasonably be foreseen to convert forest land to non-forest use nor would it involve other changes to the environment that would result in the conversion of farmland or forest land to a non-production use. For these reasons, it is anticipated that this change will not have a physical impact on the environment and will have a less than significant impact to the criterion provided above.

Mitigation Measures: None Required.

3. AIR QUALITY

Existing Setting: The main air quality concerns in Nevada County are PM-10 (particulate matter with a diameter of 10 microns or more), PM-2.5 (particulate matter with a diameter of 2.5 microns or more) and ozone. All of Nevada County is non-attainment for the California PM-10 standard and the California 1-hour and 8-hour ozone standards, and is unclassified for the California PM-2.5 standard. Western Nevada County (west of a line running north/south just east of Soda Springs) is non-attainment for the 1997 federal 8-hour ozone standard. Eastern Nevada County is unclassified for the federal 8-hour ozone standard.

PM-10 (mostly dust from road sand, especially in Truckee) and PM-2.5 (mostly motor vehicle exhaust and smoke from wood-burning appliances and open burning) concentrations are highest during the winter months. Violations in the summer months have occurred during forest fires.

Ozone is formed by the reaction of precursor pollutants (oxides of nitrogen and reactive organic gases) in the presence of sunlight, and its formation is encouraged by warm temperatures. Consequently, ozone concentrations are highest during the summer months. More than half of California’s ozone results from motor vehicle emissions, and the vast majority of Western Nevada County’s ozone is transported from upwind urban areas. Nevada County’s State ozone non-attainment designation includes recognition of “overwhelming transport,” which relieves the area of some State requirements. However, as a federal non-attainment area, numerous requirements in the federal Clean Air Act apply. Notably, Western Nevada County (along with upwind areas) must demonstrate an annual 3% reduction of precursor emissions (called Reasonable Further Progress) until attainment is reached. Therefore, it is important to engage in land use planning that focuses on minimizing vehicle miles traveled and reducing precursor emissions wherever feasible. Further, the 2008 federal ozone standard is more stringent than the 1997 standard (meaning that further reductions will likely be needed in the future), so air quality-conscious land use planning at this time is crucial.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in substantial air pollutant emissions or deterioration of ambient air quality?			✓		A, E, 14
b. Violate any air quality standard or contribute to an existing or projected air quality violation?				✓	A, E, 14
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?			✓		A, E, 14
d. Expose sensitive receptors to substantial pollutant concentrations?			✓		A, E, 14
e. Create objectionable odors, smoke, ash, or dust affecting a substantial number of people?				✓	A, E, 14
f. Exceed any potentially significant thresholds adopted in County Plans and Goals?				✓	A, E, 14

Impact Discussion: *3a-3f:* This project will allow for ancillary supportive marketing uses to occur on working farms and ranches as a way to support the economic vitality of the County's agricultural operations. The proposed project will further define expected ancillary uses on existing agricultural operations that support the farming aspects of the farm or ranch and are already occurring on Nevada County farms. It will also clearly prohibit non-agricultural related uses such as concerts and weddings, which will still require a use permit pursuant to the County's Land Use and Development Code Section L-II 3.7 or a temporary outdoor festival permit from the Nevada County Sheriff's Office. The primary public health and safety standards have remained in place from the existing ordinance to ensure consistency with prior practices. While this will expand on the uses allowed on a working ranch or farm, bringing public to the site on a more formal basis, these uses allowed themselves would be ancillary to the actual use of the property for farming or ranching activities. Many of the uses are already occurring at many of the County's farms and ranches and this ordinance would further accommodate these existing ancillary uses to support the farming community. It is virtually impossible to quantify how much of an increase in visitations that might occur as a result of this ordinance as essentially it only codifies expected and common ancillary uses on a working farm or ranch. State and federal regulations have made vehicles more efficient with less emissions and as older vehicles are replaced with newer more efficient vehicles air quality impacts are reduced. Overall, this amendment that will add a definition of agritourism to the County's LUDC, will not result in a significant increase in industry in the County that would generate significant pollutant emissions. Further it is not anticipated to expand existing agricultural operations or result in new larger scale farms or ranches, it is meant to further support the County's existing agricultural economy by memorizing and allowing existing ancillary agricultural support uses that are already occurring in the County without requiring a discretionary use permit. Subsequently because this project is only a legislative action making an amendment to the County's LUDC it will not result in significant increases in air pollution and therefore this impact is less than significant.

Mitigation Measures: None Required.

4. BIOLOGICAL RESOURCES

Existing Setting: Nevada County contains a wide range of plants, animals, and habitat types. With elevations ranging from 300 feet msl in the west to 9,143 feet msl in the east and precipitation amounts varying from 30 inches in the west to 60 inches near the crest of the Sierras, the County supports a true diversity of habitat types. Generally, the County can be characterized by gently rolling oak woodlands in the west that transition to coniferous forest in the middle ranges and a desert-like association on the eastern slope of the Sierras. A given type of vegetation association, with associated animal life, is referred to as a life zone. A life zone is an area with generally uniform of homogeneous characteristics located within general geographic boundaries. The life zones in Nevada County include Upper Sonoran, Transition, Canadian, Hudsonian, Arctic-Alpine and Mixed Conifer-Jeffrey Pine-Sagebrush.

The California Department of Fish and Game (DFG) recognizes five primary wildlife habitat types in California: tree dominated; shrub dominated; herbaceous dominated; aquatic; and developed. These habitats occur in continuous stretches and isolated pockets depending on the overall topography, elevation, climate and pattern of development in a particular area. Wildlife may move between various habitat types to satisfy their life requirements. Wildlife utilize riparian corridors, low lying or "saddle" areas of ridges, established trails, and other corridors for their inter-habitat movement. In addition, many species, including deer, move seasonally in response to their seasonal habitat requirements. In this context, it is possible that loss of a habitat could constitute an adverse effect (because of local or regional

scarcity and ecological value of a habitat) even though the individual species of plants that make up the habitat, or animal species which use the habitat may not, in and of themselves, be endangered or rare.

Habitats throughout the County have been modified by human activity. The western portions of the County, especially the Upper Sonoran and Transition life zones, have experienced rapid residential growth in recent decades. The resultant parcelization, fencing, alteration of vegetation, introduction of domestic animals, roadways, noise, and night lighting have served to reduce the habitat values throughout the area. In the mid to high elevations, logging, mining, and development of second homes and subdivisions have also served to alter habitats. Habitat values can be reduced by both direct (construction of housing) and indirect (increased density in wide movement corridors) activities. Although the overall trend in the County is toward a decline in habitat values as identified by the DFG, there is a wide localized variation in habitats, tolerances of species, and degrees of human disturbance.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓	A, 2, 3, 9, 16
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?				✓	A, 2, 3, 9, 16
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓	A, 2, 3, 9, 16
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓	A, 2, 3, 9, 16
e. Conflict with any local policies or ordinances, or other approved local, regional, or state habitat conservation plan, protecting biological resources, such as a tree preservation policy or ordinance?				✓	A, 2, 3, 9, 16
f. Introduce any factors (light, fencing, noise, human presence, and/or domestic animals), which could hinder the normal activities of wildlife?				✓	A, 2, 3, 9, 16

Impact Discussion: *4a-4f:* All uses allowed by this amended ordinance, for the marketing of agricultural uses and products would be subject to zoning compliance and building permit issuance, as well as all local, state and federal laws applicable to the protection of sensitive biological species and habitats. This means that these uses would be subject to the County's comprehensive development and resource standards. In particular, the resource standards protect significant biological resources in Nevada County including but not limited to sensitive plant and animal species and habitats,

watercourses, and landmark oak trees and groves. Setbacks to these resources have been established by code and the facilities allowed by this ordinance would be required to be outside of these resources unless a Management Plan to minimize impacts to any sensitive resources is approved for the use. Further, any work within or near watercourses, floodplains, riparian areas, wetlands and/or other jurisdictional waters are subject to state and federal standards and permitting requirements, including but not limited obtaining a Streambed Alteration Agreement or Section 404 Clean Water Act Permit. With these protections in place, this proposed ordinance cannot be reasonably foreseen to result in the disturbance of a sensitive biological resource and therefore this ordinance will have no impact to biology in Nevada County. Further, the action necessary to implement the proposed ordinance is legislative only and in itself will have no physical impact on the environment.

Mitigation Measures: None Required.

5. CULTURAL RESOURCES

Existing Setting: The varied environmental zones, the geological characteristics and the geographical position of Nevada County account for an exceedingly rich and exceptionally complex cultural resource base. There are a relatively large number, and wide array, of recorded prehistoric site types in Nevada County. A number of State laws regulate the disturbance of archaeological sites and the Nevada County General Plan and Zoning Regulations establish procedures for identifying potentially sensitive sites.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines?				✓	A
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines?				✓	A
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓	A
d. Disturb any human remains, including those interred outside of formal cemeteries?				✓	A

Impact Discussion: 5a-5d: The uses allowed by this amended ordinance would be subject to zoning compliance and building permit issuance. This means that these uses would be subject to the County's comprehensive development and resource standards. In particular, the resource standards protect significant cultural resources in Nevada County. There is no grading or construction anticipated to occur as a result of this ordinance amendment and any grading or construction would be subject to the County's Grading Ordinance and California Building Code Standards. While no or only limited land disturbance is anticipated as a result of this ordinance amendment, State Law dictates how cultural resources are dealt with should they be found during grading activities. If such resources are encountered or suspected, State Law requires that all work shall be halted immediately and the Planning Department be contacted. A professional archaeologist is required to be retained by the developer and consulted to access any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner and the Native American Heritage Commission be contacted and, if Native American resources

are involved, Native American Organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment.

The proposed changes specific to this project will not create significant impacts to cultural resources. Additionally, the proposed amendment does not change local and state requirements for protection of cultural resources. Furthermore, this project is a legislative action only, and includes amending the County's Land Use and Development Code, Zoning Regulations which will not result in the physical disturbance of the environment.

Mitigation Measures: None Required.

6. GEOLOGY / SOILS

Existing Setting: The Sierra Nevada Range, a geologic block nearly 400 miles long and 80 miles wide, runs through Nevada County. This formation is represented by gentle rolling foothills on the western flank to steep mountainous terrain in the middle section of the County, and the crest of the Sierra near Donner Summit in the eastern portion of the County. Eastward from the crest, the terrain begins a downslope trend towards the Nevada state line. The substructures in the western section of the County range from metavolcanic to granitic formations, while the central section includes sedimentary, metasedimentary, and volcanic formations. The eastern sections of the County contain volcanic or granitic formations. In general, the formations are relatively seismically inactive. However, there are seismic faults in both western and eastern Nevada County.

Soil surveys conducted by U.S. Department of Agriculture Natural Resources and Conservation Service and the Tahoe National Forest Division of the USFS have identified 55 general soil types in the County. The soil types are described by topography, slope, permeability, dwelling limitations, septic limitations, erosion hazards, and agricultural and timber capacities. In general, the County soils are variable: the soil permeability ranges from very slow to very rapid, and the erosion hazard ranges from slight to very high. The soil erosion hazard ratings of moderate to high are typically associated with slopes 15% or greater.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Expose people or structures to potential substantial adverse effects, including the risk or loss, injury, or death involving exposure to or production of unstable earth conditions such as landslides, earthquakes, liquefaction, soil creep, mudslides, ground failure (including expansive, compressible, collapsible soils), or similar hazards?				✓	A, D, 5, G, 16
b. Result in substantial disruption, displacement, compaction, erosion, or over-covering of the soil by cuts, fills, extensive grading, or loss of topsoil?				✓	A, D, 5, G, 16
c. Be located on a geologic unit or expansive soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓	A, D, 5, G, 16

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
d. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓	A, D, 5, G, 16
e. Result in excessive grading on slopes of over 30 percent?				✓	A, D, 5, G, 16

Impact Discussion: *6a-6e:* The use allowed by this amended ordinance would be subject to zoning compliance and building permit issuance. This means that these uses would be subject to the County’s comprehensive development and resource standards. In particular, the resource standards protect steep slope/hillsides (slopes of 30% or greater) and water courses in Nevada County. Any grading or construction that might occur would be subject to all applicable local, state and federal laws that apply to those type of actions. Further areas of steep slopes would not be conducive for areas for agricultural marketing, as a relatively level surface provides a better medium for hosting these facilities and/or uses. Should grading be necessary this grading would be subject to the County’s grading ordinance which requires erosion control and other best management practices to ensure all grading is done in accordance with local and state laws. The proposed changes specific to this project will not create significant impacts to soils resources. Additionally, this proposed amendment does not change local and state requirements for grading activities. Furthermore, this project is a legislative action only, and includes amending the County’s Land Use and Development Code, Zoning Regulations which will not result in the physical disturbance of the environment.

Mitigation Measures: None Required.

7. GREENHOUSE GAS EMISSIONS

Existing Setting: Greenhouse gases (GHG) are those gases that trap heat in the atmosphere. GHG are emitted by natural and industrial processes, and the accumulation of GHG in the atmosphere regulates the earth’s temperature. Greenhouse gases (GHGs) include carbon dioxide (CO₂), methane, halocarbons (HFCs), and nitrous oxide (NO₂). CO₂ emissions, stemming largely from fossil fuel combustion, comprise about 87% of California emissions. In California, approximately 43% of the CO₂ emissions come from cars and trucks. Agriculture is a major source of both methane and NO₂, with additional methane coming primarily from landfills. Most HFC emissions come from refrigerants, solvents, propellant agent, and industrial processes, and persist in the atmosphere for longer periods of time and have greater effects at lower concentrations compared to CO₂. The adverse impacts of global warming include impacts to air quality, water supply, sea level rise (flooding), fire hazards, and an increase in health related problems. AB32 establishes a state goal of reducing GHG emissions to 1990 levels by the year 2020 (a reduction of approximately 30% from the “business as usual” forecast 2020 emission levels, or a 10% reduction from today’s levels).

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act, was adopted in September 2006 and requires that statewide GHG emissions be reduced to 1990 levels by the year 2020. This reduction will be accomplished through regulations to reduce emissions from stationary sources and from vehicles. The California Air Resources Board (ARB) is the State agency responsible for developing rules and regulations to cap and reduce GHG emissions. In addition, the Governor signed Senate Bill 97 in 2007 directing the California Office of Planning and Research to develop guidelines for the analysis and mitigation of the effects of greenhouse gas emissions and mandating that GHG impacts be evaluated in

CEQA documents. CEQA Guidelines Amendments for GHG Emissions were adopted by OPR on December 30, 2009.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓		A, E, 14
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				✓	A, E, 14

Impact Discussion: 7a-7b: Agricultural marketing activities that would be allowed by this proposed ordinance amendment would be subject to the primary public health and safety standards that are in place from the existing ordinance for other like agricultural marketing uses (field retail and farm stands) to ensure consistency with prior practices. As discussed under the air quality section, this project will allow for ancillary supportive marketing uses to occur on working farms and ranches as a way to support the economic vitality of the County’s agricultural operations. While this will expand on the uses allowed on a working ranch or farm, bringing public to the site on a more formal basis, the uses allowed themselves would be ancillary to the actual use of the property for farming or ranching activities. Many of these uses are already occurring at many of the County’s farms and ranches and this ordinance would further accommodate these existing ancillary uses to support the farming community. Conversely, by including a definition of allowed and anticipated compatible uses it also will preclude those use that are not traditionally accessory to an active ag operation including concerts, weddings and other non-ag related events. This ordinance will essentially codifies expected and common ancillary uses on a working farm or ranch. State and federal regulations have made vehicles more efficient with less emissions and as older vehicles are replaced with newer more efficient vehicles air quality impacts are reduced. Overall, this amendment that will add a definition of agritourism to the County’s LUDC, will not result in a significant increase in industry in the County that would generate significant pollutant emissions. Further it is not anticipated to expand existing agricultural operations or result in new larger scale farms or ranches, it is meant to further support the County’s existing agricultural economy by memorizing and allowing existing ancillary agricultural support uses that are already occurring in the County without requiring a discretionary use permit. Subsequently because this project is only a legislative action making an amendment to the County’s LUDC it is not expected to result in significant increases in air pollution and therefore this impact is less than significant.

Mitigation Measures: None Required.

8. HAZARDS / HAZARDOUS MATERIALS

Existing Setting: The interface of the natural and manmade environments within the County creates potential safety hazards associated with wildfires, landslides, earthquakes and seiches. Other potential safety hazards include naturally occurring asbestos, past mining operations and airport operations.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓	A, B, 12, 16
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✓	A, B, 12, 16
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓		A, B, 12, 16
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?			✓		A, B, 12, 16
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			✓		A, B, 12, 16
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			✓		A, B, 12, 16
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓	A, B, 12, 16
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			✓		A, I

Impact Discussion: *8a-8h:* All uses allowed by this amended ordinance would be subject to zoning compliance and building permit issuance. This means that these uses would be subject to the County's comprehensive development and resource standards and if grading or construction is proposed those activities would require ministerial review by the Community Development Agency. Both the County Agricultural Commissioner and Environmental Health Department will provide regulatory oversight of these facilities. These facilities will be subject to all standards for the handling, transport and storage of hazardous materials as regulated by Environmental Health. The proposed ordinance carries over the existing requirements that facilities are located on a publically maintained road or participate in the maintenance of the road it is located upon and that all driveways meet the minimum driveway standards, which would assist in maintaining fire safety at these facilities. Additionally, no parking is allowed to be within the road right-of-way or roadway to ensure adequate fire safe access is maintained to the site. With the existing provisions in place for minimizing hazards and hazardous materials, and adherence to all applicable local, federal and state laws regarding grading and construction, the impact of this ordinance is anticipated to be less than significant.

Mitigation Measures: None Required.

9. HYDROLOGY / WATER QUALITY

Existing Setting: The County is located within the watersheds of Truckee River, the Yuba River and the Bear River. Combined, these rivers drain about 420 square miles. The smaller watercourses and creeks that flow into these watersheds are supplied from melting snow pack, annual rainfall, springs, and surfacing groundwater. In general, the County’s water quality varies with topography and development. Water quality tends to be good in the mountainous, less developed areas, and is impacted at lower elevations or in more developed areas. Water quality is influenced by several sources, including soil erosion, sedimentation, septic systems, pesticides, and agriculture. Water resources have a multitude of uses from agricultural to domestic, as well as fish and aquatic/riparian habitat, wildlife and plant habitat, and year-round recreation. A number of historic irrigation ditch systems are located throughout the western County, owned and maintained by the Nevada Irrigation District, and on a much smaller scale, by the San Juan Ridge County Water District. There are a number of public water purveyors within the County; the Nevada Irrigation District, and the Cities of Grass Valley and Nevada City primarily serve western Nevada County with the Washington County Water District providing service to the small community of Washington. In the eastern Nevada County the Donner Summit and Truckee Donner Public Utility Districts, and the Glenshire Mutual Water Company provide domestic treated water service.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Violate any water quality standards or waste discharge requirements?				✓	A, B, G
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?				✓	A, B, G
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?				✓	A, B, G
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?				✓	A, B, G
e. Create or contribute to runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				✓	A, B, G
f. Otherwise substantially degrade water quality?				✓	A, B, G
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓	A, B, G

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				✓	A, B, G, 18, 13
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓	A, B, G, 18, 13
j. Create inundation by mudflow?				✓	A, 5, 6, 12

Impact Discussion: *9a-9j:* The proposed uses allowed by this amended ordinance would be subject to zoning compliance and building permit issuance as well as all local, state and federal laws applicable to the protection of watercourses, wetlands and floodplains. This means that these uses would be subject to the County’s comprehensive development and resource standards as well as grading and building code requirements. In particular, the resource standards protect significant water resources in Nevada County including but not limited to wetlands, watercourses, and floodplains. Setbacks to these resources have been established by code, typically 100-feet from perennial watercourses, wetlands and floodplains and 50-feet from seasonal water courses and wetlands. The facilities allowed by this ordinance would be required to be outside of these resources unless a Management Plan to minimize impacts to any sensitive resources is approved for the use. If any grading is required for the uses allowed by this amended ordinance, that grading would be subject to erosion control measures, best management practices, and would be required to occur outside of the rainy season. Further, any work within or near watercourses, floodplains, riparian areas, wetlands and/or other jurisdictional waters are subject to state and federal standards and permitting requirements, including but not limited obtaining a Streambed Alteration Agreement or Section 404 Clean Water Act Permit. With these protections in place, this proposed ordinance cannot be reasonably foreseen to result in the physical impacts to hydrology and water quality and therefore this ordinance will have no impact to this criterion. Further, the action necessary to implement the proposed ordinance is legislative only and in itself will have no physical impact on the environment.

Mitigation Measures: None Required.

10. LAND USE / PLANNING

Existing Setting: The project area is the 375,000 acres of privately held land in the unincorporated area of Nevada County, excluding incorporated cities, state and federal lands. Land uses in the unincorporated County range from rural and forested areas to residential-rural and suburban lands, which include a mix of residential, agricultural and commercial uses. Federal and state public lands in the County total 314 square miles of the County’s 943 square miles, or approximately 33% of the County’s total land area. The unincorporated County contains a variety of resources and constraints, diverse topography and sensitive environments.

Residential and rural development is governed by the General Plan that provides an overall policy guide, and Zoning Regulations which establish specific standards, varying with each zoning district, which includes 4 residential districts, 4 rural districts, 5 commercial districts, 3 industrial districts and 5 special purpose districts. The existing setting for the uses proposed to be allowed by this project including existing and future working farms, ranches and agricultural or horticultural operations in the Agricultural Exclusive (AE), General Agriculture (AG), Forest (FR) and Residential Agricultural (RA) zoning districts. These areas, with the exception of the RA district, are typically areas of rural

development with larger tracts of lands surrounded by low intensity residential development and open spaces.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in structures and/or land uses incompatible with existing land uses?			✓		A, 16-18, 20
b. The induction of growth or concentration or population?				✓	A, 16-18
c. The extension of sewer truck lines or access roads with capacity to serve new development beyond this proposed project that would result in growth inducement?				✓	A, 16-18
d. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓	A, 16-18, 20
e. Physically divide an established community?				✓	A, D, 16-18

Impact Discussion: 10a-10e: The purpose of this project is to provide for increased opportunities to allow for the economic vitality of the agricultural community of Nevada County. Additionally, many ag related activities are already occurring on developed and operating farms. The creation of the definition is intended to capture those activities and uses that are already occurring and are expected as ancillary uses to an active operating farm. Conversely, by including a definition of allowed and anticipated compatible uses it also will preclude those use that are not traditionally accessory to an active ag operation including concerts, weddings and other non-ag related events. The proposed change would allow agritourism activities for the purposes of involvement in the ancillary activities of a working farm, ranch or any agricultural or horticultural operation. These activities include but are not limited to, marketing events, farm tours, facilities for the promotion of agricultural crops grown onsite, the sale of farm/ranch branded agricultural merchandise, educational classes and lectures, U-pick produce, seasonal celebrations, and other gatherings, activities and uses found to be appurtenant to the agricultural business. It does not allow concerts, weddings or other commercial activities/events that are not related to the promotion of a working farm, ranch or agricultural/horticultural operation. This change is anticipated to provide a positive impact for agricultural operators in Nevada County by augmenting their income and allowing for additional promotion of their agricultural activities. The allowances for agritourism are anticipated to be temporary seasonal activities where the public visits the agricultural production site for the promotion of the operation.

Existing standards that protect public health and safety are already incorporated into the ordinance and currently apply to other similar agricultural direct marketing uses such as field retail stands, farm stands and certified farmer's markets. These include meeting building and fire code requirements including meeting requirements for site accessibility and usability to persons with disabilities as determined by the County Building Official, adhering to standard building setbacks and County Resource Protection Standards, meeting minimum public water and sewage disposal requirements, maintaining all parking on site with adequate area for vehicles to enter and exit the site without backing into a road or road right-of-way, meeting driveway standards, being located on a public road or participating in private road maintenance, meeting sign standards that are already allowed for agricultural uses regardless of this ordinance, receiving authorization from the County Agricultural Commissioner for the sale of any

agricultural products at agritourism events or activities, obtaining a permit from the Department of Environmental Health for any processed agricultural food products being sold, meeting all County, State and Federal laws and regulations pertaining to direct marketing, handling, transport and protection from contamination of food products. Added standards specific to agritourism activities include requiring that all agritourism activities cease by 10 p.m. and that noise generated meets the County noise standards, which are intended to minimize land use compatibility issues.

There are four zoning districts where agritourism activities are proposed to be allowed. The AE, AG, FR and RA zoning districts. The AE, AG and FR zones are located in the most rural areas of the County where properties are typically larger in size and provide for low density rural residential and agricultural uses. The RA zone allows both residential uses and agricultural uses and typically acts as a transition zone between more intensive single family/commercial uses and the more rural agricultural/low intensity residential uses getting away from the more urbanized areas of the County. To be eligible for conducting agritourism activities or events, the site must be a working farm or ranch recognized as such by the Office of the County Agricultural Commissioner. According to the most recent Nevada County Crop Report (2016) there are 354 farms consisting of 8,058 acres in Nevada County as defined by the United States Department of Agriculture (USDA). Farms makeup approximately 1.3% of the total acreage of Nevada County, which is 623,360 acres. Therefore, there is a limited number of properties that would be eligible to host the activities allowed by this ordinance, which further limits potential conflicts. The uses that are proposed to be allowed by this ordinance would typically be temporary in nature, with very limited exceptions such as a pumpkin patch which might last for a few weeks to a month. While there is some potential for resulting in potential conflicts with surrounding non-agricultural uses, Nevada County is a right to farm county and the uses proposed to be allowed by this ordinance amendment are intended to be ancillary supportive uses that are less intensive than the existing onsite agricultural uses occurring on that site. The project itself is a zoning text amendment to expand on the potential for agricultural producers in Nevada County to market and sell their products. The actions required to implement this ordinance amendment is a legislative action only that cannot be foreseen to result in a significant negative impact to land use in Nevada County.

Mitigation Measures: None Required.

11. MINERAL RESOURCES

Existing Setting: Significant areas of Nevada County contain mineral deposits and between the 1850's and the early 1900's, the County's economy was mine based. These Mineral resources include gold, copper, silver, lead, zinc, chromite, and small amounts of tungsten and manganese. Industrial minerals include barite, quartz for silicon production, and small amounts of limestone, asbestos, clay and mineral paint. In addition, significant deposits of sand, gravel, and rock types suitable for construction aggregate are exposed throughout the County. Within the County are large areas classified as Mineral Resource Zones (MRZs) that have existing deposits measured or indicated by actual site data (MRZ-2a), or inferred from other sources (MRZ-2b).

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓	A, B, D, 1

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓	A, B, D, 1

Impact Discussion: *11a-11b:* The uses proposed to be allowed as by this section of the code are ancillary to existing agricultural uses (farms, ranches, etc.) that would be subject to the County’s building and grading regulations as well as the County Resource Standards. Potential improvements associated with the uses allowed would be to the surface and it is unlikely that such disturbance would impact underground mineral resources in Nevada County. Further, this project is a legislative action to amend the County’s Zoning Code and subsequently, this project will have no impact to mineral resources in Nevada County.

Mitigation Measures: None Required.

12. NOISE

Existing Setting: The General Plan establishes maximum allowable noise levels for land use projects and encourages future sensitive land uses to be located in areas where noise generation is limited. Given the rural character of the area, the ambient noise level is quite low. Daytime ambient noise levels are typical of rural and low-density residential areas. Significant noise sources in the County include traffic on major roadways, railroad operations, airports, and localized noise sources such as from industrial uses. Ambient noise levels in areas that are not located in the vicinity of major transportation routes are generally very low.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Expose persons to or generation of noise levels in excess of the County’s adopted standards established in the General Plan and Land Use and Development Code?			✓		A, 15, 18
b. Expose persons to or generate excessive ground borne vibration or ground borne noise levels?				✓	A, 15, 18
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				✓	A, 15, 18
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓		A, 15, 18
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓	A, 15, 18

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓	A, 15, 18

Impact Discussion: *12a-12f:* The purpose of this project is to provide for increased opportunities to allow for the economic vitality of the agricultural community of Nevada County. The proposed change would allow agritourism activities for the purposes of involvement in the ancillary activities of a working farm, ranch or any agricultural or horticultural operation. These activities include but are not limited to, marketing events, farm tours, facilities for the promotion of agricultural crops grown onsite, the sale of farm/ranch branded agricultural merchandise, educational classes and lectures, U-pick produce, seasonal celebrations, and other gatherings, activities and uses found to be appurtenant to the agricultural business. It does not allow concerts, weddings or other commercial activities/events that are not related to the promotion of a working farm, ranch or agricultural/horticultural operation. This change is anticipated to provide a positive impact for agricultural operators in Nevada County by augmenting their income and allowing for additional promotion of their agricultural activities. Noise generated by the uses allowed by the proposed ordinance will typically be temporary in nature and will cease after the activity or event has concluded. Additionally, many of the proposed ag related activities are already occurring on developed and operating farms. The creation of the definition is intended to capture those activities and uses that are already occurring and are expected as ancillary uses to an active operating farm. Conversely, by including a definition of allowed and anticipated compatible uses it also will preclude those use that are not traditionally accessory to an active ag operation including concerts, weddings and other non-ag related events.

In addition to adding a definition of agritourism to the LUDC and allowing it subject to zoning compliance and building permit issuance only (not requiring a discretionary permit), this project would require that all agricultural operations cease by 10 p.m. and adhere to the County’s allowable noise limits as defined by LUDC Sec. L-II 4.1.7. The County would investigate any complaints received should agricultural operators not adhere to these requirements. The definition precludes concerts and weddings, which are uses that generally produce large amounts of noise. Generally, in Nevada County agricultural operations are located in the more rural and quieter areas of the County. Subsequently, these areas have the lowest allowed levels of noise pursuant to the County’s noise standards. The Nevada County Noise Standards allow for the greatest amount of noise during daylight hours (7am to 7pm), which allows up to 55 dBA Leq and an Lmax of 75 dBA in the zoning districts where agritourism activities are proposed to be allowed. The proposed ordinance does allow agritourism activities to run to 10 p.m. and between 7 p.m. and 10 p.m. the County Noise Standards allow a maximum of 50 dBA Leq and an Lmax of 65 dBA. For comparison purposes, recognized noise comparison charts indicate passenger vehicle produces approximately 70 dBA. Typically, the Noise Standards only apply to discretionary projects, but because this project has the potential to increase the number of people at a working farm at any given time, it was necessary to require these activities to meet noise standards. It is more likely that the machinery and normal daytime agricultural operations on the site will generate much greater noise levels, which are not subject to the County Noise Standards, than anticipated by agritourism activities. Since this project has the potential of the introduction of people to working farms and ranches, new noise sources could be generated by these agricultural support uses, but the standards of the ordinance will ensure that noise levels do not exceed County Standards. Therefore, the proposed ordinance amendment will have a less than significant impact to noise.

Mitigation Measures: None Required.

13. POPULATION / HOUSING

Existing Setting: The 2010 Census reported that the County had 98,764 people and 41,527 households (including the three cities within the County). According to the January 1, 2015 and 2016 population estimates from the State of California Department of Finance (DOF), Nevada County had a population of 98,095 including the incorporated areas and an unincorporated area population of 66,510 people. This represented a reduction in population growth by 0.6% from the 2010 Census population estimates. Throughout Nevada County, small towns and rural development characterize the majority of the unincorporated County with single-family residential development as the predominant housing type.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓		A, 17, 18
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓	A, 17, 18
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓	A, 17, 18

Impact Discussion: 13a-13c: The proposed amendments associated with this proposed project will not result in substantial population growth as there is no associated housing development or regional infrastructure improvements that will occur as a result of this project. This project, if approved, will increase marketing opportunities for the agricultural community of Nevada County to augment their income and increase the viability of their agricultural operation. Additionally, many of the ag related activities proposed by this ordinance are already occurring on developed and operating farms. The creation of the definition is intended to capture those activities and uses that are already occurring and are expected as ancillary uses to an active operating farm. Conversely, by including a definition of allowed and anticipated compatible uses it also will preclude those use that are not traditionally accessory to an active ag operation including concerts, weddings and other non-ag related events. Since this project will not result in new regional infrastructure, will assist existing agricultural operations with the viability and does not proposed no new homes, it will have no impact on housing and population.

Mitigation Measures: None Required.

14. PUBLIC SERVICES

Existing Setting: Public services within the unincorporated County are provided by the County of Nevada, state and federal agencies, and numerous special districts, including fire protection districts, school districts, park and recreation districts, and an irrigation district.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following the public services:					A-1
i) Fire protection?			✓		A-1
ii) Police protection?				✓	A-1
iii) Schools?				✓	A-1
iv) Parks?				✓	A-1
v) Other public services or facilities?				✓	A-1

Impact Discussion: 13a-13c: The proposed amendments associated with this proposed project will not result in substantial population growth that could result in adverse physical impacts associated with the need for new or altered governmental facilities. Additionally, since this project will not increase population levels and the additional need for fire and police protection, schools, parks or public facilities will not occur as a result of this project. This ordinance amendment will add a definition of agritourism to the County’s Agricultural Uses Zoning Code section and will result in providing additional opportunities for agricultural marketing uses without requiring significant upfront investment or require a discretionary public planning process. It is meant to support the agricultural operators in Nevada County as a way to increase direct marketing of products grown or raised onsite and define the existing and expected ancillary uses of a working farm or ranch, while clearly defining uses that are not allowed such as concerts, weddings and other non-agricultural commercial uses. All applicable public health and safety standard, including building code requirements would apply to any uses that would be allowed by this ordinance. Subsequently no adverse impacts to public services are anticipated to occur as a result of this project.

Mitigation Measures: None Required.

15. RECREATION

Existing Setting: Recreational opportunities within Nevada County are varied, ranging from public parks with intensively used recreational facilities, to vast tracts of forestlands and drainage systems, which provide a natural environment for passive recreation. Four separate Recreation and Park districts are formed within the County, including the Bear River, Oak Tree, and Western Gateway Recreation and Park Districts in western Nevada County and the Truckee Donner Recreation & Park District in eastern Nevada County.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓	A, 17, 18

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				✓	A, 17, 18
c. Conflict with established recreation uses of the area, including biking, equestrian and/or hiking trails.				✓	A, 17, 18

Impact Discussion: 15a-15c: The proposed amendments associated with this proposed project will not result in substantial population growth that could result in adverse physical impacts to existing recreational facilities or the need for new recreational facilities. This ordinance amendment will provide increased opportunities for direct marketing of agricultural products grown or raised on site and has the potential to provide an agricultural experience to persons visiting a farm or ranch. It is meant to simplify the process in support of agricultural operators in Nevada County. Additionally, many of the ag related activities proposed by this ordinance are already occurring on developed and operating farms. The creation of the definition is intended to capture those activities and uses that are already occurring and are expected as ancillary uses to an active operating farm. Conversely, by including a definition of allowed and anticipated compatible uses it also will preclude those use that are not traditionally accessory to an active ag operation including concerts, weddings and other non-ag related events. Since this project has no growth inducing implications and therefore will have no impact on recreational facilities in unincorporated Nevada County.

Mitigation Measures: None Required.

16. TRANSPORTATION / CIRCULATION

Existing Setting: The Nevada County street system is composed of a combination of roadways, including the interstate highway and freeways, principal arterial roads, minor arterials roads, collector roads and local roads. Approximately 38% of the County’s 2,942-mile circulation system is publicly maintained. The remainder of the roadways are privately owned and maintained, with maintenance entities ranging from individuals and unofficial maintenance groups to recorded road maintenance associations and agreements. Travel characteristics vary widely according to the region in which it occurs.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in an increase in traffic that is substantial in relation to the existing traffic load and capacity or the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio, on roads, or congestion at intersections.			✓		A, H, 17
b. Result in a need for private or public road maintenance, or new roads?			✓		A, H, 17

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
c. Substantially increase hazards due to a design feature (e.g., a sharp curve or dangerous intersection) or incompatible uses (e.g., farm equipment)?			✓		A, H, 17
d. Result in a substantial impact upon existing transit systems (e.g., bus service) or alteration of present patterns of circulation or movement of people and/or goods?			✓		A, H, 17
e. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓	A, H, 17
f. Result in an increase in traffic hazards to motor vehicles, bicyclists, or pedestrians, including short-term construction and long-term operational traffic?			✓		A, H, 17
g. Result in inadequate: Site distance? Ingress/egress? General road capacity? Emergency access (4290 Standard)?			✓		A, H, 17
h. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				✓	A, H, 17

Impact Discussion: 16a-16h: This project if approved will result in adding a definition of agritourism to the County’s LUDC Agricultural Uses section. The purpose of this project is to provide for increased opportunities to promote the economic vitality of the agricultural community of Nevada County. The proposed change would allow agritourism activities for the purposes of involvement in the ancillary activities of a working farm, ranch or any agricultural or horticultural operation. These activities include but are not limited to, marketing events, farm tours, facilities for the promotion of agricultural crops grown onsite, the sale of farm/ranch branded agricultural merchandise, educational classes and lectures, U-pick produce, seasonal celebrations, and other gatherings, activities and uses found to be appurtenant to the agricultural business. It does not allow concerts, weddings or other commercial activities/events that are not related to the promotion of a working farm, ranch or agricultural/horticultural operation. This change is anticipated to provide a positive impact for agricultural operators in Nevada County by augmenting their income and allowing for additional promotion of their agricultural activities. Additionally, many of the ag related activities proposed by this ordinance are already occurring on developed and operating farms. The creation of the definition is intended to capture those activities and uses that are already occurring and are expected as ancillary uses to an active operating farm. Conversely, by including a definition of allowed and anticipated compatible uses it also will preclude those use that are not traditionally accessory to an active ag operation including concerts, weddings and other non-ag related events.

The proposed ordinance retains the applicable standards that apply to similar like uses, such as field retail stands, farm stands and farmers markets. These requirements necessitate that agricultural operations conducting agritourism activities as defined by the proposed ordinance be on a public County maintained road or participate in private road maintenance. Also there is a requirement that all driveways meet the appropriate driveway standard and encouragement permits be obtained for any work

in the County right of way. These standards are meant to ensure that the agricultural operation conducting agritourism activities do not result in the degradation of the County’s road system, whether the farm or ranch is on a publically or privately maintained roadway.

Overall, this amendment has the potential to increase the use of rural roads to access the working farms and ranches of Nevada County. The majority of these operations are located in western Nevada County where traffic volumes vary to a great degree depending on the agricultural operations location. The standards of the ordinance will provide some protection in terms of ensuring roads are properly maintained. The uses allowed are support uses ancillary to an existing agricultural operation and are common use for an agricultural operation, therefore they are not anticipated to result in significant increases in traffic. Further, since this project is only a legislative action making an amendment to the County’s LUDC it will not result in significant negative impacts to traffic and circulation and therefore this impact is less than significant.

Mitigation Measures: None Required.

17. TRIBAL CULTURAL RESOURCES

Assembly Bill 52 (Chapter 532, Statutes 2014) required an update to Appendix G (Initial Study Checklist) of the CEQA Guidelines to include questions related to impacts to tribal cultural resources. Changes to Appendix G were approved by the Office of Administrative Law on September 27, 2016. Tribal Cultural Resources include sites, features, and places with cultural or sacred value to California Native American Tribes. Both the Washoe Tribe and United Auburn Indian Community (UAIC) have contacted the County to request consultation on projects falling within their delineated ancestral lands. See Section 5 for additional information regarding tribal resources.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				✓	A
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe				✓	A

Impact Discussion: 17a. The proposed project is a zoning text amendment that if approved will require a legislative action by the County. The uses allowed by this proposed ordinance will be on existing working farms and ranches where existing infrastructure and improvements already exist. While there is the potential that agricultural operators may invest in adding amenities for agritourism, they have the right to make these investments regardless of this ordinance. It is more likely that existing structures, such as barns and other agricultural buildings onsite will serve as venues for the uses allowed by this ordinance or outdoor areas on the farm or ranch will provide the backdrop for the promotion of the farm. Additionally, many of the ag related activities proposed by this ordinance are already occurring on developed and operating farms. The creation of the definition is intended to capture those activities and uses that are already occurring and are expected as ancillary uses to an active operating farm. Conversely, by including a definition of allowed and anticipated compatible uses it also will preclude those use that are not traditionally accessory to an active ag operation including concerts, weddings and other non-ag related events. Uses will be temporary in nature and therefore will have no impact to tribal cultural resources. Further, the proposed amendment does not change local and state requirements for protection of tribal resources as discussed in Section 5 Cultural Resources.

Mitigation Measures: None Required.

18. UTILITIES / SERVICE SYSTEMS

Existing Setting: Public utilities serving Nevada County include the Pacific Gas and Electric Company for natural gas and electricity, and in the eastern County, the Truckee Donner Public Utility District also supplies electricity. Propane is a common fuel source used in Nevada County by individual homes and businesses.

Wastewater treatment within the unincorporated County is largely provided by private septic systems. Nevada County Sanitation District No. 1 provides sewage collection and treatment facilities for the wastewater needs of western Nevada County for the areas outside of Grass Valley and Nevada City and the communities of Lake Wildwood, Lake of the Pines, Kingsbury Greens, Gold Creek, Penn Valley, Mountain Lakes Estates, North San Juan, Cascade Shores, and Glenbrook. The Tahoe-Truckee Sanitation Agency and the Donner Summit Public Utility District provide wastewater treatment services for the eastern County.

Solid waste: In western Nevada County, the County maintains a transfer station and contracts with independent haulers for curbside pickup. County residents may also dispose of green waste and hazardous waste at the transfer station. In the eastern Nevada County, solid waste is hauled to the Eastern Regional Landfill located in Placer County by independent contractor.

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Result in a need for the extension of electrical power, natural gas, or communication systems?			✓		A-I
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓		A-I

CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓	A-I
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓		A-I
e. Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?				✓	A-I
f. Be served by a landfill or transfer station with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				✓	A-I
g. Comply with federal, state, and local statutes and regulations related to solid waste?				✓	A-I

Impact Discussion: 18a-18g: The proposed amendments associated with this proposed project will not result in substantial population growth that could result in adverse physical impacts associated with the need for new utilities or service systems. Environmental Health standards for providing adequate restroom and handwashing facilities remain unchanged with the proposed ordinance amendment. This ordinance amendment will update provide increased opportunities for direct marketing of products grown or raised on existing agricultural operations and is meant to increase the potential for residents and tourist to visit the farm and have an agricultural experience. The purpose is to simplify the process to host farm events and other like activities in support of viable agricultural economy in Nevada County. Additionally, many of the ag related activities proposed by this ordinance are already occurring on developed and operating farms. The creation of the definition is intended to capture those activities and uses that are already occurring and are expected as ancillary uses to an active operating farm. Conversely, by including a definition of allowed and anticipated compatible uses it also will preclude those use that are not traditionally accessory to an active ag operation including concerts, weddings and other non-ag related events. All applicable public health and safety standards must be meant with any activities allowed by this use and no extension of public utilities is anticipated to be required as a result of this ordinance amendment. Subsequently no adverse impacts to utilities or service systems are anticipated to occur as a result of this project.

Mitigation Measures: None Required.

19. MANDATORY FINDINGS OF SIGNIFICANT ENVIRONMENTAL EFFECT

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact	Reference Source (Appendix A)
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California's history or prehistory?			✓		A-I, 1-19
b. Does the project have environmental effects that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of the project are considered when viewed in connection with the effects of past, current, and probable future projects.)			✓		A-I, 1-19
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			✓		A-I, 1-19

Impact Discussion: 19a-19c: The purpose of this project is to provide for increased opportunities to allow for the economic vitality of the agricultural community of Nevada County. Additionally, many of the ag related activities proposed by this ordinance are already occurring on developed and operating farms. The creation of the definition is intended to capture those activities and uses that are already occurring and are expected as ancillary uses to an active operating farm. Conversely, by including a definition of allowed and anticipated compatible uses it also will preclude those use that are not traditionally accessory to an active ag operation including concerts, weddings and other non-ag related events. The proposed change would allow agritourism activities for the purposes of involvement in the ancillary activities of a working farm, ranch or any agricultural or horticultural operation. These activities include but are not limited to, marketing events, farm tours, facilities for the promotion of agricultural crops grown onsite, the sale of farm/ranch branded agricultural merchandise, educational classes and lectures, U-pick produce, seasonal celebrations, and other gatherings, activities and uses found to be appurtenant to the agricultural business. It does not allow concerts, weddings or other commercial activities/events that are not related to the promotion of a working farm, ranch or agricultural/horticultural operation. This change is anticipated to provide a positive impact for agricultural operators in Nevada County by augmenting their income, getting more people out to the farm and allowing for additional promotion of their agricultural activities.

The proposed changes to allow additional opportunities for the marketing and sale of agricultural products in support of the Nevada County Agricultural Advisory Commission and Board of Supervisor's goal of promoting agriculture in Nevada County by providing additional opportunities for marketing an agricultural operation. Generally, it is assumed that these agricultural support uses will be seasonal or temporary in nature, based on the growing season. The standards of the proposed ordinance would ensure adequate public health and safety is maintained, adequate parking is provided, building and fire codes are adhered to, setbacks are met, environmental resources are protected and sufficient access is available that would not result in significant traffic or circulation hazards or other potential cumulative impacts. Overall, the proposed zoning code amendments are relatively minor in nature and in themselves will not result in the physical deterioration of the environment. The actions required to implement these proposed changes are legislative only and if approved will be enacted through the adoption of an

Ordinance by the Board of Supervisors. The anticipated physical environmental impacts associated with the uses that will be allowed by this action are further discussed within each individual criteria provided within this initial study checklist.

Mitigation Measures: None Required.

RECOMMENDATION OF THE PROJECT PLANNER

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or a "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Original Signed

10/27/17

Tyler Barrington, Principal Planner

Date

APPENDIX A – REFERENCE SOURCES

- A. Planning Department
 - B. Environmental Health Department
 - C. Nevada Irrigation District
 - D. Nevada County Geographic Information Systems
 - E. Northern Sierra Air Quality Management District
 - F. California Department of Fish & Wildlife
 - G. Regional Water Quality Control Board
 - H. Department of Public Works
 - I. Office of the County Fire Marshall
-
- 1. State Division of Mines and Geology. *Mineral Classification Map*, 1990.
 - 2. State Department of Fish and Game. *Migratory Deer Ranges*, 1988.
 - 3. State Department of Fish and Game. *Natural Diversity Data Base Maps*, as updated.
 - 4. CalFire. *Fire Hazard Severity Zone Map for Nevada County*, 2007. Adopted by CalFire on November 7, 2007. Available at: <http://www.fire.ca.gov/wildland_zones_maps.php>.
 - 5. State Division of Mines and Geology. *Geologic Map of the Chico, California Quadrangle*, 1992.
 - 6. State Division of Mines and Geology. *Fault Map of California*, 1990.
 - 7. California Department of Conservation, Division of Land Resource Protection. 2010. *Nevada County Important Farmland Data*. Available at: <http://redirect.conservation.ca.gov/DLRP/fmmp/county_info_results.asp>.
 - 8. State Dept. of Forestry & Fire Protection. *Nevada County Hardwood Rangelands*, 1993.
 - 9. U.S.G.S, *7.5 Quadrangle Topographic Maps*, as updated.
 - 10. U.S. Fish and Wildlife Service. *National Wetlands Inventory*, December 1995.
 - 11. Natural Resources Conservation Service. 2007. *Official Soil Series Descriptions (OSD) with series extent mapping capabilities*. Available at: http://soildatamart.nrcs.usda.gov/manuscripts/CA619/0/nevada_a.pdf.
 - 12. U.S. Geological Service. *Nevada County Landslide Activity Map*, 1970, as found in the Draft Nevada County General Plan, Master Environmental Inventory, December 1991, Figure 8-3.
 - 13. Federal Emergency Management Agency. *Flood Insurance Rate Maps*, as updated.
 - 14. Northern Sierra Air Quality Management District. *Guidelines for Assessing and Mitigating Air Quality Impacts of Land Use Projects (Draft)*. August 19, 2009.
 - 15. County of Nevada. *Nevada County General Plan Noise Contour Maps*. 1993.
 - 16. Nevada County. *Nevada County Master Environmental Inventory*. Prepared by Harland Bartholomew & Associates, Inc. (Sacramento, CA). Nevada County, CA. 1991.
 - 17. Nevada County. Prepared by Harland Bartholomew & Associates, Inc. (Sacramento, CA). *Nevada County General Plan: Volume 1: Goals, Objectives, Policies, and Implementation Measures*. Nevada County, CA. 1995.
 - 18. Nevada County. *Nevada County Zoning Regulations*, adopted July 2000, and as amended.
 - 19. Nevada County. *Western Nevada County Design Guidelines*. May 1992.
 - 20. Nevada County. *2016 Nevada County Crop and Livestock Report*. 2016.
 - 21. Kennedy, Amy, Senior Environmental Scientist-Specialist, California Department of Fish and Wildlife. Email Correspondence. November 13, 2017.