



2019071064

NOTICE OF EXEMPTION

TO: X Office of Planning & Research
1400 Tenth Street, Rm. 121
Sacramento, CA 95814

From: Nevada County Planning Department
950 Maidu Ave., Nevada City, CA

X County Recorder
County of Nevada

Applicant: Big Oak Industries, Inc
22244 Keller Road, Smartsville, CA

Project Title:

Foley Commercial Cannabis Permit

Project Location—Specific:

22244 Keller Road, Smartsville, CA 95977
APN: 050-222-027

Description of Nature, Purpose, and Beneficiaries of Project:

A Commercial Cannabis Permit for the cultivation of medical cannabis located at 22244 Keller Road in Smartsville. The project is located on a rural, 10.00-acre parcel in an Agricultural zoning district. This approval is for 2,500 square feet of canopy for mixed light cultivation located in five (5) agriculture exempt hoop houses, and 576 square feet of support area located in one (1) agriculture exempt hoop house. The site is accessed by an existing driveway that is used to access the current residence and residential accessory structures and a minor addition to the driveway to access support and cultivation areas. The site is served by an existing well for water and an existing septic system for sewage disposal. Full-time tasks on site will be performed by the resident of the parcel. The operation would not have employees. The cannabis support structures will not have indoor utilities or loud noise producing equipment. The structures will be placed on a graded pad that will be accessed by the newly constructed driveway. The driveway improvements will require the removal of five (5) blue oaks and have an indirect impact on an additional six (6) oaks. The project proposes the replacement of the removed trees through propagation of oak seedlings at a replacement ratio of 3:1 for removed oaks and 1.5:1 for indirectly impacted oaks. The site will have a motion sensor security light that will be downward facing and fully shielded located within the cultivation premises. Additionally the hoop houses will be equipped with solar supplemental lighting to extend daylight hours. To mitigate any potential light pollution, all hoop houses will be manually covered with blackout tarps during nighttime hours. The project site will involve ground disturbance, but according to a biological survey, no suitable habitat for special-status species and no waterways will be disturbed in the process. Due to the occupants of the residence being the only operators, no excess vehicle trips are expected. A Notice of Applicability, and the Monitoring and Reporting Program were obtained by the applicant from the Central Valley Regional Water Quality Control Board. An annual cultivation license from the California Department of Food and Agriculture shall be obtained prior to the County Annual Cannabis Permit being issued.

Name of Public Agency Approving Project:

Nevada County

Name of Person or Agency Carrying Out Project:

Big Oak Industries, Inc, John Foley

Exempt Status: (Check One)

Ministerial (Sec. 21080(b)(1); 15268

Declared Emergency

Emergency Project [Sec. 15071 (b) and (c)]

Categorical Exemption. State type and Section number: *Section 15311, Class 11 Construction, or replacement of minor structures accessory to (appurtenant to) commercial, industrial, or institutional facilities.*

Reasons why the project is exempt:

The project involves the use of developed site for commercial cannabis cultivation for medicinal purposes. The project is allowed by the zoning code and does not conflict with Land Use Policies. The Project does not create any significant impacts to biological resources including sensitive habitats or any species of concern. The project area is outside of any identified and protected resources and the required setbacks. Prime Farmlands and/or Farmlands of Statewide Importance have been avoided. Dust control measures are included in the project description/site plans and air quality standards will not be impacted. A lighting control plan has been submitted ensuring lighting will not impact neighboring properties. The commercial cannabis areas are appropriately screened from public views. The project does not create impacts to roadways or require significant roadway improvements. The project has an approved water, wastewater disposal and permanent electrical source. The project will not create a significant demand on these service systems. A hazardous materials business plan has been completed and meets Fire Department and Environmental Health requirements for storage and use. Cultural and Tribal resources will be avoided as evidenced by a cultural report and/or NCIC sensitivity letter. The project will not impact watercourses or wetlands by meeting setbacks from watercourses and/or including site specific controls to ensure watercourses are protected. Odor from the project has been mitigated due to indoor cultivation with odor control and meeting setbacks required by the ordinance for outdoor cultivation.

Contact Person: Lucas Kannall

Telephone: 530-470-2488

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the Public Agency approving the project?
Yes X No

Date Received for Filing: _____



Brian Foss, Planning Director
Nevada County Planning Department

Date 7/30/19

Governor's Office of Planning & Research

JULY 30 2019

STATE CLEARINGHOUSE