

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: (Public Agency): Nevada County RCD
113 Presley Way
Grass Valley, CA 95945

County Clerk
County of: N/A

(Address)

Project Title: Wildlife Habitat and Community Resilience on Working Lands

Project Applicant: Nevada County Resource Conservation District (NCRCD)

Project Location - Specific:

This project is located on private land in Nevada County, occurring on APN#002-750-004

Project Location - City: Grass Valley Project Location - County: Nevada

Description of Nature, Purpose and Beneficiaries of Project:

The purpose of this project is to enhance Wildlife Friendly Farming, with hedgerow establishment & pollinator habitats and cross fencing installation, with co-benefits of increased soil sequestration, soil health improvement and reduced erosion caused by cattle.

Name of Public Agency Approving Project: Nevada County Resource Conservation District

Name of Person or Agency Carrying Out Project: Briana Bacon, Executive Director, NCRCD

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Section 15304, Section 15303
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

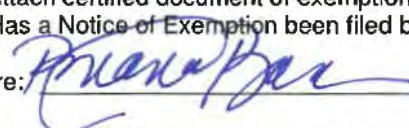
The Nevada County RCD has determined that the objectives of enhancement and restoration of wildlife and pollinator habitat, and the implementation activities as designed for this project, will result in minor alterations to land and vegetation and therefore fit within the CCR Section 15304 exemptions. Section 15303 New construction or conversion of small structures includes gate and fence installation.

Lead Agency

Contact Person: Briana Bacon Area Code/Telephone/Extension: (530)798-5530

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 No

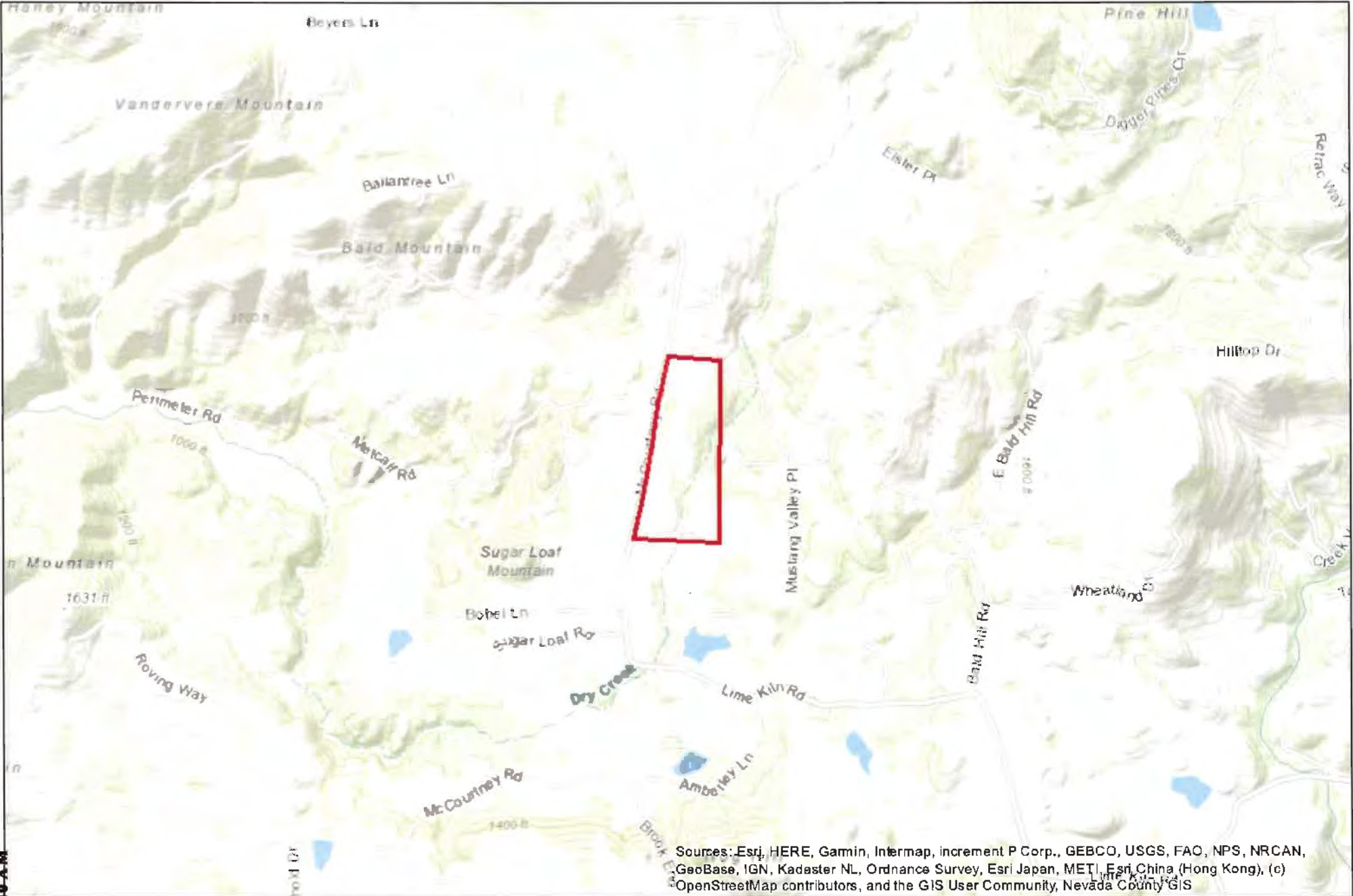
Signature:  Date: 2/7/24 Title: Executive Director

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Project Location Map- Barhydt Property

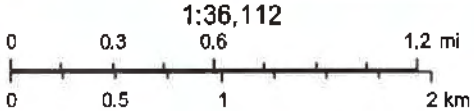


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Nevada County GIS

1/24/2024 11:40 A.M.

January 24, 2024

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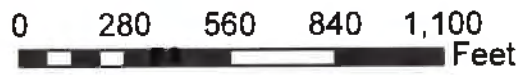
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Barhydt Project Map

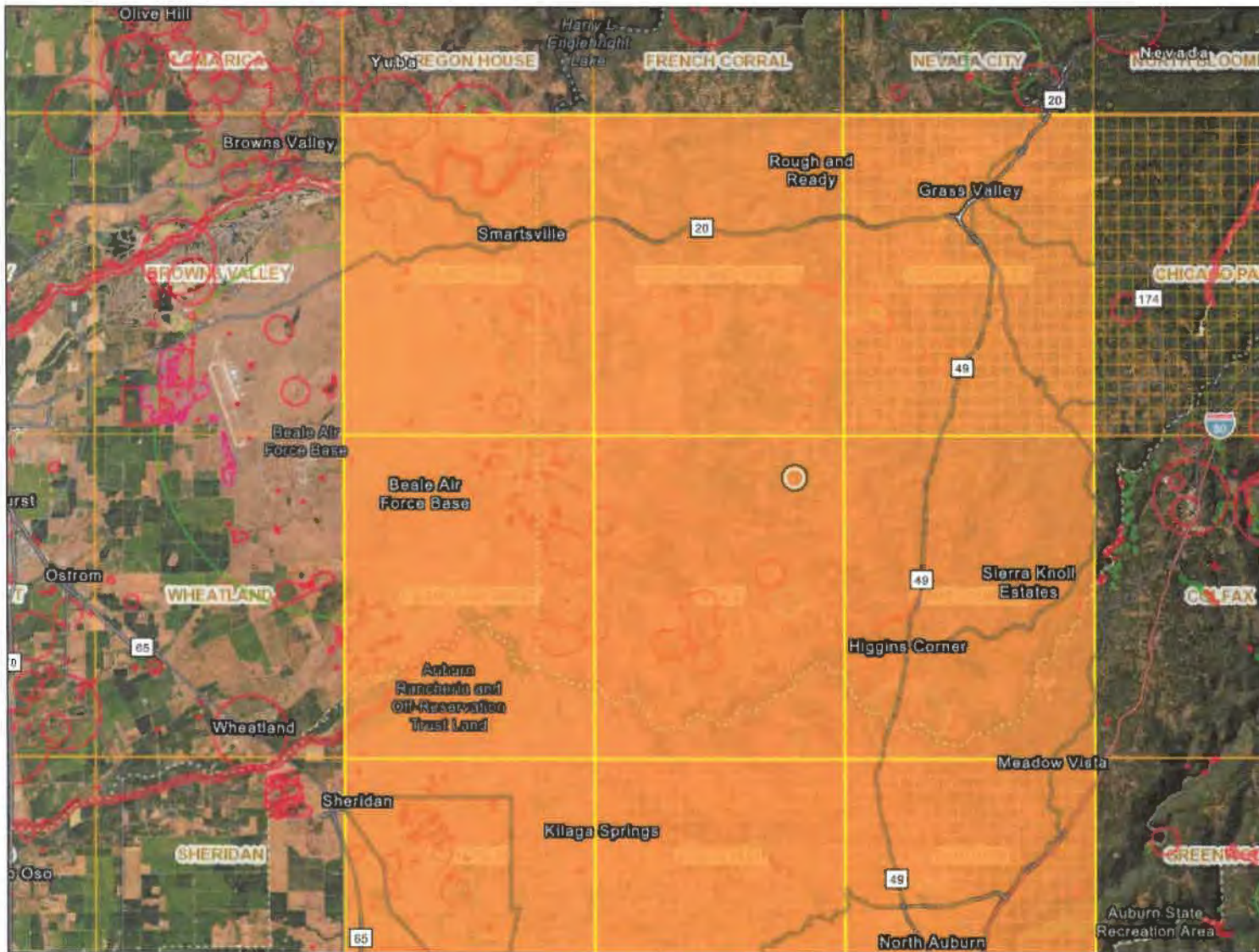


Legend

-  Gate
-  Fencing
-  Hedgerow



CNDDDB MAP- Barhydt Property 20267 McCourtney Rd Grass Valley, CA



California Natural Diversity Database (CNDDDB) Commercial [ds85]

- Plant (80m)
- Plant (specific)
- Plant (non-specific)
- Plant (circular)
- Animal (80m)
- Animal (specific)
- Animal (non-specific)
- Animal (circular)
- Terrestrial Comm. (80m)
- Terrestrial Comm. (specific)
- Terrestrial Comm. (non-specific)
- Terrestrial Comm. (circular)
- Aquatic Comm. (80m)
- Aquatic Comm. (specific)
- Aquatic Comm. (non-specific)
- Aquatic Comm. (circular)
- Multiple (80m)
- Multiple (specific)
- Multiple (non-specific)
- Multiple (circular)
- Sensitive EO's (Commercial only)

6 km 4 mi

2/2/2024

Element_Type	Scientific_Name	Common_Name	Element_Code	Federal_Status	State_Status	CDFW_Status	CA_Rare_Plant_Rank	Quad_Code	Quad_Name	Data_Status	Taxonomic_So
Animals - Birds	Haliaeetus leucocephalus	bald eagle	ABNKC10010	Delisted	Endangered	FP	-	3912112	WOLF	Unprocessed	Animals - Birds - Accipitridae - Haliaeetus leucocephalus
Animals - Birds	Ardea herodias	great blue heron	ABNGA04010	None	None	-	-	3912112	WOLF	Unprocessed	Animals - Birds - Ardeidae - Ardea herodias
Animals - Birds	Laterallus jamaicensis coturniculus	California black rail	ABNME03041	None	Threatened	FP	-	3912112	WOLF	Mapped	Animals - Birds - Rallidae - Laterallus jamaicensis coturniculus
Animals - Reptiles	Emys marmorata	western pond turtle	ARAAD02030	Proposed Threatened	None	SSC	-	3912112	WOLF	Mapped and Unprocessed	Animals - Reptiles - Emydidae - Emys marmorata
Plants - Vascular	Azolla microphylla	Mexican mosquito fern	PPAZO01030	None	None	-	4.2	3912112	WOLF	Unprocessed	Plants - Vascular - Azollaceae - Azolla microphylla
Plants - Vascular	Viburnum ellipticum	oval-leaved viburnum	PDCPR07080	None	None	-	2B.3	3912112	WOLF	Unprocessed	Plants - Vascular - Caprifoliaceae Viburnum ellipticum
Plants - Vascular	Lilium humboldtii ssp. humboldtii	Humboldt lily	PMLIL1A071	None	None	-	4.2	3912112	WOLF	Unprocessed	Plants - Vascular - Liliaceae - Lilium humboldtii ssp. humboldtii
Plants - Vascular	Clarkia biloba ssp. brandegeae	Brandegees clarkia	PDONA05053	None	None	-	4.2	3912112	WOLF	Mapped and Unprocessed	Plants - Vascular - Onagraceae - Clarkia biloba ssp. brandegeae
Plants - Vascular	Brodiaea sierrae	Sierra foothills brodiaea	PMLIL0C0J0	None	None	-	4.3	3912112	WOLF	Unprocessed	Plants - Vascular - Themidaceae - Brodiaea sierrae

Nevada County Resource Conservation District Environmental Review Report for an Exempt Project

Author(s): **Emma DiClementi**
 Title: **Conservation Program Manager**
 Address: **113 Presley Way, Grass Valley, CA 95945**
 Phone: **530-798-5530**
 Email: **emma.d@ncrcd.org**

Project Name: **Wildlife Habitat and Community Resilience on Working Lands**

Project Number: **Barhydt Property**

Program Type: **Habitat enhancement and restoration**

County: **Nevada**

Legal Location: **PCL 1 PM 20/8**

APN #: **002-750-004**

Attachment(s):

- Project Topographic Location Map
- Project Detail Map
- CDFW RareFind Report
- CNDDDB Map

- Other: _____
- Other: _____
- Other: _____
- Other: _____

Other Public Agency Review/Permit Required:

YES NO

Would the project result in:

- | | | |
|--|--------------------------|-------------------------------------|
| Alterations to a watercourse (DFW - Lake and Stream Alteration Agreement) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Conversion of timberland (CAL FIRE - Conversion Permit or Exemption) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Demolition (Local Air District - Demolition Permit) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Grading/excavating soil disturbance over 1 acre (RWQCB - SWPPP) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Fill of possible wetlands (404 Permit - USACE) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Discharge/placement of dredged/fill material into WOTUS (404 Permit - USACE and 401 Permit - WQCB) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discuss any above-listed topic item checked Yes and consultation with agencies:

Project Description and Environmental Setting (Describe the project activities, project site and its surroundings, its location, and the environmental setting):

Proposed Project Location

Project area is in western Nevada County occurring on APN # 002750004

Existing Condition/Need for Proposed Project

Biodiversity conservation cannot be achieved through land preservation alone. Stewardship of California's working landscapes, which comprise 40% of California, for wildlife, fish, pollinator, and other biodiversity benefits is critical to stabilizing wildlife populations and preventing extinction. This project will improve wildlife habitat and contribute to the landscape goal of biodiversity conservation.

Proposed Action

The Nevada County Resource Conservation District (RCD) received a grant through Point Blue Conservation Science (PBCS) for projects that improve and restore wildlife, fish and pollinator habitat on working lands across California. Working lands broadly includes landscapes that are stewarded for food and cultural resources, including rural and urban farms, annual and perennial row crops, vineyards, orchards livestock grazing lands, non-industrial forestlands, and school and community gardens.

This project is located in the northern Sierra foothills on private property. This is a working Ranch with Cows. The proposed actions will result in Hedgerow Establishment of native pollinator plantings and Cross fencing for cattle. Primary actions include: Native Plant Hedgerow establishment will further support pollinators, birds, and vertebrates. Cross fencing installation for pasture improvement purposes.

Total project area: **90acre Property**

Proposed project activities include:

Provide a list of the project components here. For example:

- **Cross Fencing Installation to section off pastures for cattle**
- **Gate installation between pastures**
- **Hedgerow establishment**

Environmental Impact Analysis

Provide detail only if saying yes.

Aesthetics

- This topic does not apply to a project of this type and was not evaluated further.
- This topic could apply to a project of this type, and results of the assessment are provided below:

The existing visual character of project sites and surroundings is expected to improve environmental conditions that favor native flora and fauna, creating better opportunities to view native plants and wildlife. PBCS has determined that the project will not cause adverse impacts to aesthetic values.

Agriculture and Forest Resources

- This topic does not apply to a project of this type and was not evaluated further.
- This topic could apply to a project of this type, and results of the assessment are provided below:

Yes No Would any trees be felled? If yes, discuss protection of nesting birds and compliance with Forestry Practice Rules.

Yes No Would the project convert any prime or unique farmland?

Yes No Would the project result in the conversion of forest land or timberland to non-forest use?

This project will not convert any agriculture, rangeland, or forest resources or cause significant potential impacts to these resources. PBCS has determined that the project will not cause adverse impacts to agriculture, rangeland, or forest resources.

Forest activities will be conducted outside of floral blooming periods and bird nesting seasons and will target overstocked small diameter trees and shrubs located under the canopy of mature (>12 inch) oaks. No trees >10" DBH will be cut. Thinning will be conducted by hand crews and material will be piled for chipping or burning (outside nesting season). Any pile burning conducted will be in accordance with local, state, and federal rules and guidelines. Burn day status will be checked, and air quality permits will be obtained from the Northern Sierra Air Quality Management District.

Surveys for rare, threatened, and special status plant and wildlife species will be conducted by a PBCS biologist or designee prior to any vegetation treatments.

Project treatment is expected to benefit forest and rangeland by promoting native grasses and forbs and reducing non-native invasive plant species.

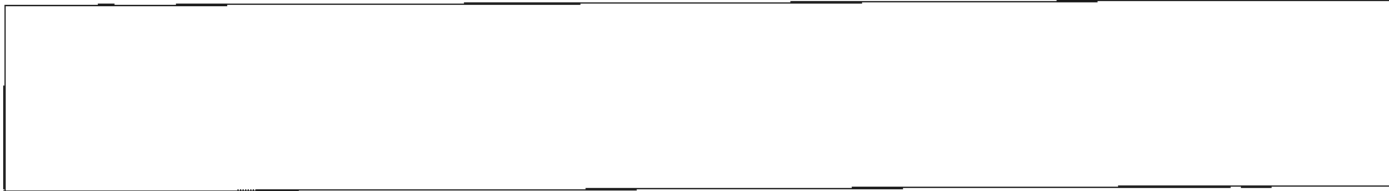
Project treatments are expected to benefit agricultural (crop) resources by promoting pollinators.

Air Quality

- This topic does not apply to a project of this type and was not evaluated further.
- This topic could apply to a project of this type, and results of the assessment are provided below:

NCRCD has determined that, overall, the effect of the project on air quality will be less than significant.

The project will involve the use of some gas or diesel powered machinery (i.e. chainsaws, chipper, skidsteer, trencher) and may include burning of vegetation/biomass. A minor amount of dust and fumes will be created by running equipment and power tools, and by accessing the project areas by vehicle. Burning will follow local Air Quality Management District guidelines and regulations.



Biological Resources

- This topic does not apply to a project of this type and was not evaluated further.
- This topic could apply to a project of this type, and results of the assessment are provided below:

- Yes No Will the project potentially affect biological resources?
- Yes No Was a current CNDDDB review completed? Results discussed below.
- Yes No Was a biological survey of the project area completed? Results discussed below.

An assessment of threatened, endangered, rare, and special-status wildlife species, plant species, and natural communities occurring or potentially occurring in the project area was conducted. This assessment included a records search for threatened, endangered, rare, and special status species and communities using the California Department of Fish and Wildlife’s California Natural Diversity Database (CNDDDB & Spotted Owl Observation Database - BIOS; CDFW 2023), These record searches covered a 3-mile buffer around the proposed project location.

The overall goal of the project is habitat enhancement and restoration in support of native pollinator and wildlife species and working land improvement. NCRCD has determined that the project, as designed, will provide a net benefit for native pollinators, wildlife, plant species and natural communities and that there will be no significant adverse impacts of the project on these biological resources.

A number of special-status wildlife and plant species and the habitats that support them, and other special-status natural communities, have been detected within a 3-mile buffer of the proposed project and may occur or have the potential to occur in the project treatment areas (See Attachment Rarefind Report - Roots 29). These species and the operational measures that will protect them from significant impacts are discussed below. There are no records of Spotted Owl Observations within three miles of the project area.

Wildlife

If any special-status wildlife species are detected prior to or during project implementation, the project biologist and/or CDFW will be consulted to determine an appropriate avoidance strategy. If any bird nests, bat roosting or nursery sites are located, they will be protected by a buffer to be determined in consultation with the project biologist. To the extent feasible, disturbance of potential dens of large or mis-sized mammals will be avoided. For any work near streams, wetlands, riparian areas, or vernal pools, BMPs will be employed to ensure no impacts to these resources.

Plants

If any rare plants are identified during project activities, they will be flagged and avoided. No work will be implemented in or near streams, wetlands, riparian areas, or vernal pools. Plantings and seeding will use only native species obtained from reputable native plant nurseries. Planting or seeding will not be implemented in any areas containing rare or special status plant species.

Natural Communities

The proposed project will be implemented in a manner that minimizes adverse effects and overall project effects are beneficial to designated critical habitat.

The species listed within the 3-mile buffer in RareFind report include:

- bald eagle (*Haliaeetus leucocephalus*)
- Great Blue Heron(*Ardea Herodias*)
- California Black Rail (*Laterallus jamaicensis coturniculus*)
- Western Pond Turtle (*Emys marmorata*)
- Mexican Mosquito Fern (*azolla microphylla*)
- Oval leaved viburnum (*viburnum ellipticum*)
- Humboldt Lily (*Lilium humboldtii*)
- Brandegees Clarkia (*clarkia biloba*)
- Sierra Foothills Brodiaea(*brodiaea sierrae*)

Cultural Resources

- This topic does not apply to a project of this type and was not evaluated further.
- This topic could apply to a project of this type, and results of the assessment are provided below:

Yes No Was a current archaeological records check completed?

A current archaeological records check will not be performed prior to preparation of a CEQA Notice of Exemption. However, site-specific archaeological records check will be completed prior to implementation of any treatments with the potential for ground disturbance or other potential impacts to archaeological, historic, or cultural resources.

Yes No Was a Staff or Contract Archaeologist consulted??

Based on results of site-specific archaeological records check, a contract Archaeologist will be consulted to ensure cultural resources and historic properties are appropriately considered in planning.

Yes No Was an archaeological survey of the project area completed?

Based on results of site-specific archaeological records check, and in consultation with contract Archaeologist, a survey of the specific project sites prior to any ground-disturbing activities will be completed.

Yes No Will the project affect any historic buildings or archaeological site?

If a cultural resource site is discovered within a project area during operations, the following applies: 1. Project activities within 100 feet of the newly discovered cultural resource should be immediately halted until the a contract Archaeologist can be contacted and ensure avoidance of the site. Project activities may continue outside this 100-foot perimeter during the identification and avoidance process. 2. If the newly discovered site has been negatively impacted by project operations, a contract Archaeologist will be notified to assist in development of protection

measures and any necessary remediation. 3. The contract Archaeologist will ensure the newly discovered site is recorded and its discovery and protection measures are documented in the project files. 4. If the newly discovered site is a Native American Archaeological or tribal cultural resource (defined in the Forest Practice Rules and CEQA), the contract Archaeologist will notify the appropriate Native American tribal group and the NAHC, if appropriate.

NCRCD has determined that there will be no significant adverse impacts of the project on historic, archaeological, or cultural resources.

Geology and Soils

- This topic does not apply to a project of this type and was not evaluated further.
- This topic could apply to a project of this type, and results of the assessment are provided below:

Project implementation will avoid any unstable land features that are identified in the project area. Proposed treatments will not significantly impair soil quality. Field vehicles and equipment will not be used on soils when the moisture content is at/above field capacity, and will not be allowed within 50 feet of watercourses. This will enable existing buffer strips of vegetation to protect watercourses from soil erosion. NCRCD has determined that there will be no significant adverse impacts of the project on geology or soils.

Greenhouse Gas Emissions

- This topic does not apply to a project of this type and was not evaluated further.
- This topic could apply to a project of this type, and results of the assessment are provided below

Yes No Would the project generate significant greenhouse gas (GHG) emissions?

The project will generate a small amount of GHG emissions from the use of gas-powered equipment, which could include field vehicles, gas-powered hand tools, and larger speciality equipment. Local air quality regulations will be followed to minimize emissions. PBCS has determined that this project, as proposed, will have no significant adverse impact on the annual release of GHGs.

Yes No Would these GHG emissions result in a significant impact on the environment?

No. See above.

Yes No Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No, this project does not conflict with the State of California’s plan to reduce atmospheric carbon or greenhouse gas emissions.

Hazards and Hazardous Materials

This topic does not apply to a project of this type and was not evaluated further.

This topic could apply to a project of this type, and results of the assessment are provided below:

Gasoline and diesel fuel will be used for vehicles, equipment and handheld equipment. Refueling of vehicles and equipment shall occur on existing roads to the extent feasible, and at least 100 feet from watercourses. NCRCD has determined that project, if implemented as proposed, will not result in significant adverse impacts regarding hazards and hazardous materials.

Hydrology and Water Quality

This topic does not apply to a project of this type and was not evaluated further.

Yes No Will the project potentially affect any watercourse or body of water?

This topic could apply to a project of this type, and results of the assessment are provided below:

Proposed treatments will not significantly impair hydrology or water quality. Vehicles and equipment will only be allowed on established roads to the extent feasible, and will not be used on soils when the moisture content is at/above field capacity, and will not be allowed within 50 feet of watercourses. All staging areas for vehicles and equipment shall avoid watercourses and wetland, riparian, and stream channel habitats. Refueling of vehicles and equipment shall occur on existing roads to the extent feasible, and at least 100 feet from watercourses. This will enable existing buffer strips of vegetation to protect watercourses from soil erosion. NCRCD has determined that there will be no significant adverse impacts to hydrology or water quality.

Land Use and Planning

This topic does not apply to a project of this type and was not evaluated further.

This project does not conflict with any land use or planning or change the land use designation for any parcel.

This topic could apply to a project of this type, and results of the assessment are provided below:

Mineral Resources

This topic does not apply to a project of this type and was not evaluated further.

There are no known or related mineral resources or extraction as part of this project, and the project does not restrict access for any future mineral extraction activities.

This topic could apply to a project of this type, and results of the assessment are provided below:

Noise

This topic does not apply to a project of this type and was not evaluated further.

This topic could apply to a project of this type, and results of the assessment are provided below:

The project will include the operation of chainsaws, mechanized equipment, and vehicles which will produce noise that may be audible to landowners near the project areas. The additional noise will be limited to the period of project implementation, which will be of short duration. It is PBCS's determination that the projects will not cause significant adverse noise levels.

Population and Housing

This topic does not apply to a project of this type and was not evaluated further.

This project has no applicability to population and housing issues for the project location.

This topic could apply to a project of this type, and results of the assessment are provided below:

Public Services

This topic does not apply to a project of this type and was not evaluated further.

This topic could apply to a project of this type, and results of the assessment are provided below:

This project is intended to enhance and restore habitat for wildlife and pollinators, and will not affect public services.

Recreation

This topic does not apply to a project of this type and was not evaluated further.

This topic could apply to a project of this type, and results of the assessment are provided below:

The existing visual character of project sites and surroundings is expected to improve environmental conditions that favor native flora and fauna, creating better opportunities to view native plants and wildlife, and thus improving recreational experiences. NCRCD has determined that the project will not cause adverse impacts to recreation.

Transportation/Traffic

This topic does not apply to a project of this type and was not evaluated further.

This topic could apply to a project of this type, and results of the assessment are provided below:

Minimal increases in traffic along adjacent public roads could occur as a result of project staff, equipment operators, and hand crews accessing project areas. This increase in traffic will be minor and insignificant as the regional roads have been designed to accommodate the anticipated level of traffic. As such, the project as proposed will not cause significant changes in current transportation traffic patterns and frequencies.

Utilities and Service Systems

This topic does not apply to a project of this type and was not evaluated further.

This topic could apply to a project of this type, and results of the assessment are provided below:

Project Design Features That Avoid Environmental Impacts:

Adverse environmental impacts have been avoided through careful review of site conditions prior to treatment method determination. Site soils, slope, habitat, and water resources were thoroughly examined during project design and layout. Equipment has been minimized on slopes over 35% and excluded from watercourses to provide for soil and water resource protection, as well as protection of sensitive habitats and organisms. All water features have been afforded protection from equipment operations through the establishment of watercourse protection zones. Sensitive plants and wildlife have been identified during the site-specific scoping process and the project as designed will not adversely affect them. Sensitive cultural resources will be surveyed for prior to implementation and the project has been designed to have no impact on them.

Mandatory Findings of Significance:

YES NO

(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 the major periods of California history or prehistory? YES NO

(b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects) YES NO

(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? YES NO

Justification for Use of a Categorical Exemption (discuss why the project is exempt, cite exemption number(s), and describe how the project fits the class): Based on no effects, negative, or cumulative impacts to natural resources, and a greenhouse gas benefit, this project fits within a Categorical Exemption.

This review of the Class 4 exemption (CCR Section §15304) covers minor alterations to land. PBCS has determined that the objectives of enhancement and restoration of wildlife and pollinator habitat, and the implementation activities as designed for this project, will result in minor alterations to land and vegetation, and therefore fit within the CCR Section 15304 exemptions.

This review of the Class 3 exemption (CCR Section §15303) covers new construction or conversion of small structures. NCRCD has determined that the objectives of enhancement and restoration with Cross fencing installation will result in new construction or conversion of small structures within CCR Section 15303.

Additional environmental analysis was conducted by NCRCD Project Specialist regarding proposed project effects on rare, threatened and endangered plants; threatened, endangered and special status wildlife species; and cultural resources. NCRCD has reviewed these reports and determined that the project's implementation will result in multiple benefits, including habitat improvement for wildlife and pollinators, fuel reduction, and reduction in noxious invasive species. There will be no significant adverse impacts on endangered, rare, or threatened species or their habitats. There will be no significant adverse impacts to soils, hydrology, or water quality. There are no hazardous materials at or around the project site. The project will avoid all archeological resource sites. The project will not result in cumulatively significant impacts. The project will have no significant adverse effect on the environment.

Conclusion:

After assessing potential environmental impacts and evaluating the descriptions for the various classes of Categorical Exemptions to CEQA, NCRCD has determined that the project fits within one or more of the exemption classes. PBCS has also determined that no exceptions exist which would preclude the use of this exemption, such as: (a) sensitive location, (b) cumulative impact, (c) significant effects on the environment, (d) impacts to scenic highways, (e) activities within a hazardous waste site, and (f) significant adverse change to the significance of any historical resource. A Notice of Exemption will be filed with the county Clerk-Recorder and with the State Clearinghouse.

After assessing potential environmental impacts and evaluating the description for the various classes of Categorical Exemptions to CEQA, NCRCD has determined that the project does not fit within the description for the various exemption classes or has found that exceptions exist at the project site which precludes the use of a Categorical Exemption for this project. Additional environmental review will be conducted and the appropriate CEQA document used may be a Negative Declaration or a Mitigated Negative Declaration.

Signed

Emma DiClementi

