



RECORDING REQUESTED  
WHEN RECORDED MAIL TO:

County of Sacramento  
Planning and Environmental Review  
827 Seventh Street, Room 225  
Sacramento, CA 95814  
CONTACT PERSON: Julie Newton  
TELEPHONE: (916) 874-6141

SPACE ABOVE RESERVED FOR RECORDER'S USE

## NOTICE OF EXEMPTION

**Project Title:**

Cannery Landing Wireless Communication Facility (UPZ-DRS)

**Control Number:**

PLNP2024-00135

**Project Location:**

The project site is located at 16123 State Highway 160, on the east side of the levee road, located approximately one mile north of State Highway 12, in the Delta community of unincorporated Sacramento County.

**APN:**

157-0090-061-0000

**Description of Project:**

The project is a request for the following entitlements from Sacramento County:

1. A Use Permit to allow for a new 130-foot wireless communication facility and associated equipment in the Agricultural – 40 acres/ FEMA 100-Year Flood (AG-40(F)) zoning district.

**Name of public agency approving project:**

Sacramento County – ceqa@sacounty.gov

**Person or agency carrying out project:**

Sun State Towers, V, LLC, c/o Complete Wireless Consulting  
Contact: Matthew Moore, Agent  
2009 V Street  
Sacramento, CA 95818  
Phone: 916-247-3047

**Exempt Status:**

Categorical Exemption (PRC Section 21084; CEQA Guidelines Sections 15300 -15333):

- CEQA Guidelines Section 15303 – New Construction or Conversion of Small Structures

**Reasons why project is exempt:**

Class 3 consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The project consists of the construction of a single, new wireless cell facility within a 50' x 50' lease area and the project complies with the exception criteria below; the project is therefore exempt from the provisions of CEQA.

## Section 15300.2-Exceptions

Section 15300.2 of the CEQA Guidelines, Exceptions, provides conditions under which categorical exemptions are inapplicable. Review of the Project indicates that it will not violate any of the exceptions, as described in the following section.

1. *For Classes 3, 4, 5, 6, and 11, will the project have an impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies?*

The project site is located within agricultural croplands and is not within an area of mapped critical habitat or sensitive vegetation community. The project site is located in the southwest portion of Sacramento County, in the rural area of the Sacramento-San Joaquin Delta. The Delta is subject to flooding, and the project site is designated as FEMA Flood Zone AE, which is a special flood hazard area, where the base flood elevation has been determined to be 9 feet above mean sea level. Consistent with the County Floodplain Management Ordinance, which has been adopted to avoid flood losses by elevating new construction above the recognized flood hazard, the ordinance requires elevating structures at least 1.5 feet above base flood elevation; the equipment will be elevated to 10.5 feet above mean sea level (10.5 feet above existing grade). The wireless cellular facility project will comply with local ordinances adopted for the protection of structures located within floodplains. Therefore, the project will not have an adverse effect upon the floodplain, nor will the facility be subject to flooding, and flood hazards are less than significant. The project will not have an impact on an environmental resource of hazardous or critical concern.

2. *Will cumulative impacts be considerable because successive projects of the same type will occur at the same place over time?*

As it stands, the proposed project will not result in potentially significant impacts. Furthermore, compliance with the Floodplain Management Ordinance minimizes the cumulative effect of encroachments in special flood hazard areas (Section 901-02B of Sacramento County Floodplain Management Ordinance). Therefore, no cumulative impacts will result from the project and successive projects of the same type and at the same place over time.

3. *Is there a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances?*

The project applicant submitted a Radio Frequency Analysis, prepared April 5, 2024, by EBI Consulting. The full report can be reviewed either in person at the Planning and Environmental Review office during normal business hours (office is located at 827 7<sup>th</sup> Street, Room 225, in downtown Sacramento) or online at <https://planningdocuments.saccounty.gov>, or the direct link is: <https://planningdocuments.saccounty.gov/ViewProjectDetails.aspx?ControlNum=PLNP2024-00135>. The report concluded that all exposures above the FCC's safe limits would require an individual to be elevated above the rooftop or ground, within the immediate vicinity of the antennas. As there are no areas in front of the antennas that would be accessible by the public, the project will not result in exceeding the FCC standards for occupational or general public exposure. Additionally, the Telecommunications Act of 1996, Section 704a [47 U.S.C. § 332(c)(7)(B)(iv)] expressly preempts state and local government regulation of the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC's regulations concerning such emissions. The report

therefore found that the facility will not exceed FCC standards and there are no known unusual circumstances that will have a significant effect on the environment.

4. *Will the project result in damage to scenic resources, including but not limited to trees, historic buildings, rock outcroppings, or similar resources within a highway officially designated as a scenic highway?*

River Road/ Highway 160 (from the Sacramento City Limits at the northern edge of Freeport to the southern tip of the Delta at Antioch Bridge) is a designated State Scenic Highway. The project site is located along this stretch of the State Scenic Highway. The State Scenic Highway is located atop a levee road, two lanes wide. At the project site, the Sacramento River is on the west side of the roadway and agricultural croplands and the proposed facility is on the east side. The facility will be located approximately 350 feet from the base of the levee. To determine the potential visual impact of the proposed project, the Caltrans Visual Impact Assessment (VIA) was completed. The result of the VIA was initially an overall score of 18, which concludes that there are no visual resource related regulatory requirements, and that the project will have a negligible visual change to the environment.

Due to size, a copy of the VIA is available for review either in person at the Planning and Environmental Review office during normal business hours (office is located at 827 7<sup>th</sup> Street, Room 225 (Second Floor), in downtown Sacramento) or online at <https://planningdocuments.saccounty.gov> or the direct link is: <https://planningdocuments.saccounty.gov/ViewProjectDetails.aspx?ControlNum=PLNP2024-00135>.

Therefore, the project will not result in damage to scenic resources or similar resources within a highway that is officially designated as a scenic highway.

5. *Is the project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code?*

The project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code. Therefore, the proposed project will not have an impact related to being located on a hazardous waste site.

6. *Will the project cause a substantial adverse change in the significance of a historic resource?*

The project site does not contain any historical resources.

**Julie Newton**  
ENVIRONMENTAL COORDINATOR OF  
SACRAMENTO COUNTY, STATE OF CALIFORNIA

**Copy To:**  
 **County of Sacramento  
County Clerk**  
3636 American River Drive, Suite 110  
Sacramento, CA 95864  
 **Office of Land Use and Climate  
Innovation:**  
State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95814