RECEIPT OF LETTER & INFORMATION PACKAGE

COUNTY OF PLACER PLANNING COMMISSION

PLANNING SERVICES DIVISION

RE: BELCARA SUBDIVISION/TENTATIVE MAP

CONDITIONAL USE PERMIT

PSUB20080156

MITIGATED NEGATIVE DECLARATION EIR

RECEIVED BY Kathi Heckert

PRINT NAME

Kathi Heckert DATE 10/10/13

December 9, 2013

RECEIVED

DEC 10 2013

PLANNING DEPT.

Rcvd. at front counter from Michael Conway KB

County of Placer Planning Commission

Planning Services Division

Dear Sirs:

RE: BELCARA SUBDIVISION/TENTATIVE MAP

CONDITIONAL USE PERMIT (PSUB 20080156)

MITIGATED NEGATIVE DECLARATION EIR

The purpose of my letter is twofold. First, to address the recommendation of the Foresthill Forum Advisory Council to open up Ampezo Place to through traffic to the abovementioned Belcara Subdivision & secondly, the fact that there is no mention of the abandoned mines on the subject property.

Ampezo Place is located in Phase 2 of the Monte Verde Estates (MVE) which consists of 26 lots, 9 have existing homes on them. The single ingress/egress is Portofino Drive at Foresthill Road. Phase 2 is a virtual cul-de-sac and Ampezo Pl is a cul-de-sac with 6 lots located on it.

The only mention of Ampezo Pl in the subject EIR is for an "emergency access easement within the Monte Verde Estates subdivision. This easement is for access to Lots 29 & 30 and an Emergency Vehicle Access. (ESD)". Item X-6 under Land Use & Planning in the EIR is checked that there will be No Impact and the comment states " The proposed project will not disrupt or divide the physical arrangement of an established community.

The addition of 39 lots and the "stated potential" of a possible 350 vehicle trips per day will create an impact on Monte Verde Estates. Chapter 18 of the Placer County Code, Appendix A specifically mentions under Land Use that the disruption of the physical arrangement of an established community is "normally considered significant."

The EIR in its present form does not properly identify the issues of opening a second permanent ingress/ egress through Phase 2 of the Monte Verde Estates to Forest Hill Road for the benefit of the Belcara Subdivision.

Futhermore, the Placer County Land Development Manual , Section 4.05a (Street Grades) states:

4. Maximum grade on new streets shall be 15%. In snow areas, the grade shall not exceed 10%.

5. The maximum grades of cul-de-sacs in snow areas shall not exceed 6%.

Ampezo Place from the intersection of Portofino Drive, in the first 300', the slope exceeds 20%.

Ampezo Pl is obviously in a snow area. (Please see attached photos.)

I urge this Commission to consider these facts if it intends now or at a future date to implement the recommendation of the Foresthill Forum Advisory Council to open a second ingress/egress for the Belcara Subdivision that travels through Phase 2 of the Monte Verde Estates.

Secondly, there is no mention of the abandoned mines that are located within the Belcara Subdivision in the EIR. PROPERTY I.D. , a real estate disclosure service located in Walnut Creek, CA identifies at least two abandoned mines, possibly more, on the subject property. The Monarch Mine (which the original Monarch Mine Vineyard Development comes from) is located past the cul-de-sac of Ampezo Place & the Burner Prospect Mine which is located adjacent to the end of Rosarno Place. (Please see attached PROPERTY I.D. REPORT)

I believe the existence of the abandoned mines should be acknowledged in the EIR. These abandoned mines are a source of toxic materials, which means the California Department of Toxic Substances should have been included in the EIR approval process.

The owner of this property should be compelled to identify the location of these abandoned mines and to make sure that any openings or adits are properly sealed in the interest of public safety. (Please see attached California Dept. of Conservation Abandoned Mine Lands Unit Facts Sheet for more details)

Thank you for your time and consideration in this matter which is important to the homeowners of Monte Verde Estates and the future homeowners of Belcara.

Sincerely,

Michael A Conway

5050 Bella Vista Circle, Foresthill

Placer County Code, Chapter 18

ENVIRONMENTAL REVIEW*

Articles:

18.04	General Provisions
18.08	Preliminary Review
18.12	Initial Studies
18.16	Negative Declarations
18.20	Environmental Impact Report
18.24	Procedures When County is Responsible Agency
18.28	Mitigation Monitoring and Reporting Program
18.32	Appeals and Independent Hearing Body Powers
18.36	Statutory Exemptions and Categorical Exemptions
	Appendix A

* Prior code history: prior code §§ 31.100-31.106, 31.260-31.290, 31.310-31.340, 31.410-31.450, 31.510-31.590, 31.610-31.626, 31.630-31.690, 31.710-31.760, 31.810-31.880 and 31.910-31.959.

Article 18.04

GENERAL PROVISIONS

Sections:

18.04.010	Purpose and scope.
18.04.020	Incorporation of CEQA and state CEQA guidelines.
18.04.030	Definitions.
18.04.040	Responsibilities for environmental review.
18.04.050	Public projects.
18.04.060	Project initiation.
18.04.070	Project application.

18.04.010 Purpose and scope.

The purpose of this chapter is to implement the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq.), to supplement the State CEQA Guidelines (14 California Code Regulatory Sections 15000 et seq.), to implement the Permit Streamlining Act (Government Code Sections 65920 et seq.) and to implement Section 21081.6 of the Public Resources Code relating to mitigation monitoring. (Ord. 5119-B (part), 2001)

18.04.020 Incorporation of CEQA and state CEQA guidelines.

The full text of CEQA and the State CEQA Guidelines, as they may be amended from time to time, are incorporated by reference into this chapter as if fully set out, and shall supersede any inconsistent provisions of this chapter. (Prior code § 31.106)

APPENDIX A

Impacts Which Are Normally Considered Significant

An impact is normally considered significant (See Environmental Review Ordinance Section entitled "Significant Effect") if it will:

Land Use

Conflict with adopted environmental plans and goals of the community where it is located.

Disrupt or divide the physical arrangement of an established community.

Conflict with established recreational, educational, religious, or scientific uses of the area.

Convert prime agricultural land to nonagricultural use, or impair the agricultural productivity of prime agricultural land.

Convert unique agricultural land of statewide or local importance to nonagricultural use, or impair the productivity of unique agricultural land of statewide or local importance.

Require a rezoning or general plan amendment in a community which has recently updated its community plan.

Result in a "major" project in the community.

Aesthetics

Have a substantial, demonstrable negative aesthetic effect.

Population, Housing and Employment

Induce substantial growth or concentration of population.

Displace a large number of people.

Public Services

Breach published national, state, or local standards relating to solid waste or litter control.

Extend a sewer trunk line with capacity or serve new development.

Require a "will serve" letter from a public agency and the agency identifies serious deficiencies in providing service.

X. LAND USE & PLANNING – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Physically divide an established community? (PLN)				X
2. Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect? (EHS, ESD, PLN)				X
3. Conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies, plans, or regulations adopted for purposes of avoiding or mitigating environmental effects? (PLN)			X	
4. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN)				X
5. Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)? (PLN)			X	
6. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (PLN)				X
7. Result in a substantial alteration of the present or planned land use of an area? (PLN)			X	
8. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN)				X

Discussion- Item X-1:
The subject property is currently developed with a 25-acre vineyard, two residences and accessory structures. The property abuts the Monte Verde Estates Subdivision that is located to the east of the subject property. The remainder of the property abuts publicly owned lands (Auburn State Recreation Area). The proposed project involves the development of a 39-lot single-family residential subdivision and associated infrastructure improvements, including roadways. The proposed improvements will not physically divide an established community. No mitigation measures are required.

Discussion- Item X-2:
The property is within the Foresthill Divide Community Plan area and the Plan's land use designation for the site is Forest Residential 1-4.6 acre minimum. Site zoning is Residential-Forest 2.3 acre minimum, Planned Development 0.44 units/acre (RF-B-X 2.3 PD 0.44), Residential-Forest 4.6 acre minimum, Planned Development 0.44 units/acre (RF-B-X 4.6 PD 0.44) and Residential-Forest 20 acre minimum, Planned Development 0.44 units/acre (RF-B-X 20 PD 0.44). The proposed use is consistent and density is consistent with the General Plan and Community Plan policies as well as the Zoning Ordinance standards with 39 residential lots as a Planned Development density of 0.44 units per acre. Furthermore, the Planned Development designation for the project would result in clustering on the project site, which would enable a greater amount open space to be preserved, due to the smaller lot sizes.

Discussion- Item X-3:
The project site is within Area 2 of the Placer County Tree Preservation Ordinance and is subject to the requirements indicated in this tree preservation zone. The applicant will be required to implement this ordinance as applicable to prevent significant impacts prior to project approval. (See Discussion Mitigation Measures- Items IV-3,7 for information on mitigation requirements for tree/woodland impacts.) In addition, the project site is not located within any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved Habitat Plan Area. No mitigation measures are required.

SEC. 4.04 STREET LIGHTING

(1) Street lighting shall be installed as directed by the Engineer. Unless otherwise approved by the Engineer or hearing body, the following street intersections shall be lighted:

(a) Intersection of new subdivision streets when minor street has an A.D.T. of 350 vehicles or more and the major street has a design speed of 35 mph or greater.

(b) Intersections of new local street/collector where the cumulative volume of both streets equals 8,000 A.D.T. at the Community Plan buildout or within 10 years.

(c) At locations where lighting is required to maintain the design speed sight distance on roadways (such as on vertical or horizontal curves) as directed by the Engineer.

(2) Unless otherwise specified, luminaries shall be high pressure sodium type of sufficient wattage to produce light distribution in accordance with recommendations of the current edition of the "Caltrans Traffic Manual", and "Caltrans Standard Plans". The standard fixture type shall be a flat-bottom, cobra-head design which directs light downward to the roadway surface as efficiently as possible. Mounting pole height, type and location shall be as approved by the Engineer.

SEC. 4.05 GEOMETRICS AND PROFILES

(1) The following standards for the design of geometrics and profiles for proposed improvements shall govern the preparation of plans for such improvements.

(a) Grades and Cross Slopes

1. Minimum grade on new streets shall be 0.50%.

2. Minimum grade of a Portland cement concrete gutter section construction on existing street shall be 0.25%.

3. Cross slope to crown on new streets shall be 2.0%. (Intersections and super-elevations excepted.)

4. Maximum grade on new streets shall be 15%. In snow areas, the grade shall not exceed 10%, unless otherwise approved by the Engineer.

SEC. 4.05(a) (Continued)

5. The maximum grade of cul-de-sacs in snow areas shall not exceed 6%.

6. The grade of the pavement surface across an intersection shall not be more than 6.0%.

7. The vertical alignment of the major road in an intersection shall govern over the vertical alignment of any minor road when designing the intersection.

(b) Valley Gutters

1. Valley gutters will be allowed only on urban minor and urban secondary residential streets, and only with the specific approval of the Engineer based on review of hydraulic calculations. (Ref: Plate 31).

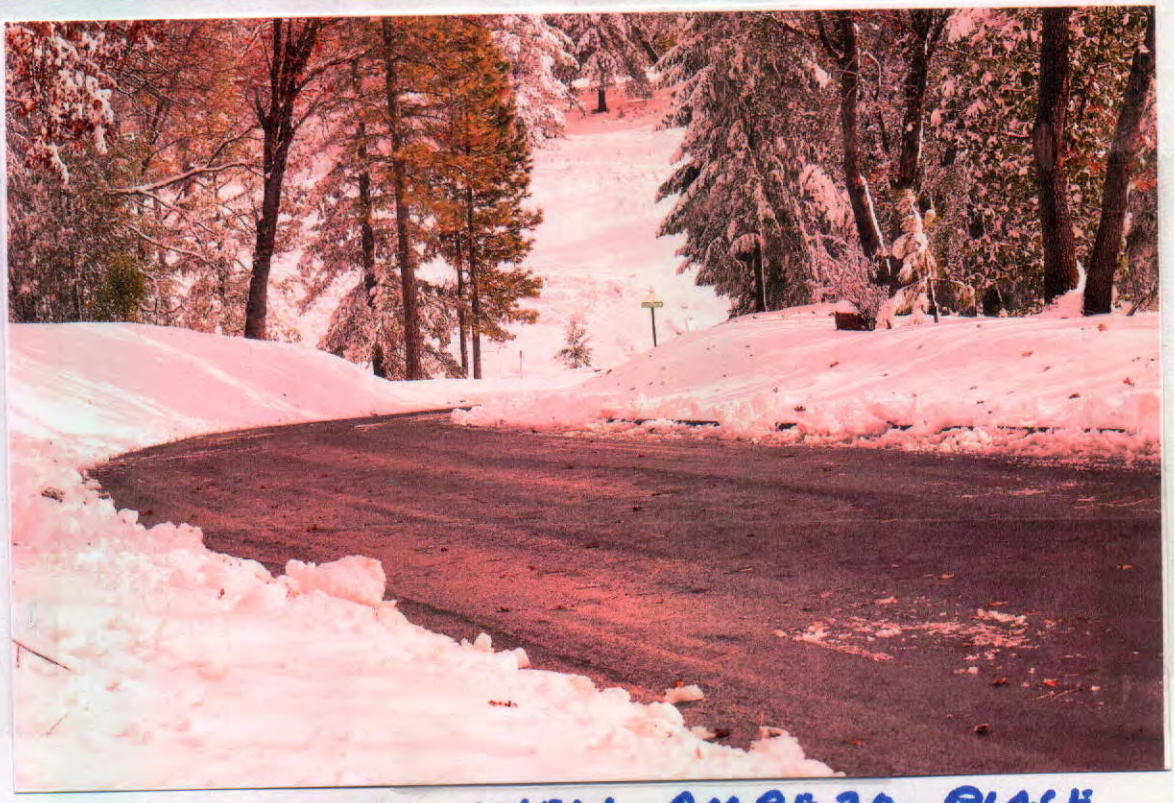
2. Valley gutters shall be used in driveways in preference to culverts, if feasible.

(c) Vertical Curves

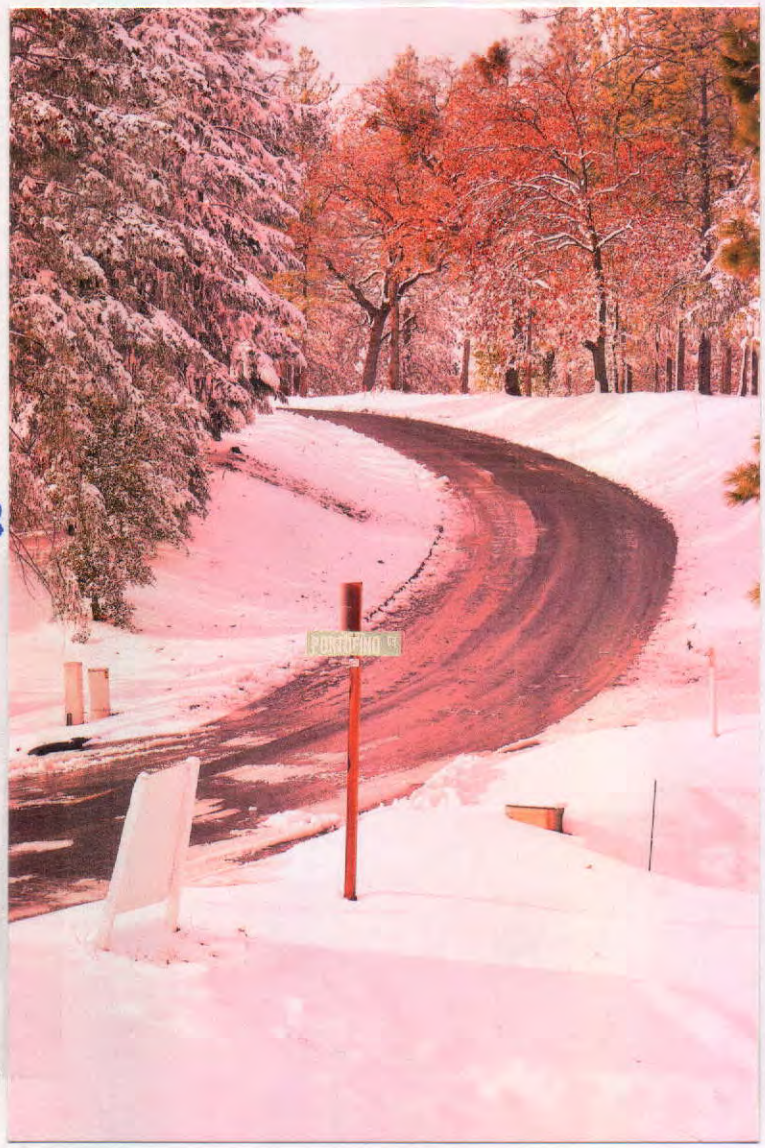
1. Vertical curve design shall be as specified in the California Department of Transportation "Highway Design Manual", to provide the minimum stopping sight distance for the design speed and in no case shall have a length of less than 50 feet unless approved by the Engineer. For drainage purposes and upon approval of the Engineer, vertical grade breaks, not exceeding 2% algebraic grade difference, shall be allowed on roads of design speed up to and including 25 mph, provided they are placed a minimum distance apart so that they provide the equivalent vertical sight distance of a vertical curve for the same design speed, and in no case shall be spaced closer than 200 feet apart.

(d) Horizontal Curves

1. Unless conditions warrant and when approved by the Engineer, changes in direction of the streets shall be made with horizontal circular curves, with the edges of the pavement and curb lines parallel to and equidistant from the centerline of the right-of-way.



DOWNHILL VIEW AMPE 20 PLACE



UPHILL VIEW OF AMPE 20 PLACE FROM THE INTERSECTION OF PORTOFINO DR

PICTURES TAKEN
SATURDAY 12/7/13
10:30 AM

Gmail

ABANDONED MINES

115 Ampezo Pl; Foresthill, CA 95631 (mn)

Robert Escobedo <REscobedo@propertyid.com> Thu, Jan 10, 2013 at 2:10 PM
To: "[redacted]"
Cc: "tschaffner@placertitle.com" <tschaffner@placertitle.com>, "rpastrana@placertitle.com" <rpastrana@placertitle.com>

Hello Mr. Conway,

Thank you for your inquiry. The following email has been prepared at your request regarding the mining operations determinations in the Property I.D. ("PID") Report issued on the above-referenced Property.

According to PID's research of the information from the California Geological Survey (CGS), the Property is not located within one mile of a mining operation. According to PID's research of the information from the California Office of Mines and Reclamation and the US Geological Survey (USGS), the following operations are within one mile of the Property:

Office of Mines and Reclamation – Abandoned Mine Lands Unit

Unnamed Mine – Open Pit

Mine is reported to be approximately 4,685 Feet SW of property.

Mine is reported to be located near Foresthill Rd

USGS Mine Sites

(1) Burner Prospect

Gold

Underground

Mine is reported to be approximately 2,570 Feet SW of property.

Mine is reported to be located near Forest Hill Divide Rd

(2) Burner Prospect

Gold

Past Producer

Underground

Mine is reported to be approximately 1,958 Feet SW of property.

Mine is reported to be located near Rosarno Pl

3 Carlson

Gold, Silver

Underground

Mine is reported to be approximately 2,792 Feet SW of property.

Mine is reported to be located near Forest Hill Divide Rd

4 Gas Canyon

Chromium

Underground

Mine is reported to be approximately 4,707 Feet __ of property.

Mine is reported to be located near Forest Hill Divide Rd

5 Guggenheim Dredge

Gold

Placer

Mine is reported to be approximately 3,797 Feet NW of property.

Mine is reported to be located near Forest Hill Divide Rd

6 Mack

Gold

Underground

Mine is reported to be approximately 4,841 Feet SW of property.

Mine is reported to be located near Foresthill Rd

7 Monarch Dev. Co., Ltd.

Gold

Past Producer

Mine is reported to be approximately 1,836 Feet WNW of property.

Mine is reported to be located near Ampezo Pl

8 Monarch

Gold

Past Producer

Surface/Underground

Mine is reported to be approximately 4,526 Feet SW of property.

Mine is reported to be located near Foresthill Rd

No on-site visual examination of the Property was performed by PID. It is important that Buyers, not Realtors, contact any governmental entities for any further detailed information. And please feel free to contact me (or have your clients contact me) with any further questions or comments you may have about the Property I.D. Report.

Regards,

Mailana

CC: Trista Schaffner & Rhonda Pastrana – Placer Title

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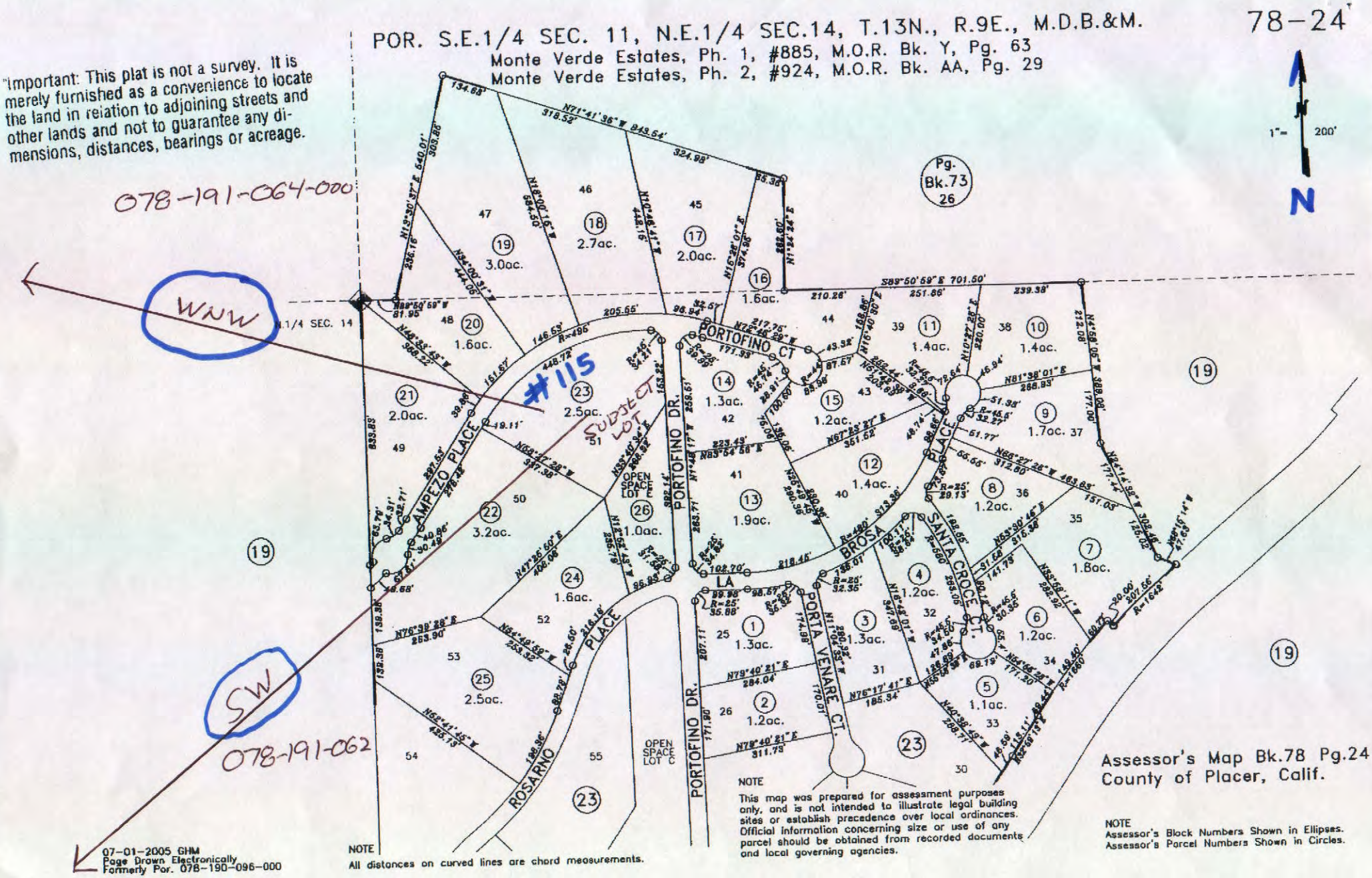
DIRECTION OF KNOWN ABANDONED MINES FROM SUBJECT LOT