



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, Agency Director

**PLANNING
SERVICES DIVISION**

Paul Thompson
Deputy Planning Director

HEARING DATE: March 27, 2014

ITEM NO.: 1

TIME: 10:05

TO: Placer County Planning Commission

FROM: Development Review Committee

DATE: March 27, 2014

SUBJECT: CAMELS HUMP CARETAKER RESIDENCE (PMPC 20110109) – THIRD-PARTY APPEAL OF THE ZONING ADMINISTRATOR’S ADOPTION OF A MITIGATED NEGATIVE DECLARATION (MODIFIED) AND APPROVAL OF A MINOR USE PERMIT (SUPERVISORIAL DISTRICT 5, MONTGOMERY)

GENERAL/COMMUNITY PLAN AREA: Placer County General Plan

COMMUNITY PLAN DESIGNATION: Agriculture Timberland, 80 acre minimum

ZONING: TPZ (Timberland Production)

ASSESSOR'S PARCEL NUMBERS: 071-270-003-000, 071-310-001-000, 071-320-001-000, 071-330-008-000

STAFF PLANNER: Melanie Jackson, Associate Planner

LOCATION: The project site is located east of Interstate 80, approximately halfway between Weimar and Colfax, in the Colfax area. The site is accessed off of Gillis Hill Road which branches off of Yankee Jims Road.

PROJECT APPLICANT: Kevin Nelson, Nelson Engineering, on behalf of Jed Parker and Fred Basquin

APPELLANT: Michael Garabedian, on behalf of the Friends of the North Fork

PROPOSAL:

The applicant requested approval of a Minor Use permit to allow a 4,000 square-foot caretaker residence and a 25 by 25 square-foot garage to be constructed on one of two building sites, on a portion of a 597.5-acre parcel. The Zoning Administrator approved the

Minor Use Permit on November 21, 2013, however, the caretaker residence was limited to a maximum of 1,800 square-feet with a 25 by 25 square foot attached or detached garage.

CEQA COMPLIANCE:

A Mitigated Negative Declaration (Modified) has been prepared and finalized pursuant to CEQA for this project (Attachment G). On March 19, 2013, a Mitigated Negative Declaration was prepared for the project and was circulated for public review. The public review period concluded on April 29, 2013. Due to comments received on the Mitigated Negative Declaration, it was modified and re-circulated for public review on September 3, 2013. The public review period for the Mitigated Negative Declaration (Modified) concluded on October 2, 2013. The Mitigated Negative Declaration (Modified) and Mitigation Monitoring Program are attached and must be found to be adequate to satisfy the requirements of CEQA by the decision-making body. The Planning Commission will be required to make a finding to this effect.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices were mailed to property owners of record within 300 feet of the project site. Other appropriate public interest groups and citizens were sent copies of the public hearing notice. The Weimar/Applegate/Clipper Gap Municipal Advisory Council was also sent a copy of the legal notice via electronic mail. Copies of the project plans and application were transmitted to the Community Development Resource Agency staff and the Departments of Public Works and Environmental Health Services, the Air Pollution Control District and Facility Services for their review and comment. All County comments have been addressed and conditions have been incorporated into the staff report.

PROJECT DESCRIPTION:

The Zoning Administrator's November 21, 2013 approval allows for a maximum 1,800 square-foot caretaker's residence with a 25 by 25 square-foot attached or detached garage to be constructed on one of two building sites, on a portion of a 597.5-acre parcel zoned TPZ (Timberland Production – 160 Acre Minimum Parcel Size). The request for approval of the caretaker's residence is to support a full-time caretaker on the property. The caretaker would oversee a Forest Management Plan (Attachments I and J) that the property owners would implement in order to restore the property, a good portion of which was heavily damaged by the Ponderosa fire in 2001. The property would be accessed by Gillis Hill Road, which will be improved to a minimum 18-foot width as a requirement of permit approval. The driveway to access the caretaker's residence building site would be improved to a minimum 10 foot width, including fire turnouts with spacing as required by the servicing fire district.

SITE CHARACTERISTICS:

The project site is located east of Highway 80, approximately halfway between Weimar and Colfax. The property is accessed from Gillis Hill Road, which branches off of Yankee Jims Road to the north. The property is located in the Sierra Nevada Foothills and consists of mostly north-south trending, undulating, west-facing ridge tops. East-, north- and south-facing aspects are also present on the property. Elevations range from 1,600 to just over 2,600 feet above mean sea level. The property is bisected by three north-to-south flowing tributaries of Bunch Creek.

The majority of the property consists of chaparral and foothill woodland intermixed with isolated stands of canyon live oak, blue oak, ponderosa pine, and Douglas Fir. Riparian forest is present along the Bunch Creek and Smuthers Ravine drainages. Non-native annual grassland is intermixed within the chaparral and woodland.

The property has been logged in the past and some skid trails are still evident. In 2001, approximately 379 acres of the subject property were completely burned in the Ponderosa Wildfire. An additional 21 acres were left partially burned and the remaining property, approximately 198 acres, was not affected by the fire. Although much of the vegetation has recovered, many fire-scarred trees remain. Existing dirt roads traverse parts of the property and provide access to all potential building sites.

EXISTING LAND USE AND ZONING:

Location	Zoning	General Plan	Existing Conditions and Improvements
Site	TPZ (Timberland Production – 160 Acre Minimum Parcel Size)	Agriculture Timberland, 80 acre minimum	Undeveloped
North	TPZ (Timberland Production – 160 Acre Minimum Parcel Size); RF-B-X-80 Ac. Min. (Residential Forest, Combining an 80-Acre Minimum Parcel Size) Residential Agricultural, Combining Minimum Building Site of 100,000 square feet, Planned Development 0.44 units per acre (RA-B-100 PD 0.44)	Agriculture Timberland, 80 acre minimum	Developed with a caretaker's unit, agricultural structures for the timberland use.
South	F-B-X 20 Acre Min (Farm, Combining a 20-acre Minimum Lot Size) and W (Water Influence)	Agriculture Timberland, 80 acre minimum	Undeveloped and owned by U.S. Government and has similar topography and vegetation as the project site.
East	F-B-X 20 Acre Min. (Farm, Combining a 20-acre Minimum Lot Size) and W (Water Influence)	Agriculture Timberland, 80 acre minimum	Monte Verde Estates Residential Subdivision
West	F-B-X 3-Acre Min. (Farm, Combining a 3-Acre Minimum Lot size); F-B-43 PD=1 (Farm, Combining a Minimum Lot Size); F-B-43 PD=1 (Farm, Combining a 1-Acre Minimum Lot Size, with a Planned Unit Development of 1 Unit Per Acre); F-B-X 4.6 Acre Min.) (Farm, Combining a 4.6-Acre Minimum Lot Size); F-B-X 20 Acre Min. (Farm, Combining a 20-Acre Minimum Lot Size)	Agriculture Timberland, 20 acre minimum	Undeveloped to the Southwest with similar topography and vegetation as the project site. To the northwest and abutting the project site are three 5-acre parcels with single-family residences

BACKGROUND:

The project site consists of 597.5 acres, which includes four assessor's parcel numbers. A Minor Land Division was approved for the subject property in June of 2005 to create three parcels consisting of one 277.5-acre parcel and two 160-acre parcels. The Tentative Parcel Map creating the parcels is still active, but the map has not yet been recorded.

In 2008, the property owners applied for a rezone of the property (PREA 20060521) from TPZ (Timberland Production) to RF-B-X-80 Acre Minimum (Residential Forest, combining an 80-acre minimum lot size), and a modification to the previously approved Tentative Parcel Map (PMLD 20050487). Approval of the rezone and the modification to the parcel map would have allowed for a subdivision of the property, resulting in seven residential parcels. However, this application was denied by the Board of Supervisors on August 10, 2010. The applicants have since determined that the best use of the property would be timberland production. Consequently, they applied for a Minor Use Permit to allow for a caretaker's residence to oversee those activities.

Zoning Administrator Hearing (July 21, 2011)

The Zoning Administrator considered the request for a Minor Use Permit to allow a caretaker's residence at a public hearing on July 21, 2011. At that hearing, the Zoning Administrator found that the proposed Minor Use Permit was not Categorically Exempt from CEQA, as earlier determined by staff, and took action to deem the proposed project incomplete until such time that the project applicant completed the County's environmental review process.

On March 19, 2013, a Mitigated Negative Declaration was prepared for the project and was circulated for public review. The public review period concluded on April 29, 2013. In response to comments received on the Mitigated Negative Declaration, the environmental document was modified and then re-circulated for public review which ended on October 2, 2013. The project was later rescheduled before the Zoning Administrator.

Zoning Administrator Hearing (November 21, 2013)

At its November 21, 2013 meeting, the Zoning Administrator listened to Staff's presentation and after hearing comments from the Development Review Committee, the applicant, and the public, the Zoning Administrator took action to adopt the Mitigated Negative Declaration (Modified) prepared for the project and approved the Minor Use Permit to allow an 1,800 square-foot caretaker's residence with a detached or attached 25 by 25 square-foot garage on the subject property. The Zoning Administrator found that this was consistent with the size of other caretaker's residences on TPZ property within close proximity of the project site. Additionally, the Zoning Administrator's found that because the Minor Use Permit application was submitted April 13, 2011, the recently adopted Placer County Farm Worker Housing Ordinance that restricts a caretaker residence to a total of 1,200 square feet did not apply.

An appeal of the Zoning Administrator's decision was filed by the Friends of the North Fork on December 2, 2013.

Planning Commission Hearing (February 13, 2014)

The appeal filed by the Friends of the North Fork of the Zoning Administrator's decision on the Camels Hump Caretaker's Residence project was scheduled to be considered by the Planning

Commission on February 13, 2014. Due to an inadequate legal notice, the Development Review Committee requested that the Planning Commission continue the Appeal to a future hearing date to allow re-noticing of the project. The Planning Commission took action to continue the Minor Use Permit to their March 27, 2014 hearing.

LETTER OF APPEAL

On December 2, 2013, an appeal (Attachments C and D) was filed by Michael Garabedian, on behalf of the Friends of the North Fork, of the Zoning Administrator's adoption of a Mitigated Negative Declaration (Modified) and approval of a Minor Use Permit for the Camels Hump Caretaker's Residence.

RESPONSE TO APPEAL LETTER

To ensure that each assertion set forth in the appeal letter is responded to, staff has prepared a specific response for each issue raised in the appeal letter.

- 1. The appellant asserts that the Zoning Administrator applied the incorrect standards for approval for the caretaker's residence because a finding that the proposed use is consistent with the site's zoning is not appropriate to determine if a caretaker's residence is necessary. In addition, the appellant asserts that there is no information included in the record that indicates how and why the caretaker's residence is consistent with County Code.**

Caretaker housing is defined in the Zoning Ordinance as "...permanent or temporary housing that is secondary or accessory to the primary use of the property." The criteria for approval of a Minor Use Permit for a caretaker's residence is outlined in Section 17.56.090(A)(1) of the Zoning Ordinance, which states "Caretaker housing shall be allowed only where the principal commercial, industrial, agricultural or lumbering use of the site involves operations, equipment or other resources that require 24-hour oversight."

The Zoning Administrator applied the standards set forth in this section of the Zoning Ordinance to make the determination to approve the Minor Use Permit. The Zoning Administrator based this determination on the materials submitted by the applicants, including a Forest Management Plan (Attachment I) and an Addendum to the Forest Management Plan (Attachment J), discussions with the applicant and evidence of a USDA grant to support reforestation of the property. The Addendum to the Forest Management Plan prepared in 2011 supports the approval of the caretaker's residence and provides evidence that the Forest Management Plan is actively being carried out. Based upon this information, the Zoning Administrator found that it was appropriate to approve the Minor Use for a caretaker's residence with an attached or detached 25 by 25 square foot garage.

- 2. The appellant asserts that the building locations are incompatible with the TPZ zone district requirements and would have an adverse impact on TPZ properties in the vicinity of the project site. To support these statements, the correspondence cites TPZ zone district requirements as set forth in section 17.16.010(A)(1) and (2) of the Placer County Zoning Ordinance.**

Sections 17.16.010(A)(1) and (A)(2) of the Placer County Zoning Ordinance states:

A. Purpose and Intent

1. It is the purpose of the Timberland Production Zone District (TPZ) to encourage prudent and responsible forest resource management and the continued use of timberlands for the production of timber products and compatible uses. The zone is established in conformance with the Forest Taxation Reform Act of 1976 (California Government code Section 51100 et seq.).
2. The TPZ district is intended to be an exclusive area for the growing and harvesting of timber and those uses that are an integral part of a timber management operation. The TPZ district replaces the use of Williamson Act contracts on timberland. Land use under a TPZ will be restricted for a minimum of ten (10) years to growing and harvesting timber, and to compatible uses as allowed by subsection D of this section. Such zoning generally allows land to be valued for property taxation on the basis of its use for growing and harvesting timber only, and such timber is exempt from ad valorem taxation; however, a yield tax will be imposed at such time as the timber is harvested.

The proposed project is consistent with sections 17.16.010(A)(1) and (A)(2) because the purpose of the caretaker's residence is to allow the caretaker to reside on site and manage the existing Forest Management Plan and the Addendum to the Forest Management Plan that have been prepared for the property, resulting in the restoration of the subject property for an economically viable timber operation.

3. The appellant states that the building locations are incompatible with Placer County General Plan Goals and Policies contained in sections 7.E, 7.E.1 through 7.E.5, 1.K and 1.K.1.

The Placer County General Plan includes Goals 7.E, 7.E.1 through 7.E.5, 1.K and 1.K.1, are as follows:

- Goal 7.E: To conserve Placer County's forest resources, enhance the quality and diversity of forest ecosystems, reduce conflicts between forestry and other uses, and encourage a sustained yield of forest products.
 - Policy 7.E.1 – The County shall encourage the sustained productive use of forest land as a means of providing open space and conserving other natural resources.
 - Policy 7.E.2 – The County shall discourage development that conflicts with timberland management.
 - Policy 7.E.3 – The County shall work closely and coordinate with agencies involved in the regulation of timber harvest operations to ensure that County conservation goals are achieved.
 - Policy 7.E.4 – The County shall encourage qualified landowners to enroll in the Timberland Production Zone (TPZ) program.
 - Policy 7.E.5 – The County shall review all proposed timber harvest plans and shall request that the California Department of Forestry and Fire Protection amend THP's to address public safety concerns, such as requiring alternate haul routes if use of proposed haul routes would

jeopardize public health and safety or result in damage to public or private roads.

The proposed caretaker residence is consistent with the Placer County Forest Resource Goals and Policies above because the purpose of the caretaker's residence is to allow the caretaker to reside on site and manage the existing Forest Management Plan and the Addendum to the Forest Management Plan that have been prepared for the property, that will result in restoration of the subject property to create an economically viable timber operation.

- Goal 1.K (Visual and Scenic Resources) – To protect the visual and scenic resources of Placer County as important quality-of-life amenities for County residents and a principal asset in the promotion of recreation and tourism.
 - Policy 1.K.1 The County shall require that new development in scenic areas (e.g., river canyons, lake watersheds, scenic highway corridors, ridgelines and steep slopes) is planned and designed in a manner which employs design, construction and maintenance techniques that:
 - Avoids locating structures along ridgelines and steep slopes;
 - Incorporates design and screening measures to minimize the visibility of structures and graded areas;
 - Maintains the character and visual quality of the area.

The proposed caretaker residence locations are consistent with the Placer County General Plan Visual and Scenic Resources Goals and Policies above as they would not be located on ridgelines or steep slopes, would be screened from public and private view by the topography, and would not impact the character and visual quality of the area. Additionally, as illustrated in the Visibility Map exhibits (Attachment L), which was prepared by Placer County Geographic Information Systems staff, the two proposed building sites cannot be viewed from the North Fork of the American River Canyon, as has been asserted by the appellant.

4. The appellant asserts that the proposed building sites for the caretaker's residence would be a major visual intrusion into the American River Canyon and the Auburn State Recreation Area.

The Visibility Map illustrates that neither of the two proposed building envelopes for the caretaker's residence are visible from the North Fork of the American River or any commonly accessible public properties within the immediate vicinity of the project site. For this reason, the proposed caretaker's residence will not have a significant visual impact on surrounding public lands.

The North Fork of the American River is considered a scenic resource and is an area of concern for adverse visual impacts. However, the two sites identified as possible construction areas for the caretaker's residence have no possibility of adversely affecting the view shed of the North Fork of the American River because these sites are located between 5,550 feet and 11,000 feet from the North Fork American River canyon. Additionally, there are slopes located between the potential building sites and the North Fork of the American River Canyon that screen the project site. To further illustrate these

points the Visibility Map illustrates the areas on the project site that do have the potential to visually impact areas of the North Fork American River Canyon.

5. **The appellant states in its appeal letter, “The two caretaker locations are incompatible with the California Constitution’s taxation exemptions, with State law, with County TPZ zoning and with the County General Plan and State forest conservation law.” The correspondence further states that “allowing a high view caretaker cottage” would create an increase in valuation for sales of all or part of the property, which is inconsistent with the California State Constitution.**

Article XIII of the California Constitution states:

The following are exempt from property taxation:

- (j) Immature forest trees planted on lands not previously bearing merchantable timber or planted or of natural growth on land from which the merchantable original growth timber stand to the extent of 70 percent of all trees over 16 inches in diameter has been removed.

The property owners have prepared a Forest Management Plan and an Addendum to the plan to begin the re-forestation of the property. As mentioned, in the 2001 Ponderosa Fire much of the property was burned and the majority of vegetation on the project site was destroyed. The goal and implementation of this plan are consistent with the above section of the California Constitution because these are immature forest trees that are being planted on lands that are currently not bearing merchantable material.

6. **The appeal states that the caretaker residence approved for the subject site by the Zoning Administrator is impermissible because he did not apply Section 17.56.090(A)[2], (B) and (G) of the Placer County Zoning Ordinance correctly which specify requirements for Caretaker and Employee Housing.**

Section 17.56.090(A)(1) of the Placer County Zoning Ordinance states: Caretaker housing shall be allowed only where the principal commercial, industrial, agricultural or lumbering use of the site involves operations, equipment or other resources that require 24-hour oversight. The Zoning Administrator determined that the Timber operation on the subject site required 24 hour oversight for the onsite reforestation and timber harvesting and used this as one of the findings to approve the proposed caretaker residence.

7. **The appellant asserts that the caretaker’s residence would result in a conversion of the property out of a forest use. The appeal letter states that under state regulations, conversion of TPZ land requires a rezoning that has been previously denied by the County. Friends of the North Fork cite Public Resources Codes 4621(a) and 4621.2 to support these statements.**

Public Resources Code 4621(a) states that any person who owns timberlands that are to be devoted to uses other than timber production shall file an application for conversion with the appropriate agency. This section is specific to Timberland Conversion Permits. Public Resources Code 4621.2 goes on to address the information that the property

owner will need to provide the appropriate agency in order for the agency to make a determination as to whether the conversion permit should be granted.

The Minor Use Permit would allow for a caretaker's residence to allow for an on-site caretaker to be available 24 hours a day to help implement a Forest Management Plan. A Forest Management Plan is in place to provide the framework for successful management of the property. The codes cited by Friends of the North Fork do not apply because the property owners are not converting the approximately 600-acre property to another use. The majority of the project site will remain forestland, except for the 1 to 2 acres needed for the caretaker's residence. A 1 to 2 acre building site on a 600-acre timberland property does not constitute a conversion or forestland.

8. The appeal states that the applicant has not applied for relief from the 1,200 square foot limit on caretaker residence size contained in section 17.56.090 of the Placer County Zoning Ordinance.

The Zoning Administrator's found that because the Minor Use Permit for the caretaker's residence was submitted on April 13, 2011 that the recently-adopted section 17.56.090 of the Placer County Zoning Ordinance (Placer County Farm Worker Housing Ordinance) that restricts caretaker residences to a total of 1,200 square feet did not apply.

9. The appellant asserts that a caretaker on the subject site is not warranted because forest management and logging do not and should not be permitted on a 24 hour basis on the subject site. The appeal further states that no security was necessary because there is no practicable access to the property except through a locked gate.

The project applicants have stated that an onsite caretaker is warranted due to the extensive amount of re-forestation activities necessary to begin the timber harvesting process. The Addendum to the Forest Management Plan prepared by Douglas Ferrier of Forest Slopes Management recommends that there be a live-in caretaker on the subject property. This recommendation is based on the caretaker's ability to protect the existing land and forest resources on the property, including vegetation, replanted forest trees, roads, culverts, fuel breaks and any future forest resources as they develop onsite. The caretaker would also be able to prevent trespassers that can pose a fire danger from accessing the property, and would be able to immediately alert fire authorities if a wildland fire occurs on the property.

10. The appellant asserts that the Gillis Hill Fault along the ridge on the subject site is a risk to the proposed caretaker residence that should be avoided or minimized.

Section VI.7 (Geology and Soils) of the Mitigated Negative Declaration (Modified) addresses an inactive earthquake fault that has been mapped trending northwesterly/southeasterly down the ridgeline of Gillis Hill, the main ridge between the North Fork of the American River and Bunch Creek/Smuther's Ravine drainages. Gillis Hill crosses the property in its southeastern corner, in the vicinity of Camel's Hump. However, the proposed building sites are not located on Camel's Hump, or in an area where the fault could pose a risk.

11. The appeal states that one of the proposed locations for the caretaker residence would appear to be located unnecessarily above and near a hazardous abandoned mine located on the project site.

Section VIII.4, 9 (Hazards and Hazardous Materials) of the Mitigated Negative Declaration (Modified) discusses an abandoned mine that is located on the property. The Mitigated Negative Declaration (Modified) states “The open tunnel to the hard rock mine located on the project site is a potential safety hazard.” However, these hazards would be mitigated with the implementation of Mitigation Measure MM VIII.2, which requires the project applicant to secure the opening of any mine tunnels on the property to prevent unauthorized access. It should also be noted that the subject property is privately owned, restricting access to the property owners and invitees. Consequently, the mine would not be a public safety hazard.

12. The appellant asserts that the construction of the caretaker’s residence would result in fire hazard risks to the property, the surrounding properties and would not prevent fire danger.

The subject property is located in an area highly susceptible to wildland fires and was the subject of a wildland fire when the Ponderosa fire occurred in 2001. However, mitigation measures were included in the environmental document that will reduce these risks to levels compatible with the implementation of a caretaker’s residence, including shaded fuel breaks, fuel reductions, roadside fuel reductions defensible space and on-site water storage.

A comment letter was received by Mathew Reischman on behalf of CalFire. The comment letter includes recommendations for Compliance with the Forest Practice Act and Rules as follows:

- Submittal of a Timber Harvest Plan (RM-63) or other harvesting document for timberland acreage included in the project.
- Submittal of a timberland conversion permit or applicable timberland conversion exemption.
- Incorporation of a California Licensed Timber Operator for conduct of timber operations.

All recommendations noted above have either been completed by owners of the property, or are not applicable to the Minor Use Permit.

13. The appellant asserts that there is a fair argument that an Environmental Impact Report should be prepared for the project because the project may have significant impacts to the environment.

Based on the issues raised by the appellant, staff finds no evidence to support a fair argument that the project will have a significant effect on the environment. Therefore, there is no legal basis to require that an EIR be prepared for this project. Staff has reviewed the project’s Mitigated Negative Declaration (modified) in light of the appeal

comments and finds no evidence that staff failed to consider any potential environmental impacts of the project, or failed to identify and impose all feasible mitigation measures.

CONCLUSION/RECOMMENDATION

As detailed in this report, staff could find no merit in any of the appeal issues raised by the appellant. The Zoning Administrator found that this project is consistent with goals and policies in the Placer County General Plan, the caretaker's residence is consistent with Section 17.56.090 (Caretaker and Employee Housing) of the Placer County Zoning Ordinance, and the adopted Mitigated Negative Declaration (modified) includes mitigation measures that reduce all potentially significant environmental impacts to less than significant levels.

It is staff's recommendation that the Planning Commission uphold the decision of the Zoning Administrator and take the following actions:

1. Deny the third-party appeal filed by Friends of the North Fork.
2. Adopt the Mitigated Negative Declaration (Modified) (Attachment G) and Mitigation Monitoring Program (Attachment H) that has been prepared for the project and has been finalized pursuant to CEQA.
3. Uphold the Zoning Administrator's decision to approve a Minor Use Permit to allow for the construction of an 1,800 square-foot caretaker's residence with an attached or detached 25 by 25 square-foot garage on one of two building sites (as shown on the site plan).
4. Approve the Zoning Administrators approved Conditions of Approval (Attachment E), as modified (Attachment F).

FINDINGS:

CEQA:

The Planning Commission has considered the proposed Modified Mitigated Negative Declaration, the proposed mitigation measures, the staff report and all comments thereto and hereby adopts the Mitigated Negative Declaration for the project based upon the following findings:

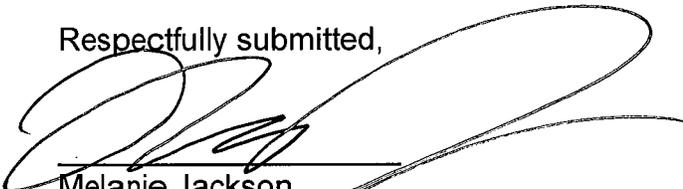
1. A Mitigated Negative Declaration (Modified) has been prepared for the Camel's Hump Caretaker's Residence project as required by law. With the incorporation of all mitigation measures, the project will not cause any significant adverse impacts. Mitigation measures include but are not limited to mitigation for air pollution, fire hazards, traffic, grading, erosion, drainage, toxic substances and mines.
2. There is no substantial evidence in the record as a whole that the project as revised and mitigated may have a significant effect on the environment.
3. The Mitigated Negative Declaration (modified) as adopted for the project reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of its preparation.

4. The mitigation monitoring program prepared for the project is approved and adopted.
5. The custodian of records for the project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.

Minor Use Permit Findings:

1. The proposed use is consistent with all applicable provisions of Placer County Code, Chapter 17, and any applicable provisions of other chapters in this code. Section 17.56.090 (Caretaker and Employee Housing) of the Placer County Zoning Ordinance provides that a caretaker's residence may be allowed where the principal agricultural use of the site requires twenty-four hour oversight. The implementation of a Forest Management Plan on the 597.5 acre property will require twenty-four hour oversight and as such, the caretaker's residence is consistent with County Code.
2. The proposed use is consistent with applicable policies and requirements of the Placer County General Plan.
3. The establishment of the proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the neighborhood of the proposed use, nor will it be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County, provided that all of the recommended Conditions of Approval are adopted for the project. The construction of a caretaker's residence on a 597.5 acre property in an inconspicuous area on the project will not be detrimental to other properties within the vicinity of the project. A caretaker's residence is consistent with the Placer County Timberland Production zone district. Further the implementation of a Forest Management Plan on the subject property warrants the construction of a caretaker's residence.
4. The proposed use will be consistent with the character of the immediate neighborhood and will not be contrary to its orderly development. This is because the surrounding neighborhood is generally open space, zoned Timberland Production, and are also operated as timber management. Further, the project is consistent with the neighboring properties because a caretaker's residence is currently occupied on the immediately neighboring property for the use of timberland production.
5. The proposed use will not generate a volume of traffic beyond the design capacity of all roads providing access to the parcel.

Respectfully submitted,



Melanie Jackson
Associate Planner

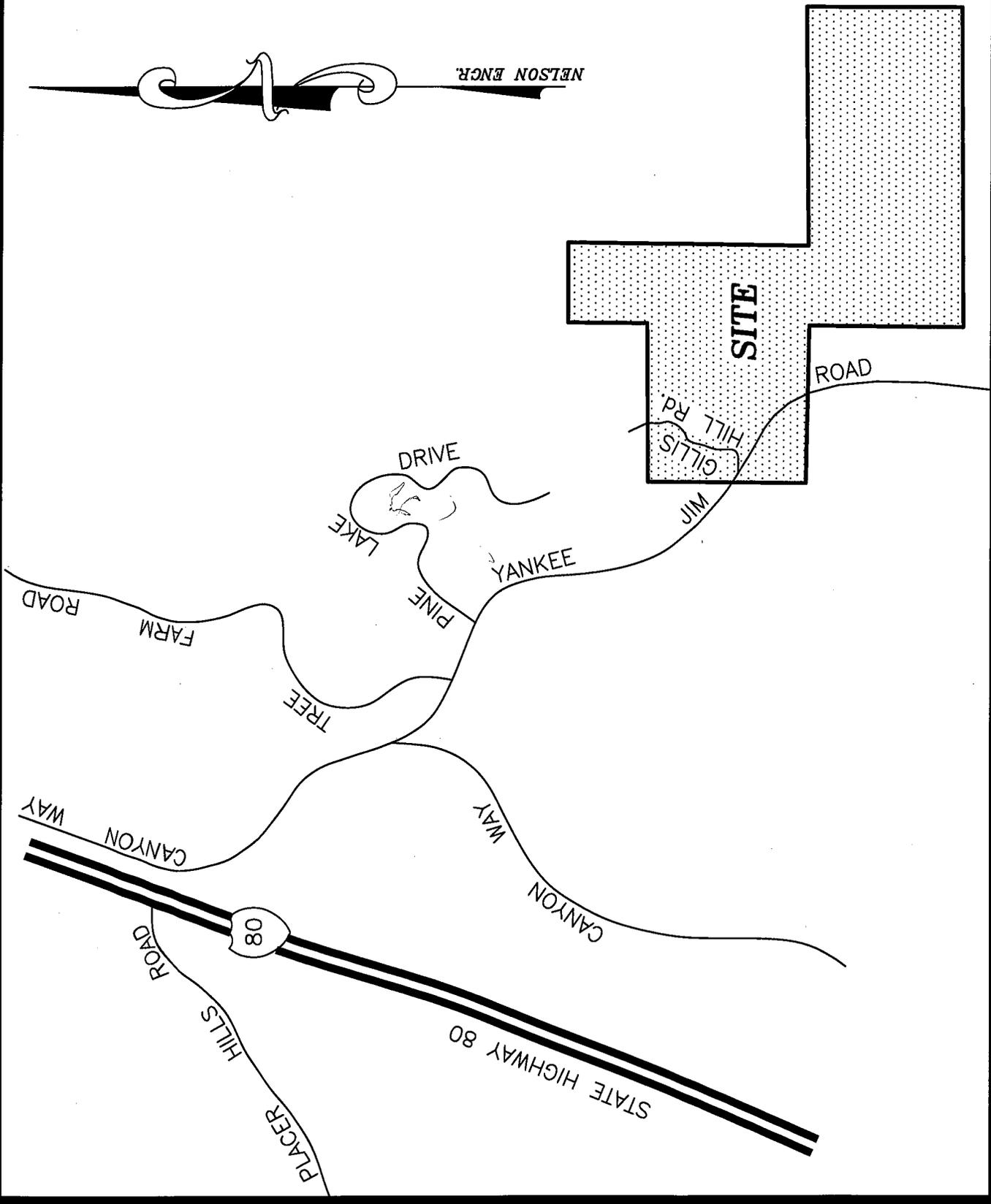
ATTACHMENTS:

- Attachment A – Vicinity Map
- Attachment B – Site Plan
- Attachment C – Planning Appeal (received on December 2, 2013)
- Attachment D – Friends of the North Fork Letter (April 19, 2013)
- Attachment E – Zoning Administrator Approved Conditions of Approval
- Attachment F – Recommended changes to Conditions of Approval
- Attachment G – Mitigated Negative Declaration (Modified)
- Attachment H – Mitigation Monitoring Program
- Attachment I – Basquin/Parker Property Forest Management Plan (March 27, 2006)
- Attachment J – Addendum to Basquin/Parker Property Forest Management Plan (April 8, 2011)
- Attachment K – Zoning Administrator Staff Report (November 21, 2013)
- Attachment L - Visibility Map Exhibits (Visibility from the North Fork of the American River)
- Attachment M – Letter from Agricultural Commissioner (March 28, 2012)
- Attachment N – Correspondence

cc: Fred Basquin – Property Owner
Jed Parker – Property Owner
Kevin Nelson, Nelson Engineering – Applicant
Friends of the North Fork – Appellant
Engineering and Surveying Division – Rebecca Taber
Environmental Health Services – Justin Hansen
Air Pollution Control District – Gerry Haas
Andy Fisher - Parks Department
Karin Schwab – County Counsel
Michael Johnson – Community Development Resource Agency Director
EJ Ivaldi – Deputy Planning Director
George Rosasco – Supervising Planner
Subject/chrono files

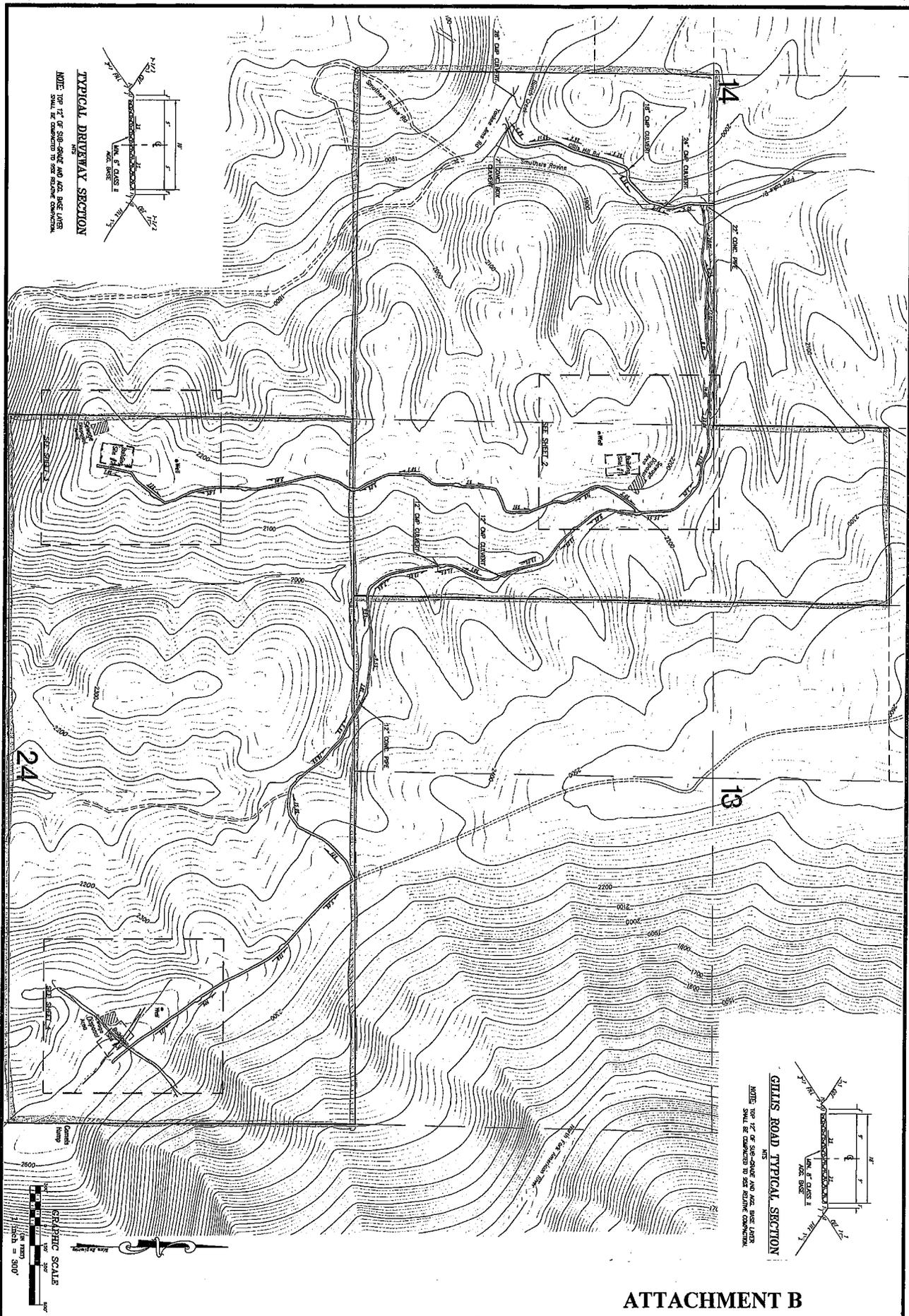
O:\PLUS\PLN\PROJECT FILES\2011\20110109 Camels Hump Caretaker Res\PC\SRF-2-13-14 ZA Appeal camel hump

NELSON ENGR.

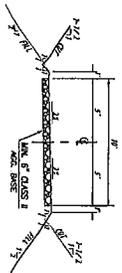


VICINITY MAP

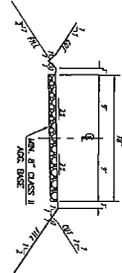
NO SCALE



TYPICAL DRIVEWAY SECTION
 NOTE: TOP 1" OF SUB-GRADE AND ASBESTOS LAYER SHALL BE COMPACTED TO 95% RELATIVE COMPACTION.



GILIS ROAD TYPICAL SECTION
 NOTE: TOP 1" OF SUB-GRADE AND ASBESTOS LAYER SHALL BE COMPACTED TO 95% RELATIVE COMPACTION.



ATTACHMENT B

	NELSON ENGINEERING Civil Engineering, Surveying, & Land Planning 1831 Commercial Ave., Suite 100 (530) 433-4816 Folsom Valley, CA 95640 e-mail: info@nelsoneng.com	SITE PLAN FOR: BASQUIN & PARKER A.P.N. 071-310-001, 071-330-008, 071-320-001, 071-270-003 COUNTY OF PLACER, CALIFORNIA		NO. REVISIONS _____ _____ _____	DATE _____ _____ _____	DESIGNED: <i>K/A</i> DRAWN: <i>K/A</i> DATE: JANUARY, 2012	PROJECT No.: 11-021 DWG. NAME: 11-021/046.dwg
		1 OF 4	GRAPHIC SCALE 1" = 300' 1" = 150' 1" = 75' 1" = 30'	NORTH ARROW	15		



PLACER COUNTY PLANNING DEPARTMENT

Reserved for Date Stamp

AUBURN OFFICE
3091 County Center Dr
Auburn, CA 95603
530-886-3000/FAX 530-886-3080
Web page: www.placer.ca.gov/planning

TAHOE OFFICE
565 W. Lake Blvd./P.O. Box 209
Tahoe City CA 96145
530-581-6280/FAX 530-581-6282
E-Mail: planning@placer.ca.gov

RECEIVED
DEC 2 2013
CDRA

PLANNING APPEALS

The specific regulations regarding appeal procedures may be found in the Placer County Code, Chapters 16 (Subdivision), 17 (Planning and Zoning), and 18 (Environmental Review Ordinance).

—OFFICE USE ONLY—

Last Day to Appeal June 12/13 (5 pm) Appeal Fee \$ 536
 Letter _____ Date Appeal Filed _____
 Oral Testimony _____ Receipt # _____
 Zoning _____ Received by _____
 Maps: 7 full size and 1 reduced for Planning Commission Items Geographic Area _____

—TO BE COMPLETED BY THE APPLICANT—

- Project name Carolee Kump Caretaker Residence
- Appellant(s) Friends of the North Fork
 Address 7143 Gardonville Ave. Telephone Number 916-797-296 Fax Number 916-727-1727
 City _____ State _____ Zip Code _____
- Assessor's Parcel Number(s): 071-310-024, 071-370-008, 071-720-001, 071, 270-003
- Application being appealed (check all those that apply):

<input type="checkbox"/> Administrative Approval (AA-_____)	<input type="checkbox"/> Tentative Map (SUB-_____)
<input checked="" type="checkbox"/> Use Permit (CUP/MUP- <u>20110109</u>)	<input type="checkbox"/> Variance (VAA-_____)
<input type="checkbox"/> Parcel Map (P-_____)	<input type="checkbox"/> Design Review (DSA-_____)
<input type="checkbox"/> General Plan Amendment (GPA-_____)	<input type="checkbox"/> Rezoning (REA-_____)
<input type="checkbox"/> Specific Plan (SPA-_____)	<input type="checkbox"/> Rafting Permit (RPA-_____)
<input type="checkbox"/> Planning Director Interpretation _____ (date)	<input type="checkbox"/> Env. Review (EIAQ-_____)
<input type="checkbox"/> Minor Boundary Line Adj. (MBR-_____)	Other: _____
- Whose decision is being appealed: Zoning Administrator (use reverse)
- Appeal to be heard by: Planning Commission (use reverse)
- Reason for appeal (attach additional sheet if necessary and be specific):
See attached sheet

(If you are appealing a project condition only, please state the condition number)

Note: Applicants may be required to submit additional project plans/maps.

Signature of Appellant(s) Michael Nelson, President, Friends of the North Fork

In the matter of the Approval of Camels Hump)	
Caretaker Residence Minor Use Permit)	
PMPC 20140109 by the Placer County Zoning)	Grounds for
Administrator on November 21, 2013)	Appeal

Friends of the North Fork appeals as follows:

1. The Zoning Administrator (ZA) has applied the incorrect standard to determine that a caretaker residence is necessary for the property.

The County's test is that reforestation and timber harvesting is the planned principal use and that due to this use a residence is necessary. This is hardly more than a conclusion that the land's use is consistent with zoning. The State Constitution Article XIII requires that uses of TPZ land must be compatible with provisions for taxation of timberland based on the restrictions. There is no finding that the cottage proposed is compatible with the TPZ forest use on this property. There is no finding or information indicating how and why, "...The site involves operations, equipment or other resources that require twenty-four (24) hour oversight," 17.56.090(A)(1). This MUP should in its entirety be denied or referred back to the ZA to apply the proper standards.

The Staff Report and MND do not address the factors that insulate this property such as the locked gate to the property that prevent access of cars and trucks without a key.

2. Both of the housing location approvals are impermissible.

Zoning prohibits caretaker residences except where, "...The subject business, operation or institution proposing employee housing is in a location where other housing is unavailable or infeasible." County Code 17.56.090 (A)(2). There is no demonstration of or findings of this nature. Indeed, the Basquin owners are known to own property on Gillis Hill Ridge near the property, and also, according to state Department of Real Estate records, live at 22057 Porcupine Ridge, Colfax, California 95713, which is across Yankee Jims Road.

3. Building on Site #2 that is on the promontory above Yankee Jims Road would have significant environmental impacts that require preparation of an EIR if they are not mitigated. Building on Site #1 may have a significant environmental impacts.

Construction on Site #2 would be a major visual intrusion into the canyon and watershed, would require a 3,200 foot driveway south out onto the ridge beyond Site #1, among other impacts. Sites #1 and #2 are on the next ridge west of Camels Hump ridge (the ridge that is immediately above the North Fork). The ridge for the proposed sites is between Quail Trap Ravine and Bunch

Canyon/Yankee Jims Road. The ZA erroneously found at the hearing that the site properties were in a kind of low area or something like that. On a tour with the owners I stood on the ground at both sites on the ridge. From Site #2 one looks southeast with a commanding view that includes a 30 to 45 degree angle width of view down into the North Fork Canyon. Site #2 has a wide overall view of the canyon that is perhaps twice as wide that includes a great deal of the ASRA public land.

The Staff Report incorrectly states that neither site is visible from any public properties in the immediate vicinity of the protect. Site #2 is visible from the publicly owned part of Camels Hump and from the hump one looks down onto Site 2. Site 2 is also visible from the right part of the public part of the ridge that leads up to the public part of Camels Hump.

The color map printed in the MND, "Visibility from Address Locations & the North Fork of the American River" (MND reference page 5 and after page 27) shows no analysis from the canyon south and southeast of the ridge with the two proposed sites. It only shows visibility from the North Fork canyon on the east side of Camels Hump.

The Staff Report notes that there are no standards requiring building sites to be as close to site access as possible. This misses the point of CEQA's requirement of eliminating or mitigating environmental impacts of the proposed project.

The Staff Report takes no account of locating caretaker sites in a manner that would reduce fire danger. "The best building sites are at the bottom of a slope; when ridgetops are free from development, strategic fuel breaks can be developed, with the additional advantage that regional views are preserved." Bkonski et al, Managing Fire in the Urban Wildland Interface (Solano Press 2010, page 171)

Hazards such as the Gillis Hill Fault and the Foothill Fault Zone are not identified, mapped or addressed.

4. A compatible location for a caretaker residence on the property has not been identified, nor has one been sought.

If caretaker housing is necessary on the property, TPZ state laws and zoning, CEQA and the state fire plan and policies necessitate consideration of all locations on the property where a residence could be built in order to identify if any building site is compatible with these requirements. For example there appear to be potential custodian housing locations along Yankee Jims Road. It seems that the applicant submitted an application for one location, and Planning asked the applicant to submit one more instead of identifying and assessing other housing sites.

5. The incompatible house would have an adverse impact on other TPZ properties in the surrounding areas.

The TPZ lands north and east of the 600-acre property as well as the property itself, would be adversely affected.

6. The applicant has not applied as is necessary for relief from the 1,200 square foot limit on caretaker residence size.

County Code 17.60.105(B) mandates that an application must be made to be relieved from zoning requirements pursuant to 17.60.105(A)(5). If applied for, it does not appear that this relief is available because the property is not located in an area that is generally larger than the minimum TPZ parcel size of 160 acres.

Friends will submit explanatory appeal materials within 30 days as provided for in County Code 17.020.110(C)(1).

Friends opposed the permit at the November 21, 2013 hearing.

Friends requests a meeting with the County to discuss the project, its impacts, and this appeal.

Respectfully submitted,



June 2, 2013, Monday

Michael Garabedian, President
Friends of the North Fork
7143 Gardenvine Avenue
Citrus Heights California 95621
916-719-7296

FRIENDS OF THE NORTH FORK

7143 Gardenvine Ave.
Citrus Heights, California 95621

April 19, 2013

Kathi Heckert
Senior Board/Commission Clerk
Placer County Community Development Resource Agency
3091 County Center Drive
Auburn
California 95603

Re: Camels Hump Caretaker Residence MUP (PMPC 20110109)
Appeal explanatory material

Dear Kathi:

This is Photo No. 1 of the earthquake fault driven Gillis Hill Ridge. The ridge rises from the right hand edge of the photo to the left and up to Camels Hump. The ridge with the two Zoning Administrator approved caretaker house locations is second ridge to the left from Gillis/Camels Hump. The North Fork is at the bottom right and along the right side of this July 2, 2010 photograph.

QuickTime™ and
PowerPC™ are
registered trademarks of
Apple Computer, Inc.

Page 1 Photo

The August 17, 2001, Ponderosa Fire burned from the river west and over the ridge to Yankee Jims Road, including the proposed promontory house location at the south end of that ridge. The fire stopped just short of the approved house location at the north end of the ridge. The fire burned across Bunch Creek and up the other side.

The County's visibility study visual document only shows visibility from the river on the other side of Gillis Ridge and does not show any area of North Fork canyon that's visible from the promontory down Bunch Creek and beyond its confluence with the North Fork. The County graphic doesn't show the river or down Bunch Canyon. I asked the County GPS staffer Craig Brown if points had been taken from the river area for the study and he did not know.

I hiked this ridge this Monday December 30, and confirmed on that hike that the promontory house location is highly visible from Camels Hump public lands. Previous touring of the ridge with owners showed that the approved locations are highly visible from Camels Hump private lands.

The two caretaker locations are incompatible with the California Constitution's taxation breaks that the owners are taking advantage of, with State TPZ law, with County TPZ zoning, with the County General plan, with State forest conversion law.

1. The California Constitution prohibits owners from locating uses on TPZ land that are incompatible with the TPZ land use and tax break designation. This includes prevention of boosting land values with incompatible uses.

The State and County are presently enabling the landowners to take advantage of reductions in property taxes that are extreme considering online and posted land sale prices. Allowing a high view caretaker cottage on this particular property would create an increase in valuation for sales of all or part of it. The Zoning Administrator's action would have fostered an increase in land values incompatible with State Constitutional and other restrictions. The County should not create a windfall landowner use of TPZ property tax breaks.

The owners apparently bought the 600 acres for around \$300,000, or \$500 an acre. The owners have for years including recently advertised and posted for sale the entire parcel for roughly \$2 million, or \$3,000 an acre. This is not the mandated timber land valuation and demonstrates a clear intent to reap great benefits from land that as TPZ land is Constitutionally exempt from property taxes:

**CALIFORNIA CONSTITUTION ARTICLE 13
TAXATION, SEC. 3** The following are exempt from
property taxation:

(j) Immature forest trees planted on lands not previously bearing merchantable timber or planted or of natural growth on lands from which the merchantable original growth timber stand to the extent of 70 percent of all trees over 16 inches in diameter has been removed. Forest trees or timber shall be considered mature at such time after 40 years from the time of planting or removal of the original timber when so declared by a majority vote of a board consisting of a representative from the State Board of Forestry, a representative from the State Board of Equalization, and the assessor of the county in which the trees are located.

The Legislature may supersede the foregoing provisions with an alternative system or systems of taxing or exempting forest trees or timber, including a taxation system not based on property valuation. Any alternative system or systems shall provide for exemption of unharvested immature trees, shall encourage the continued use of timberlands for the production of trees for timber products, and shall provide for restricting the use of timberland to the production of timber products and compatible uses with provisions for taxation of timberland based on the restrictions. Nothing in this paragraph shall be construed to exclude timberland from the provisions of Section 8 of this article.

County TPZ zoning allows that, TPZ "(Z)oning generally allows land to be valued for property taxation on the basis of its use for growing and harvesting timber only, and such timber is exempt from ad valorem taxation; however, a yield tax will be imposed at such time as the timber is harvested." 17.16.010(2).

2. This land was in Williamson Act before the legislature created the means to change it to TPZ land and the County must not provide protection of forest use that is less than what the Williamson Act provided. Therefore, this provision of the California Constitution also applies to TPZ land:

CONSTITUTION ARTICLE 13 TAXATION, SEC. 8. To promote the conservation, preservation and continued existence of open space lands, the Legislature may define open space land and shall provide that when this land is enforceably restricted, in a manner specified by the Legislature, to recreation, enjoyment of scenic beauty, use or conservation of natural resources, or production of food or fiber, it shall be valued for property

tax purposes only on a basis that is consistent with its restrictions and uses.

To promote the preservation of property of historical significance, the Legislature may define such property and shall provide that when it is enforceably restricted, in a manner specified by the Legislature, it shall be valued for property tax purposes only on a basis that is consistent with its restrictions and uses.

There is no indication that the legislature intended to weaken TPZ forest land protections when they provided for transferring the lands from Williamson Act to TPZ status. Case law interpreting compatibility of actions with the Williamson Act and other provisions may apply to this TPZ property.

3. A caretaker residence at the approved locations is incompatible with TPZ land use.

This caretaker residence proposal is affected by a number of features that distinguish it from other caretaker MUP's:

- It is one of the most prominent cultural, historic, geographic, and geologic features in the North Fork American River Canyon and Auburn State Recreation Area (ASRA), a landmark used for miles across the divide and up and down the canyon by miners, a sharp ridge with a spring on top of Gillis Hill Ridge that is near a wide flat rock with extensively used for grinding acorns.
- Both proposed caretaker house locations are on a visually prominent sub ridge that is parallel to and apparently part of the magnificent Gillis Hill Ridge that has Camels Hump.
- The land is bordered on all of its south and east sides and on half of its north sides by public lands and private land owner natural resource management efforts that include TPZ and the Placer Land Trust Mergen North Fork Preserve.
- The property has about half of the prominent Camels Hump while the other part is public land.
- The 150-acre Mergen North Fork Preserve property has a half mile on the ridge and continues down to and across the North Fork American River near Staircase Rapids which is part of the Class IV Chamberlain Whitewater Run.
- The river around and below the ridges is eligible for inclusion in the Federal Wild and Scenic River system.
- It's a former Williamson Act contracted property.

The placement of a caretaker house in one of the two proposed locations would change the land use ethic of the public and the private lands between the North Fork and Smuthers Ravine and Bunch Creek. These lands now function as part

of the natural resources, including recreational, economy of the County, Sacramento Metropolitan region, and the State. The proposed caretaker location would change the property and the area to a "view lot" development economy. The MUP as proposed would break ground and change a renewable resource economy for a view lot development economy with its higher than forest use land valuation.

4. The caretaker house would be a prohibited conversion of the property out of forest use.

The State Legislature passed legislation regulating the conversion of forest lands. Under State regulations, conversion of TPZ land requires rezoning the land which has been previously denied by the County. State statute mandates that anyone wanting to convert timberlands including TPZ lands must apply the the State Board of Forestry/Cal Fire for a conversion permit. PRC 4621(a) and 4621.2.

The County and State cannot permit a de facto conversion of a forest property in the manner approved by the Zoning Administrator without going through these procedures.

5. The caretaker house would be inconsistent with the County General Plan.

The approved caretaker house MUP is inconsistent with policies to protect forest resources, including General Plan Goal 7.E. and Policies 7.E.1. through 7.E.5.

Goal 7.E. includes to is conserve forest resources includes reduction of conflicts between forestry and other uses.

The caretaker house would be inconsistent with the General Plan designation of the area as a scenic resource and the Plan's goals and policies to protect scenic resources.

Goal 1.K. protects visual and scenic resources as important to the quality of life amenities for County residents and as a principal asset in the promotion of recreation and tourism.

Policy 1.K.1. requires new development in scenic areas including river canyons, ridgelines and steep slopes to be planned and designed in a manner that avoids locating structures along ridgelines and steep slopes.

6. The proposal is inconsistent with TPZ zoning district requirements. County Code 17.16.010(A)(1) and (2).

7. CEQA requires mitigating the project's negative environmental impacts.

If it is otherwise permissible to locate a caretaker house on the property, all possible house locations on the property need to be explored in order to identify a location that could mitigate the impacts of locations such as those approved by the Zoning Administrator.

All three MNDs and all comments to the County on this project are part of our appeal explanatory material.

The County needs to exercise its authority to permit the location of a caretaker house in a manner and place that does not result in resident, public and firefighter fire, geologic and other safety and hazards, and that does not unnecessarily increase fire and other hazards and economic loss due to them.

8. The Zoning Administrator, County staff, fire districts and Cal Fire have failed to address means to manage the location of a caretaker house in a manner that avoids needless creation of fire hazards starting from the moment construction begins.

The houses would be sources of fire ignition harmful to the forest, residents, financial resources, and fire control efforts.

Over two weeks before the November 21, 2013 MUP hearing, Friends submitted a November 4, 2013, e-mail to County staff with six pages identifying the factors that need to be taken into account to make the best fire prevention decisions for locating structures. This is pages 170-175 from the 2010 Kenneth Blonski et al book from Solano Press, "Managing Fire in the Urban Wildland Interface." This book is part of our explanatory materials.

We are unaware of the necessary effort to address these factors:

- The proposal focus on view lot locations including either house location pose irresponsible and unnecessary fire hazard and safety hazards.
- The promontory house location with a 3,200 foot 12-foot wide driveway has inadequate fire ground ingress and egress for resident evacuation and fire equipment. Roads should facilitate simultaneous evacuation and emergency response (Blonski refers to Chapter 15 for more detail on access and evacuation).
- To designate building sites and roads that respond to existing topography and potential fire behavior.
- To locate building sites away from the edge of steep slopes because the farther back from the slope edge, the greater the protection from convective and radiant heat as well as direct flame impingement. When Anchor Point presented its Foresthill Divide fire study to the Foresthill Forum, it described how fire coming up a slope to a rim burns the slope

- facing side of the a structure and rolls over like a wave and also hits the other side.
- Locating back from a ridge allows space for owners to reduce fuel adjacent to the structure, creating defensible space.
 - Blonski on page 171 contains a sketch showing a potentially useful method of calculating structure setback from the slope using the relationship of slope and hous height.
 - Avoiding locating structures or roads on top of a steep ravine that can act as a chimney.
 - Locating structures mid-slope or below recognizes that the best building sites are at the bottom of a slope.
 - That when ridge tops are free from development strategic fuel breaks can be developed with the additional advantage that regional view are preserved.
 - The most vulnerable locations are saddles, chimneys, and top or midway of long slopes.

The promontory location is very narrow. It's center is very short lengths from all three slope edges. Yankee Jims Road, a potential fire ignition locations, is at the bottom of two of them. The other location has ridge slopes on two sides and a potential funneling effect from the side of Yankee Jims Road.

Both recommended locations and the staff and Zoning Administrator approval of them reflect inattention to the use of planning to protect and enhance public safety that Friends finds to be inexplicable.

9. The Gillis Hill Fault along the ridge is a risk that can be avoided or minimized.
10. The promontory house and its access would appear to be located unnecessarily above and near the hazardous mine and processing area.

The proposal does not meet caretaker zoning requirements including those in County Code 17.56.090 (A) (1) and (2), (B), and (G).

11. There is no demonstrated need for a structure or for the zoning requirement for 24-hour oversight. Forest management and logging do not and should not be permitted to continue for 24 hours in this area.
12. There is no security need because there is no practicable access to the property except through a locked gate. I hiked up to Camels Hump on public lands from Yankee Jims Road on this December 30, 2013, and found no signs of any ATV use. It is impractical that the approximate one direction 1700 foot elevation change be associated with security problems.
13. Any caretaker housing must be at a location where it is, "(I)n a location where other housing is unavailable or unfeasible." The entrance to the project

land is a short drive from Colfax on Yankee Jims Road, around three to four miles and probably under a 10 minute drive. The Basquin landowner family per state records lives across Yankee Jims Road at 22057 Porcupine Ridge, Colfax, California 95713. The Basquins also own an 8.7 acre parcel which has a corner that meets the northern most north east corner of the 600 acre TPZ parcel, APN 071-330-011-000. Other housing is currently and practically available, and an 8.7 acre parcel next to the TPZ property is under the ownership of a TPZ land owner.

The application and proposal do not satisfy the permit issuance requirements of County Code 17.58.140.

14. These requirements are not met by the project proposed or approved.

17.58.140 Permit issuance. The approval and issuance of an administrative review permit or minor use permit by the zoning administrator or a conditional use permit by the planning commission shall occur as set forth in this section.

A. Findings Required For Approval. No administrative review permit, minor or conditional use permit shall be approved unless the zoning administrator or planning commission (or board of supervisors in the event of an appeal) shall first find that:

1. The proposed use is consistent with all applicable provisions of this chapter and any applicable provisions of other chapters of this code.

2. The proposed use is consistent with applicable policies and requirements of the Placer County general plan, and any applicable community plan or specific plan, and that any specific findings required by any of these plans are made.

3. The establishment, maintenance or operation of the proposed use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the county, except that a proposed use may be approved contrary to this finding where the granting authority determines that extenuating circumstances justify approval and enable the making of specific overriding findings.

4. The proposed project or use will be consistent

with the character of the immediate neighborhood and will not be contrary to its orderly development.

6. In a TPZ zone district (Article 17.16), the establishment, maintenance and operation of the proposed use or building will not significantly detract from the use of the property for, or inhibit the growing and harvesting of timber.

7. Any findings required by Articles 17.06 through 17.52 (Zone districts and allowable uses of land) for the approval of proposed uses in specific zone districts or combining districts are made.

8. Any findings required by Article 17.56 (Specific Use Requirements) for the approval of specific uses are made.

9. As required by Section 18.16.040 of this code (Environmental Review) when a proposed negative declaration has been prepared for the project that, on the basis of the initial study and any comments received, there is no substantial evidence that the project will have a significant effect on the environment; or

10. As required by Section 18.20.070 of this code (Environmental Review) when a final environmental impact report has been prepared for the project, that the project as approved will not have a significant effect on the environment, or that the granting authority has:

a. Eliminated or substantially lessened all of the significant effects on the environment, where feasible (as defined and used in Section 21061.1 of the California Public Resources Code); and

b. Determined that any remaining unavoidable significant effects on the environment are acceptable due to specified overriding considerations.

12. The proposed use is consistent with, replaces or appropriately modifies any prior established relevant conditions of a previous entitlement, if applicable.

B. Conditions of Approval. In conditionally approving an administrative review permit, minor or conditional use permit, the granting authority shall adopt conditions of approval as necessary to accomplish the following objectives, consistent with the requirements of

state law:

- ...
2. Ensure that the proposed project will be consistent with all applicable requirements of this chapter, the Placer County general plan, and any applicable community plan or specific plan.
 3. Enable all the findings required by subsection A of this section to be made by the granting authority.
 4. Mitigate environmental impacts identified in environmental documents prepared pursuant to Chapter 18 of this Code (Environmental Review), or adopt overriding findings pursuant to Section 15091 et seq., of the CEQA Guidelines.
- ...
7. Supersede, replace, or modify conditions of approval applicable to the site as a result of a previous permit approval, where determined by the granting authority to be appropriate.
 8. Limit the size of the project or intensity of the use to a level approved by the granting authority.
 9. The granting authority may also adopt any other conditions of approval as the authority determines are necessary to protect the public health, safety, and general welfare.

The Zoning Administrator and the public received inadequate and erroneous project information.

15. Staff reported that the proposed building sites are not visible from any nearby public lands. This is patently false. The three-sided promontory site is a visual magnet from Camels Hump public property. It is also highly visible from private lands on Gillis Ridge and Camels Hump, including from the Placer Land Trust Mergen North Fork Preserve.
16. Staff presented a visibility document that is not known to have included any sighting from the North Fork River and its canyon that are south and southeast of the promontory site. The map in the third MND and the map obtained from County GPS goes no further downriver than an east-west line from the intersection of Star Gaze Court and North Dawnridge Roads, so it seems that no river points were used after the river rounds the bottom of Gillis Hill Ridge.
17. The Zoning Administrator made incorrect observations about the lay of the land after the public hearing was closed, so there was no opportunity to respond.

This and the limited time to address the Administrator do not allow the County to make use of the detailed knowledge that the public may have about an area or about a project.

18. An EIR is necessary because there is a fair argument that this project may have a significant effect on the environment. CEQA Guidelines Section 15064(f)(1). Without one, decision makers and the public do not have the necessary information.

Friends urges the Planning Commission to focus on maintaining this area's contribution to our natural resources economy.

Sincerely,

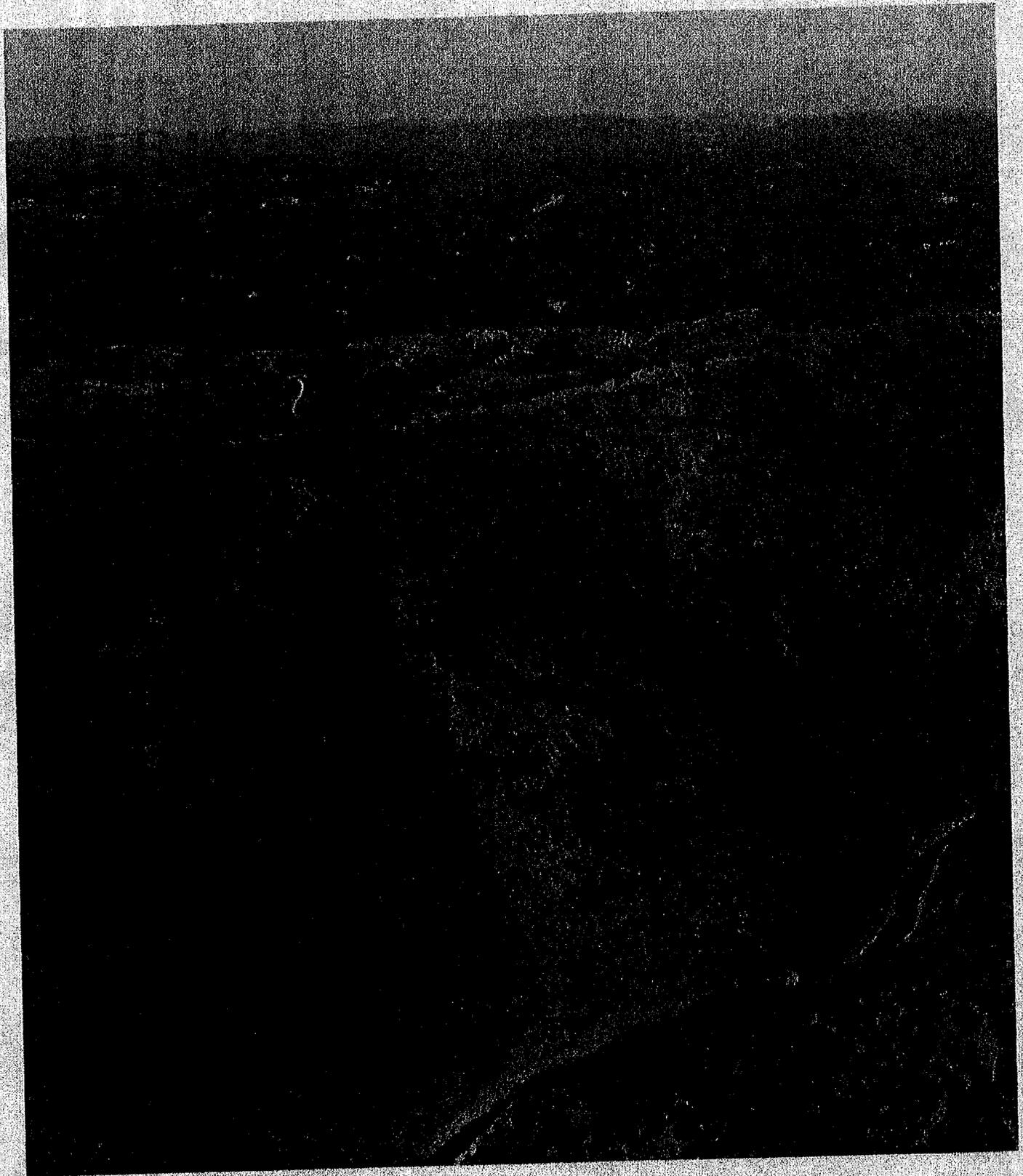
/S/

Michael Garabedian, President
B.S. Forestry and Conservation
916-719-7296

Enclosure

UNIVERSITY MICROFILMS
SERIALS ACQUISITION
300 N ZEEB RD
ANN ARBOR MI 48106

This photo is taken looking across Gillis Hill Ridge to the ridge that has the two approved custodian house locations. The clearing of the promontory lot with



Page 11 photo

This photo is taken looking across Gillis Hill Ridge to the ridge that has the two approved custodian house locations. The clearing of the promontory lot with Yankee Jims Road below it on two sides is visible 1/2 to 3/4 inch from the left edge of the full size photo. Its 3,200 foot driveway is visible along

its ridge. You can see Gillis Hill Road coming towards Gillis Hill about two inches from the left side of the full size photo. Camels hump is off the left edge of the photo

Yankee Jims Road below it on two sides is visible 1/2 to 3/4 inch from the left edge of the full size photo. Its 3,200 foot driveway is visible along its ridge. You can see Gillis Hill Road coming towards Gillis Hill about two inches from the left side of the full size photo. Camels hump is off the left edge of the photo.



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, Agency Director

**PLANNING
SERVICES DIVISION**

Paul Thompson
Deputy Planning Director

**FINAL CONDITIONS OF APPROVAL
MINOR USE PERMIT PMPC 20110109
CAMELS HUMP CARETAKER RESIDENCE**

1. Approval of this Minor Use Permit (PMPC 20110109) allows for the construction of a 1,800 square foot caretaker's residence and a 25x25 garage on subject parcels 071-310-001, 071-330-008, 071-320-001 and 071-270-003. This approval shall be in effect concurrent with the implementation of the Forest Management Plan and its Addendum. Should the property owner choose not to continue the timber operations outlined in the Plan, this Permit shall be considered invalid and the caretaker's residence shall either be removed from the site or converted to a storage building or other approved use as set forth in the Placer County Zoning Ordinance for the TPZ zone district. The caretaker's residence shall meet all required setbacks and height restrictions as set forth in the Placer County Zoning Ordinance for the TPZ zone district.
2. The property owner shall place a Deed Restriction on the property stating that the continued use of the caretaker's residence is contingent upon the active implementation of the Forest Management Plan and its Addendum and, should the property owner choose not to continue the timber operations outlined in the Plan, the caretaker's residence shall either be removed from the site or converted to a storage building or other approved use as set forth in the Placer County Zoning Ordinance for the TPZ zone district.
3. A building permit shall be obtained from the Placer County Building Services Division prior to any construction on site.
4. The applicant shall defend, indemnify, and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded in any proceeding brought in any State or Federal court, challenging the County's approval of that certain Project know as the Camel's Hump Caretaker's Residence. The applicant shall, upon written request of the County pay, or at the County's option reimburse the County for, all reasonable costs for defense of any such action and preparation of an administrative record, including the County staff time, costs of transcription and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon written

request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. (County Counsel)

5. Prior to approval of Grading or Improvement Plans, on project sites greater than one acre, the applicant shall submit a Construction Emission / Dust Control Plan to the Placer County APCD. The applicant shall not break ground prior to receiving APCD approval, if required. **(APCD MM III.1)**
6. Prior to building permit approval, the applicant shall show on the plans submitted to the Building Department, that electrical outlets shall be installed on the exterior walls of both the front and back of all residences or all commercial buildings to promote the use of electric landscape maintenance equipment. **(APCD MM III.2)**
7. Prior to building permit approval, the building plans shall indicate that only U.S. EPA Phase II certified wood burning devices shall be allowed in single-family residences. The emission potential from each residence shall not exceed a cumulative total of 7.5 grams per hour for all devices. Masonry fireplaces shall have either a Camels Hump Caretaker Residence Initial Study & Checklist (Modified) continued EPA certified Phase II wood burning device or shall be a U.L. Listed Decorative Gas Appliance. **(APCD MM III.3)**
8. Include the following standard notes on the Grading/Improvement Plan:
 - a. The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares.
 - b. The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.
 - c. During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.
 - d. The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties.
 - e. In order to minimize wind driven dust during construction, the prime contractor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the individual jurisdiction).
 - f. The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. Lime or other drying agents utilized to dry out wet grading areas shall not exceed Placer County APCD Rule 228 Fugitive Dust limitations. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD and the equipment must be repaired within 72 hours.

- g. Construction equipment exhaust emissions shall not exceed Placer County APCD Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by APCD to cease operations and the equipment must be repaired within 72 hours.
- h. A person shall not discharge into the atmosphere volatile organic compounds (VOC's) caused by the use or manufacture of Cutback or Emulsified asphalts for paving, road construction or road maintenance, unless such manufacture or use complies with the provisions of Rule 217.
- i. During construction the contractor shall utilize existing power sources (e.g., power poles) or clean fuel (i.e. gasoline, biodiesel, natural gas) generators rather than temporary diesel power generators.
- j. During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
- k. During construction, no open burning of removed vegetation shall be allowed unless permitted by the PCAPCD. All removed vegetative material shall be either chipped on site or taken to an appropriate recycling site, or if a site is not available, a licensed disposal site. **(APCD MM III.4)**

9. If any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any on-site construction activities, all work must stop immediately in the area and a SOPA-certified (Society of Professional Archaeologists) archaeologist retained to evaluate the deposit. The Placer County Planning Department and Department of Museums must also be contacted for review of the archaeological find(s). If the discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be provided on the Improvement Plans for the project. Following a review of the new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements which provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site.

10. In order to reduce the threat of damage as a result of wildland fires, the applicant shall provide for shaded fuel breaks on the ridge tops on the project site, shall maintain passable roads, and shall maintain pruned and thinned vegetation adjacent to roadways.
- a. Fuel reductions meeting PCFD/CDF "shaded fuel break" standards shall be provided along roadways within the project.
 - b. Roadside fuel reductions shall be on both side of roadways and shall be 50 feet from centerline in areas with side slopes under 15% and 100 feet from centerline in areas with side slopes greater than 15%.
 - c. Roadway width, grade and surfacing shall comply with Placer County Department of Public Works requirements and shall be approved by PCFD/CDF.
 - d. Vertical clearances shall be at least 15 feet on all roads and driveways.
 - e. Provide 100 feet of defensible space around all structures in areas with under 15% grade, 200 feet in areas under 30% grade and 300 feet in areas exceeding 30%

grade. Fire-safe construction may be used to reduce the defensible space requirements with PCFD/CDF approval.

- f. On-site water storage for fire department use shall be provided at approved locations (8,000 gallons total).
- g. A residential address shall be visible from the access street or road fronting the property, clearly visible from both directions of travel on the road/street. **(PLN MM VIII.3)**

- 11. This project will be subject to the payment of traffic impact fees that are in effect in this area (Placer East Fee District), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County DPW prior to issuance of any Building Permits for the project:

- a. County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code

The current estimated fee is \$3,227 per single family residence. The fees were calculated using the information supplied. If either the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs. (DPW) **(MM XVI.1)**

- 12. Prior to Building Permit issuance and/or commencement of use, whichever occurs first, the applicant shall obtain approved Grading Plans, prepared by the applicant's Registered Civil Engineer, from the ESD for the construction of the required improvements as described in these conditions of approval which include the reconstruction and widening of the Gillis Hill Road private access road to a minimum 18 foot width plus 1 foot shoulders on both sides, an LDM standard Plate R-17 roadway connection at the Yankee Jim's Road and Gillis Hill Road intersection, an LDM standard Plate R-18 connection at Gillis Hill Road and the private driveway, widening of the private driveway to a minimum 10 foot width plus 1 foot shoulders on both sides with turnouts no more than 400 feet apart, and fire apparatus vehicle turnaround. **(MM VI.1)**

- 13. All proposed grading, road and drainage improvements, staging areas, and vegetation shall be shown on the Grading Plans and all work shall conform to provisions of the County Grading Ordinance (Section 15.48, Placer County Code) and the Placer County Flood Control District's Stormwater Management Manual. No grading or clearing shall occur prior to Grading Permit issuance. The applicant shall revegetate all disturbed areas. A winterization plan shall be provided with project Grading Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. **(MM VI.2)**

- 14. The Grading Plans shall show that water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and for Industrial and Commercial, the Erosion and Sediment Control Guidelines for Developing Areas of the Sierra Foothills and Mountains (High Sierra RC&D Council), the TRPA Handbook of Best Management

Practices, or other similar source as approved by the Engineering and Surveying Division (ESD).

15. Construction (temporary) BMPs for the project include, but are not limited to: Hydroseeding, Stabilized Construction Entrance (LDM Plate C-4), Silt Fence (SE-1), Fiber Rolls (SE-5), revegetation techniques, tree protective fencing, gravel bags, diversion swales, check dams, sweeping, dust control measures, construction fence, limiting the soil disturbance, and concrete washout areas.

Post-development (permanent) BMPs for the project include, but are not limited to: infiltration trenches (TC-10), grassed swales, rock-lined ditches, rock outfall protection, and three-dimensional grids on fill slopes for stabilization and erosion prevention. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All BMPs shall be maintained as required to insure effectiveness. Maintenance of these facilities shall be provided by the project owners/permittees. **(MM VI.3, MM IX.2)**

16. A limited drainage report shall be submitted with the Grading Plans in conformance with the requirements of Section 5 of the LDM and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Division for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing and proposed conditions, the downstream effects of the proposed improvements, culvert sizing and replacement for drainage crossings, and a Best Management Practices (BMP) Plan to provide temporary and permanent water quality protection. **(MM IX.1)**
17. In order to protect site resources, no grading activities of any kind may take place within the 100-year flood plain of the stream/drainage ways unless otherwise approved as a part of this project. All work shall conform to provisions of the County Flood Damage Prevention Regulations (Section 15.52, Placer County Code). The location of the 100-year flood plain shall be shown on the Grading Plans. **(MM IX.3)**
18. Prior to Grading Plan approval, the drainage report shall evaluate the following drainage facilities for condition and capacity and shall be upgraded, replaced, or mitigated as specified by the Engineering and Surveying Division per the Placer County Stormwater Management Manual (SWMM): culvert crossings at Bunch Creek and Smuthers Ravine. **(MM IX.4)**
19. Provide the ESD with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of the Grading Permit.
20. The existing Gillis Hill Road roadway connection, which connects to a public road (Yankee Jim's Road), shall be re-constructed to a paved Plate R-17, LDM standard. The

design speed of the roadway is 35 mph or as otherwise specified by the DPW. An Encroachment Permit shall be obtained from DPW prior to Building Permit issuance.

21. Reconstruct and widen Gillis Hill Road a distance of 300 feet, measured from Yankee Jim's Road to the far side of Bunch Creek, so that the paved road improvement extends beyond the Bunch Creek culvert that is to be upgraded with this project. This portion of Gillis Hill Road shall be constructed with a minimum of 18 feet of pavement and 1 foot aggregate baserock shoulders on both sides per a modified LDM Plate R-1.
22. From the end of the required paved road improvements on Gillis Hill Road to the project site, construct and/or reconstruct the access to the chosen caretaker residence to a driveway standard that provides a width of no less than 12 feet (10 feet plus 1 foot shoulders on both sides) and provides roadway turnouts no more than 400 feet apart, unless otherwise approved by the fire serving agency and ESD. Surfacing of these improvements shall be of an all-weather surface capable of supporting a 40,000-pound fire truck, as approved by the serving fire district.
23. Construct the Gillis Hill Road and private access driveway connection, to a minimum LDM Plate R-18, residential driveway standard. The design speed of the roadway is 25 mph or as otherwise specified by the DPW.
24. Construct a fire turnaround at the caretaker's residence in accordance with Placer County LDM Plate R-2 to the satisfaction of the fire serving agency and ESD. Surfacing shall be improved with an "all weather" surface (minimum 6" aggregate base on compacted soil).
25. Prior to Grading Plan approval, provide proof of access rights for the proposed access from Yankee Jim's Road to the project site.
26. Prior to issuance of a building permit, the project applicant shall complete any remedial action required by the California Department of Toxic Substances Control and provide Placer County Environmental Health Services with a "No Further Action" or equivalent letter from DTSC with regard to residual contamination from past mining activities. **(MM VIII.1)**
27. Prior to issuance of a building permit, the project applicant shall secure the opening of any mine tunnels to prevent unauthorized access. **(MM VIII.2)**
28. Submit to the Environmental Health Services a "will-serve" letter from the franchised refuse collector for weekly or more frequent refuse collection service.
29. Submit to PCEH, for review and approval, a 4-hour yield report for the existing wells on lots A and B. Additional domestic water storage or construction of a new well with adequate yield may be required, depending upon the results of the report. (COMPLETED)
30. Submit to PCEH, for review and approval, a water quality analysis report on water from the wells on lots A and B. The report must be prepared by a State Certified laboratory and include at minimum Bacteriology: Total coliform, fecal coliform and chlorine residual, as well as Primary and Secondary Drinking Water Standards as defined in Title 22 of the California Code of Regulations. (COMPLETED)

31. Contact PCEH, pay required fees, and obtain an approved Site Evaluation Report and define a 100% repair area for the proposed dwelling. (COMPLETED)
32. Contact Environmental Health Services, pay required fees, and obtain a Construction Permit, and as approved, install an on-site sewage disposal system for the caretaker residence. Connect the caretaker residence to the new system.
33. The Minor Use Permit shall expire on November 28, 2015 unless previously exercised.



RECOMMENDED CONDITIONS OF APPROVAL – MINOR USE PERMIT "CAMELS HUMP CARETAKER RESIDENCE" (PMPC20110109)

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. Approval of this Minor Use Permit (PMPC 20110109) allows for the construction of a 1,800 square foot caretaker's residence and a 25x25 attached or detached garage on subject parcels 071-310-001, 071-330-008, 071-320-001 and 071-270-003. ~~This approval shall be in effect concurrent with the implementation of the Forest Management Plan and its Addendum. Should the property owner choose not to continue the timber operations outlined in the Plan, this Permit shall be considered invalid and the caretaker's residence shall either be removed from the site or converted to a storage building or other approved use as set forth in the Placer County Zoning Ordinance for the TPZ zone district. The caretaker's residence shall meet all required setbacks and height restrictions as set forth in the Placer County Zoning Ordinance for the TPZ zone district.~~

IMPROVEMENTS/IMPROVEMENT PLANS

2. Prior to Building Permit issuance and/or commencement of use, whichever occurs first, the applicant shall obtain approved Grading Plans, prepared by the applicant's Registered Civil Engineer, from the ESD for the construction of the required improvements as described in these conditions of approval which include the reconstruction and widening of the Gillis Hill Road private access road to a minimum 18 foot width plus 1 foot shoulders on both sides, an LDM standard Plate R-17 roadway connection at the Yankee Jim's Road and Gillis Hill Road intersection, an LDM standard Plate R-18 connection at Gillis Hill Road and the private driveway, widening of the private driveway to a minimum 10 foot width plus 1 foot shoulders on both sides with turnouts no more than 400 feet apart, and fire apparatus vehicle turnaround. (MM VI.1)

3. All proposed grading, road and drainage improvements, staging areas, and vegetation shall be shown on the Grading Plans and all work shall conform to provisions of the County Grading Ordinance (Section 15.48, Placer County Code) and the Placer County Flood Control

MARCH, 2014 PC

District's Stormwater Management Manual. No grading, or clearing shall occur prior to Grading Permit issuance. The applicant shall revegetate all disturbed areas. A winterization plan shall be provided with project Grading Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. **(MM VI.2)**

4. The Grading Plans shall show that water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and for Industrial and Commercial, the Erosion and Sediment Control Guidelines for Developing Areas of the Sierra Foothills and Mountains (High Sierra RC&D Council), the TRPA Handbook of Best Management Practices, or other similar source as approved by the Engineering and Surveying Division (ESD).

Construction (temporary) BMPs for the project include, but are not limited to: Hydroseeding, Stabilized Construction Entrance (LDM Plate C-4), Silt Fence (SE-1), Fiber Rolls (SE-5), revegetation techniques, tree protective fencing, gravel bags, diversion swales, check dams, sweeping, dust control measures, construction fence, limiting the soil disturbance, and concrete washout areas.

Post-development (permanent) BMPs for the project include, but are not limited to: infiltration trenches (TC-10), grassed swales, rock-lined ditches, rock outfall protection, and three-dimensional grids on fill slopes for stabilization and erosion prevention. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All BMPs shall be maintained as required to insure effectiveness. Maintenance of these facilities shall be provided by the project owners/permittees. **(MM VI.3, MM IX.2)**

5. A limited drainage report shall be submitted with the Grading Plans in conformance with the requirements of Section 5 of the LDM and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Division for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing and proposed conditions, the downstream effects of the proposed improvements, culvert sizing and replacement for drainage crossings, and a Best Management Practices (BMP) Plan to provide temporary and permanent water quality protection. **(MM IX.1)**

6. In order to protect site resources, no grading activities of any kind may take place within the 100-year flood plain of the stream/drainage ways unless otherwise approved as a part of this project. All work shall conform to provisions of the County Flood Damage Prevention MARCH, 2014 PC

Regulations (Section 15.52, Placer County Code). The location of the 100-year flood plain shall be shown on the Grading Plans. **(MM IX.3)**

7. Prior to Grading Plan approval, the drainage report shall evaluate the following drainage facilities for condition and capacity and shall be upgraded, replaced, or mitigated as specified by the Engineering and Surveying Division per the Placer County Stormwater Management Manual (SWMM): culvert crossings at Bunch Creek and Smuthers Ravine. **(MM IX.4)**

8. Provide the ESD with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of the Grading Permit.

ROADS/TRAILS

9. The existing Gillis Hill Road roadway connection, which connects to a public road (Yankee Jim's Road), shall be re-constructed to a paved Plate R-17, LDM standard. The design speed of the roadway is 35 mph or as otherwise specified by the DPW. An Encroachment Permit shall be obtained from DPW prior to Building Permit issuance.

10. Reconstruct and widen Gillis Hill Road a distance of 300 feet, measured from Yankee Jim's Road to the far side of Bunch Creek, so that the paved road improvement extends beyond the Bunch Creek culvert that is to be upgraded with this project. This portion of Gillis Hill Road shall be constructed with a minimum of 18 feet of pavement and 1 foot aggregate baserock shoulders on both sides per a modified LDM Plate R-1.

11. From the end of the required paved road improvements on Gillis Hill Road to the project site, construct and/or reconstruct the access to the chosen caretaker residence to a driveway standard that provides a width of no less than 12 feet (10 feet plus 1 foot shoulders on both sides) and provides roadway turnouts no more than 400 feet apart, unless otherwise approved by the fire serving agency and ESD. Surfacing of these improvements shall be of an all-weather surface capable of supporting a 40,000-pound fire truck, as approved by the serving fire district.

12. Construct the Gillis Hill Road and private access driveway connection, to a minimum LDM Plate R-18, residential driveway standard. The design speed of the roadway is 25 mph or as otherwise specified by the DPW.

13. Construct a fire turnaround at the caretaker's residence in accordance with Placer County LDM Plate R-2 to the satisfaction of the fire serving agency and ESD. Surfacing shall be improved with an "all weather" surface (minimum 6" aggregate base on compacted soil).

MARCH, 2014 PC

GENERAL DEDICATIONS/EASEMENTS

14. Prior to Grading Plan approval, provide proof of access rights for the proposed access from Yankee Jim's Road to the project site.

CULTURAL RESOURCES

15. If any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any on-site construction activities, all work must stop immediately in the area and a SOPA-certified (Society of Professional Archaeologists) archaeologist retained to evaluate the deposit. The Placer County Planning Department and Department of Museums must also be contacted for review of the archaeological find(s). If the discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be provided on the Improvement Plans for the project. Following a review of the new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements which provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site. (PD)

FEES

16. This project will be subject to the payment of traffic impact fees that are in effect in this area (Placer East Fee District), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County DPW prior to issuance of any Building Permits for the project:

A) County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code

The current estimated fee is \$3,227 per single family residence. The fees were calculated using the information supplied. If either the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs. (DPW)

ENVIRONMENTAL HEALTH

17. Prior to issuance of a building permit, the project applicant shall complete any remedial action required by the California Department of Toxic Substances Control and provide Placer
MARCH, 2014 PC

County Environmental Health Services with a "No Further Action" or equivalent letter from DTSC with regard to residual contamination from past mining activities. (MM VIII.1)

18. Prior to issuance of a building permit, the project applicant shall secure the opening of any mine tunnels to prevent unauthorized access. (MM VIII.2)

19. Submit to the Environmental Health Services a "will-serve" letter from the franchised refuse collector for weekly or more frequent refuse collection service.

20. Submit to PCEH, for review and approval, a 4-hour yield report for the existing wells on lots A and B. Additional domestic water storage or construction of a new well with adequate yield may be required, depending upon the results of the report. (COMPLETED)

21. Submit to PCEH, for review and approval, a water quality analysis report on water from the wells on lots A and B. The report must be prepared by a State Certified laboratory and include at minimum Bacteriology: Total coliform, fecal coliform and chlorine residual, as well as Primary and Secondary Drinking Water Standards as defined in Title 22 of the California Code of Regulations. (COMPLETED)

22. Contact PCEH, pay required fees, and obtain an approved Site Evaluation Report and define a 100% repair area for the proposed dwelling. (COMPLETED)

23. Contact Environmental Health Services, pay required fees, and obtain a Construction Permit, and as approved, install an on-site sewage disposal system for the caretaker residence. Connect the caretaker residence to the new system.

AIR QUALITY

24. Prior to approval of Grading or Improvement Plans, on project sites greater than one acre, the applicant shall submit a Construction Emission / Dust Control Plan to the Placer County APCD. The applicant shall not break ground prior to receiving APCD approval, if required. (APCD MM III.1)

25. Prior to building permit approval, the applicant shall show on the plans submitted to the Building Department, that electrical outlets shall be installed on the exterior walls of both the front and back of all residences or all commercial buildings to promote the use of electric landscape maintenance equipment. (APCD MM III.2)

26. Prior to building permit approval, the building plans shall indicate that only U.S. EPA Phase II certified wood burning devices shall be allowed in single-family residences. The emission potential from each residence shall not exceed a cumulative total of 7.5 grams per MARCH, 2014 PC

hour for all devices. Masonry fireplaces shall have either a Camels Hump Caretaker Residence Initial Study & Checklist (Modified) continued EPA certified Phase II wood burning device or shall be a U.L. Listed Decorative Gas Appliance. (APCD MM III.3)

27. Include the following standard notes on the Grading/Improvement Plan:
- a. The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall “wet broom” the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares.
 - b. The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.
 - c. During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.
 - d. The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties.
 - e. In order to minimize wind driven dust during construction, the prime contractor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the individual jurisdiction).
 - f. The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. Lime or other drying agents utilized to dry out wet grading areas shall not exceed Placer County APCD Rule 228 Fugitive Dust limitations. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD and the equipment must be repaired within 72 hours.
 - g. Construction equipment exhaust emissions shall not exceed Placer County APCD Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by APCD to cease operations and the equipment must be repaired within 72 hours.

- h. A person shall not discharge into the atmosphere volatile organic compounds (VOC's) caused by the use or manufacture of Cutback or Emulsified asphalts for paving, road construction or road maintenance, unless such manufacture or use complies with the provisions of Rule 217.
- i. During construction the contractor shall utilize existing power sources (e.g., power poles) or clean fuel (i.e. gasoline, biodiesel, natural gas) generators rather than temporary diesel power generators.
- j. During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
- k. During construction, no open burning of removed vegetation shall be allowed unless permitted by the PCAPCD. All removed vegetative material shall be either chipped on site or taken to an appropriate recycling site, or if a site is not available, a licensed disposal site. (APCD MM III.4)

MISCELLANEOUS CONDITIONS

28. The applicant shall defend, indemnify, and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorney fees awarded in any proceeding brought in any State or Federal court, challenging the County's approval of that certain Project known as the Camel's Hump Caretaker's Residence. The applicant shall, upon written request of the County pay, or at the County's option reimburse the County for, all reasonable costs for defense of any such action and preparation of an administrative record, including the County staff time, costs of transcription and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon written request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. (County Counsel)

29. In order to reduce the threat of damage as a result of wildland fires, the applicant shall provide for shaded fuel breaks on the ridge tops on the project site, shall maintain passable roads, and shall maintain pruned and thinned vegetation adjacent to roadways.

- a. Fuel reductions meeting PCFD/CDF "shaded fuel break" standards shall be provided along roadways within the project.

- b. Roadside fuel reductions shall be on both side of roadways and shall be 50 feet from centerline in areas with side slopes under 15% and 100 feet from centerline in areas with side slopes greater than 15%.
- c. Roadway width, grade and surfacing shall comply with Placer County Department of Public Works requirements and shall be approved by PCFD/CDF.
- d. Vertical clearances shall be at least 15 feet on all roads and driveways.
- e. Provide 100 feet of defensible space around all structures in areas with under 15% grade, 200 feet in areas under 30% grade and 300 feet in areas exceeding 30% grade. Fire-safe construction may be used to reduce the defensible space requirements with PCFD/CDF approval.
- f. On-site water storage for fire department use shall be provided at approved locations (8,000 gallons total).
- g. A residential address shall be visible from the access street or road fronting the property, clearly visible from both directions of travel on the road/street. (PLN MM VIII.3)

NOTIFICATION TO FUTURE BUYERS

30. The property owner shall place a Deed Restriction on the property stating that the continued use of the caretaker's residence is contingent upon the active implementation of the Forest Management Plan and its Addendum and, should the property owner choose not to continue the timber operations outlined in the Plan, the caretaker's residence shall either be removed from the site or converted to a storage building or other approved use as set forth in the Placer County Zoning Ordinance for the TPZ zone district. (PD)

DEVELOPMENT STANDARDS

31. A building permit shall be obtained from the Placer County Building Services Division prior to any construction on site.

EXERCISE OF PERMIT

32. The Minor Use Permit shall expire on April 7, 2016 unless previously exercised.



COUNTY OF PLACER
Community Development Resource Agency

**ENVIRONMENTAL
COORDINATION
SERVICES**

Michael J. Johnson, AICP
Agency Director

E. J. Ivaldi, Coordinator

MITIGATED NEGATIVE DECLARATION (Modified)

In accordance with Placer County ordinances regarding implementation of the California Environmental Quality Act, Placer County has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment, and on the basis of that study hereby finds:

- The proposed project will not have a significant adverse effect on the environment; therefore, it does not require the preparation of an Environmental Impact Report and this **Negative Declaration** has been prepared.
- Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A **Mitigated Negative Declaration** has thus been prepared.

The environmental documents, which constitute the Initial Study and provide the basis and reasons for this determination are attached and/or referenced herein and are hereby made a part of this document.

PROJECT INFORMATION

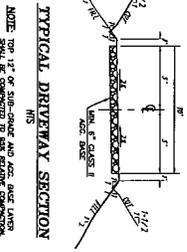
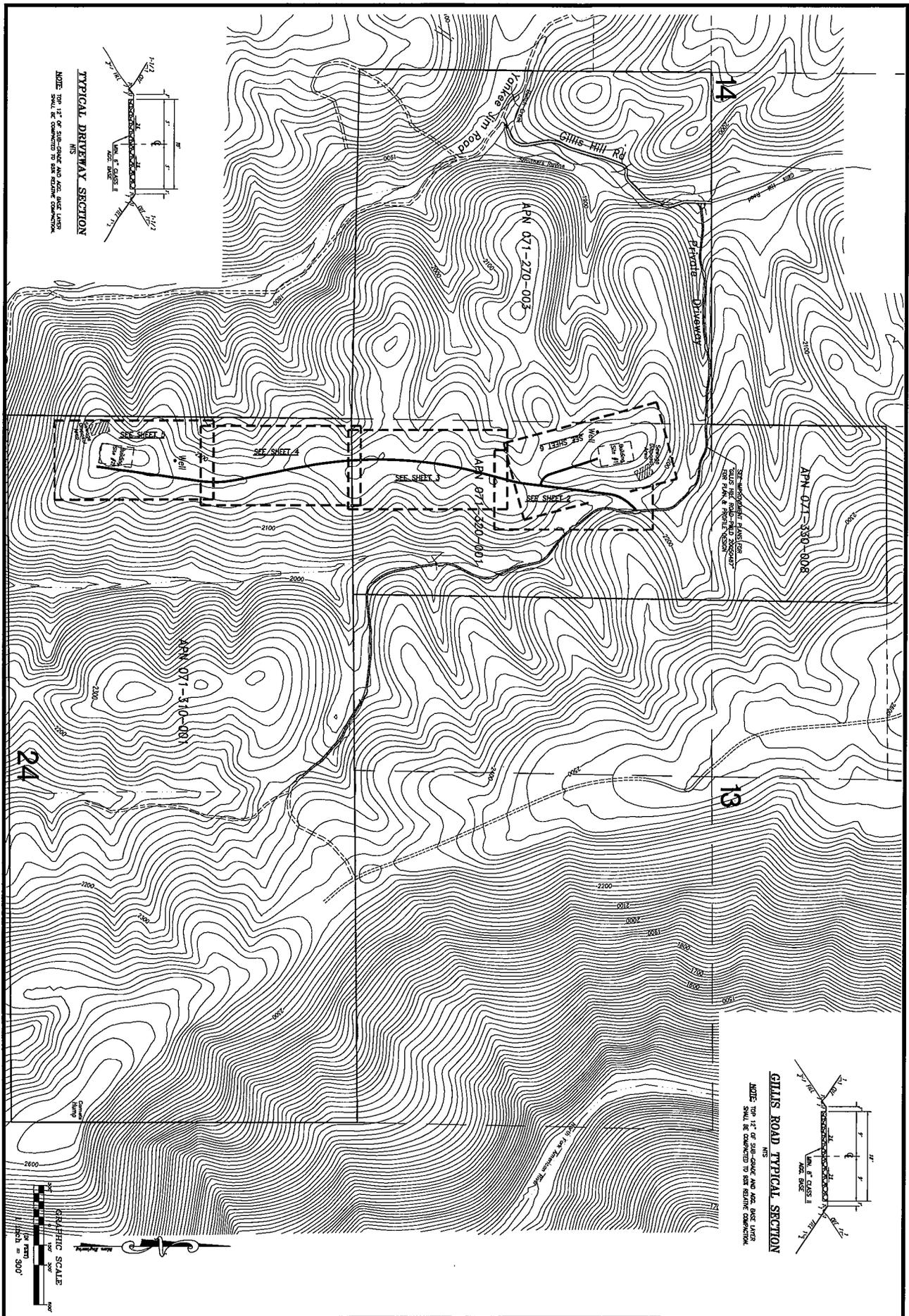
Title: Camels Hump Caretaker Residence	Plus# PMPC 20110109
Description: The project proposes a Minor Use Permit to allow for the construction of a caretaker's residence on a portion of a 597.5- acre property.	
Location: Off of Yankee Jims Road and Gillis Hill Road, east of Yankee Jims Road and lies between Yankee Jims Road and the North Fork of the American River, Colfax, Placer County	
Project Owner: Fred Basquin & Jed Parker, 22057 Porcupine Ridge, Colfax, CA 95713	
Project Applicant: Kevin Nelson, Nelson Engineering, 18881 Wildflower Drive, Penn Valley, CA 95946	
County Contact Person: Melanie Jackson	530-745-3036

PUBLIC NOTICE

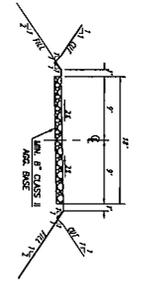
The comment period for this document closes on **October 2, 2013**. A copy of the Negative Declaration is available for public review at the County's web site <http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/NegDec.aspx>, Community Development Resource Agency public counter, and at the Colfax Public Library. Property owners within 300 feet of the subject site shall be notified by mail of the upcoming hearing before the decision makers. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3132 between the hours of 8:00 am and 5:00 pm at 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, please visit our Tahoe Office, 775 North Lake Blvd., Tahoe City, CA 96146.

If you wish to appeal the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references. Refer to Section 18.32 of the Placer County Code for important information regarding the timely filing of appeals.

ATTACHMENT G



TYPICAL DRIVEWAY SECTION
 NIS
 NOTE: TOP 1" OF SUB-GRADE AND 40% BASE LAYER SHALL BE COMPACTED TO 98% RELATIVE COMPACTION.



GILIS ROAD TYPICAL SECTION
 NIS
 NOTE: TOP 1" OF SUB-GRADE AND 40% BASE LAYER SHALL BE COMPACTED TO 98% RELATIVE COMPACTION.

<p>NELSON ENGINEERING Civil Engineering, Surveying & Land Planning 1038 Commercial Ave., Suite 100 San Rafael, CA 94948 (530) 432-4819 e-mail: talma@nelson.net</p>	SITE PLAN FOR: BASQUIN & PARKER A.P.N. 071-310-001, 071-330-008, 071-320-001, 071-270-003 COUNTY OF PLACER, CALIFORNIA		NO. REVISIONS _____ _____ _____	DATE _____ _____ _____	DESIGNED: K/M DRAWN: K/M DATE: AUGUST, 2013 PROJECT No.: _____ DWG. NAME: _____ 11-621
	1 OF 6				

51



COUNTY OF PLACER
Community Development Resource Agency

**ENVIRONMENTAL
COORDINATION
SERVICES**

Michael J. Johnson, AICP
Agency Director

E. J. Ivaldi, Coordinator

3091 County Center Drive, Suite 190 • Auburn • California 95603 • 530-745-3132 • fax 530-745-3080 • www.placer.ca.gov

INITIAL STUDY & CHECKLIST (Modified)

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the following described project application. The document may rely on previous environmental documents (see Section C) and site-specific studies (see Section I) prepared to address in detail the effects or impacts associated with the project.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.) CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to prepare an EIR, use a previously-prepared EIR and supplement that EIR, or prepare a Subsequent EIR to analyze the project at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a Negative Declaration shall be prepared. If in the course of analysis, the agency recognizes that the project may have a significant impact on the environment, but that by incorporating specific mitigation measures the impact will be reduced to a less than significant effect, a Mitigated Negative Declaration shall be prepared.

A. BACKGROUND:

Project Title: Camel's Hump Caretaker's Residence	Plus# PMPC 20110109
Entitlement: Minor Use Permit	
Site Area: 597.5 acres	APNs: 071-330-008, 071-320-001, 071-310-001, 071-270-003
Location: Off of Yankee Jims Road and Gillis Hill Road, east of Yankee Jims Road and lies between Yankee Jims Road and the North Fork of the American River, Colfax, Placer County	

Project Description:

The project proposes a Minor Use Permit to allow for the construction of a caretaker's residence on a portion of a 597.5-acre property in the Colfax area. The caretaker's residence would be constructed on one of three contiguous parcels, for the purposes of supporting a full-time caretaker on the property. The property would be accessed by Gillis Hill Road, which will be improved to a minimum 18-foot width as a requirement of permit approval. The driveway to access the chosen caretaker's residence building site would be improved to a minimum 10 foot width, including fire turnouts with spacing as required by the servicing fire district. The caretaker's residence would consist of a maximum of 4,000 square feet. The caretaker would oversee a Forest Management Plan that the applicants will implement in order to restore the property, a good portion of which was heavily damaged by the Ponderosa fire in 2001. The applicants have identified two 1-2 acre building sites as possible areas for construction of the caretaker's residence, and both sites are analyzed within this Initial Study.

Project Site (Background/Existing Setting):

The project site is located east of Highway 80, approximately halfway between Weimar and Colfax. Access to the property is from Gillis Hill Road, which branches off to the northeast of Yankee Jim's Road. The property is located in the Sierra Nevada foothills and consists of mostly north-south trending, undulating, west-facing ridge tops. East, north, and south facing aspects are also present on the property. Elevations range from 1,600 feet to just over 2,600 feet above mean sea level. The majority of the property is bisected by three north-to-south flowing tributaries of Bunch Creek.

The majority of the property consists of chaparral and foothill woodland intermixed with isolated stands of canyon live oak, blue oak, ponderosa pine, and Douglas fir. Riparian forest is present along the Bunch Creek and Smuthers Ravine drainages. Non-native annual grassland is intermixed within the chaparral and woodland.

The property has been logged in the past and some skid trails are still evident. In 2001, approximately 379 acres of the subject property were completely burned in the Ponderosa Wildfire. An additional 21 acres were left partially burned and the remaining property, approximately 198 acres, was not affected by the fire. Although much of the vegetation has recovered, many fire-scarred trees remain. Existing dirt roads traverse parts of the property and access all potential building sites. In 2006, the applicants had a Forest Management Plan created for the property in order to reforest and restore the property.

The project site consists of 597.5 acres, which includes four assessor parcel numbers. A Minor Land Division was approved in June of 2005 to create three parcels consisting of one 277.5-acre parcel and two 160-acre parcels; the Tentative Parcel Map creating the parcels is still active, but has not been exercised and the map has not yet been recorded.

In 2008, the applicants applied for a rezone of the property (PREA 20060521) from TPZ (Timberland Production) to RF-B-X-80 Acre Minimum (Residential Forest, combining an 80-acre minimum lot size), and a modification to the previously approved Tentative Parcel Map (PMLD 20050487). Approval of the rezone and the modification to the parcel map would have allowed for a subdivision of the property resulting in seven residential parcels. However, this application was denied by the Board of Supervisors on August 10, 2010. The applicants have since determined that the best use of the property would be timberland production and therefore, they are applying for this Minor Use Permit to allow for a caretaker's residence to oversee those activities.

B. ENVIRONMENTAL SETTING:

Location	Zoning	Placer County General Plan	Existing Conditions and Improvements
Site	TPZ (Timberland Production – 160 Acre Minimum Parcel Size)	Agriculture/Timberland – 80 Acre Minimum Lot Size	Undeveloped
North	TPZ (Timberland Production – 160 Acre Minimum Parcel Size); RF-B-X-80 Acre Min. (Residential Forest, Combining an 80-Acre Minimum Lot Size)	same as project site	North of the northern end of project site developed with a caretaker's unit, agricultural structures for farming of animals and timberland; north of the southeast end of project site undeveloped and owned by U.S. government
South	F-B-X 20 Acre Min (Farm, Combining a 20-acre Minimum Lot Size) and W (Water Influence)	Agriculture/Timberland – 20 Acre Minimum Lot Size; Water Influence	South of project site mostly undeveloped and owned by U.S. government with similar topography and vegetation; portions of the site burned in the 2001 Ponderosa Wildfire
East	F-B-X 20 Acre Min. (Farm, Combining a 20-Acre Minimum Lot Size); TPZ (Timberland	Agricultural/Timberland 80-Acre Minimum Lot Size; Water Influence	East of the project site mostly undeveloped and partly government owned with

53

	Production – 160 Acre Minimum Parcel Size); and W (Water Influence)		similar topography and vegetation; portions of the site burned in the 2001 Ponderosa Wildfire
West	F-B-X 3-Acre Min. (Farm, Combining a 3-Acre Minimum Lot size); F-B-43 PD=1 (Farm, Combining a Minimum Lot Size); F-B-43 PD=1 (Farm, Combining a 1-Acre Minimum Lot Size, with a Planned Unit Development of 1 Unit Per Acre); F-B-X 4.6 Acre Min.) (Farm, Combining a 4.6-Acre Minimum Lot Size); F-B-X 20 Acre Min. (Farm, Combining a 20-Acre Minimum Lot Size)	Agricultural 4.6-20 Acre Minimum; Agricultural/Timberland 80-Acre Minimum; Agricultural/Timberland 20-Acre Minimum	Large and undeveloped to the southwest with similar topography and vegetation; portions of the site burned in the 2001 Ponderosa Wildfire; northern portion of the western boundary of the project site subdivided into three 5-acre parcels partially developed with single-family residences

C. PREVIOUS ENVIRONMENTAL DOCUMENT:

The County has determined that an Initial Study shall be prepared in order to determine whether the potential exists for unmitigatable impacts resulting from the proposed project. Relevant analysis from the County-wide General Plan and Community Plan Certified EIRs, and other project-specific studies and reports that have been generated to date, were used as the database for the Initial Study. The decision to prepare the Initial Study utilizing the analysis contained in the General Plan and Specific Plan Certified EIRs, and project-specific analysis summarized herein, is sustained by Sections 15168 and 15183 of the CEQA Guidelines.

Section 15168 relating to Program EIRs indicates that where subsequent activities involve site-specific operations, the agency would use a written checklist or similar device to document the evaluation of the site and the activity, to determine whether the environmental effects of the operation were covered in the earlier Program EIR. A Program EIR is intended to provide the basis in an Initial Study for determining whether the later activity may have any significant effects. It will also be incorporated by reference to address regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

The following documents serve as Program-level EIRs from which incorporation by reference will occur:

- ➔ Placer County General Plan EIR

Section 15183 states that “projects which are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or site.” Thus, if an impact is not peculiar to the project or site, and it has been addressed as a significant effect in the prior EIR, or will be substantially mitigated by the imposition of uniformly applied development policies or standards, then additional environmental documentation need not be prepared for the project solely on the basis of that impact.

The above stated documents are available for review Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division Office, 565 West Lake Blvd., Tahoe City, CA 96145.

D. EVALUATION OF ENVIRONMENTAL IMPACTS:

The Initial Study checklist recommended by the State of California Environmental Quality Act (CEQA) Guidelines is used to determine potential impacts of the proposed project on the physical environment. The checklist provides a list of questions concerning a comprehensive array of environmental issue areas potentially affected by the project (see CEQA Guidelines, Appendix G). Explanations to answers are provided in a discussion for each section of questions as follows:

57

- a) A brief explanation is required for all answers including "No Impact" answers.
- b) "Less Than Significant Impact" applies where the project's impacts are insubstantial and do not require any mitigation to reduce impacts.
- c) "Less Than Significant with Mitigation Measures" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The County, as lead agency, must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).
- d) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- e) All answers must take account of the entire 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 [CEQA Guidelines, Section 15063(a)(1)].
- f) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [CEQA Guidelines, Section 15063(c)(3)(D)]. A brief discussion should be attached addressing the following:
 - ➔ **Earlier analyses used** – Identify earlier analyses and state where they are available for review.
 - ➔ **Impacts adequately addressed** – Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. Also, state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - ➔ **Mitigation measures** – For effects that are checked as "Less Than Significant with Mitigation Measures," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- g) References to information sources for potential impacts (i.e. General Plans/Community Plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously-prepared or outside document should include a reference to the pages or chapters where the statement is substantiated. A source list should be attached and other sources used, or individuals contacted, should be cited in the discussion.