

RECEIVED

APR 13 2011

CDRA

ADDENDUM
BASQUIN/PARKER PROPERTY
FOREST MANAGEMENT PLAN
April 8, 2011

The Forest Management Plan for the Basquin/Parker Property, totals 597.5 acres in portions of Sections 13, 14 & 24 of T14N R9E, MDM, in Placer County. It was dated March 27, 2006. This addendum is to update in general what has been done on the property towards forest management and to address the issue of having a caretaker's residence on the property.

On January 9th, 2004, Fred G. Basquin, III, his wife Karen Ann Basquin and Jed. R. Parker purchased the property that is covered by this Forest Management Plan. Since that date they have actively carried out a number of practices that come under the category of forest management. Firewood salvage operations were set up to utilize the significantly damaged but still sound wood in the trees that were impacted by Ponderosa Fire in 2001. Removal of this material was needed to facilitate the eventual reforestation of the area, whether by natural regeneration of vegetation, or by artificial planting of new vegetation.

Existing main line roads on the property were utilized and stabilized to minimize soil erosion and to preserve the existing road surfaces. Some secondary roads were purposely left undisturbed to allow them to be covered over by resulting resprouting vegetation and falling over debris, to reduce the road's potential for further erosion.

The vegetation along Gillis Hill was maintained in an open state to continue its ability to act in part as shaded fuelbreak and help protect adjacent land ownerships and the more distant city of Colfax from destructive wildfires.

Options for reforesting the property were explored, which resulted in the 2006 Forest Management Plan covering the property. Cost share programs that could be utilized to reforest portions of the property were investigated and applied for. The Forest Management Plan is still appropriate for the property as when it was first written.

A belief that smaller individual parcel sizes could be utilized to attract motivated buyers to eventually purchase some of the resulting parcels and live on their parcels and actively pursue forest management through their own and contracted labor led to the partners applying to Placer County to change the minimum parcel size, and then the zoning on the property. After much discussion and formal hearings, the County did not agree with either of those approaches and the property remains as originally zoned with a minimum acreage size for TPZ zoning of 160 acres. A tentative map has been approved for the property though, making it made up of three legal parcels. The tentative map has not yet been finalized.

Currently, the ownership has applied for a cost sharing reforestation program that would masticate the unstocked 30% and less slopes so that artificial regeneration would then occur by planting nursery grown seedlings in masticated areas, followed up by brush control through either the use of chemicals or by grazing animals. Broadcast burning, as discussed in the original

management plan as one of the potential tools, has been discounted, after they had some fire experts out on the property and feasibility and costs were looked at. The liability potential of burning, as well as the air quality issues were also important considerations that have led to the discounting of using broadcast burning as a forest management tool.

The issue of building a caretaker's residence on the property has come up in discussions between the property owners and Placer County. The main issue appears to be of what importance having a full time resident caretaker is for forest management on the property.

A full time caretaker would potentially protect any investment the landowners make in reforesting the property. The biggest risk to any investment in the property is a potential of another wildfire burning up the re-established vegetation. Most wildland fires are started by humans. Current landowners can attest to the number of times they have had to "kick out" unauthorized trespassers on the property. With mountain bikes, motorcycles, ATVs, etc, it is easier for people to get around established gates and barriers. With a fulltime resident on site, it will be easier to keep out unauthorized trespassers who always have the potential to be an ignition source for a wildland fire.

A caretaker will also help maintain existing roads and when immediate problems occur such as plugged culverts during heavy storms and improper road drainage due to debris falling in roads during storms. Problems can be immediately corrected without totally losing the road resource.

For newly planted tree areas, a caretaker watching over the area can spot if a potential problem starts to occur, such as gophers, rabbits, deer, etc. eating the planted vegetation. Finding out about the problem at the start can lead to saving the vegetation, as opposed to losing it's long term potential when noticing the problem after they have eaten half the acreage.

A full-time caretaker can also be an early warning source of wildland fire ignition and immediately inform the appropriate authorities of the situation and where it is. Potentially threatened neighbors could also be immediately informed.

Caretaker resources can also be utilized to maintain the shaded fuelbreak on top of Gillies Hill and to keep pruned back encroaching vegetation from entering primary road areas, thereby maintaining access by fire fighting organizations.

A full-time resident caretaker will allow the current landowner's active management efforts to reforest the property to meet their long-term objectives of a future forest and timber harvest. A resident caretaker will help protect the existing land and forest resources on the property: vegetation, replanted forest trees, roads, culverts, fuel breaks, etc., and any future forest resources as they develop. Without such a person(s), the resources will have a higher risk of fire danger, insect, disease and animal damage, and unauthorized use of the property by other parties. For marginal forest land such as this property is, any protection of these resources is hugely important in the long term intent of the vegetation being able to return to a functioning forest with a diversity of plants and animals within it. The alternative is another fire burning through it, or it remaining a brush field with few trees slowly growing back into the area.

The footprint of a caretaker's residence covering one to two acres over 597.5 acres is a small price to pay for the added protection it would provide. Having it in place while reforestation activities occur would provide valuable protection that can not be obtained by offsite ownership, no matter how many visitations to the property they might plan.

Douglas Ferrier, RPF #1672
Forest Slopes Management
P.O. Box 20
Dutch Flat, CA 95714
(530) 389-2617



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, Agency Director

**PLANNING
SERVICES DIVISION**

Paul Thompson
Deputy Planning Director

MEMORANDUM

Hearing Date: November 21, 2013
Hearing Time: 10:30 AM

To: Zoning Administrator
From: Development Review Committee
Subject: PMPC 20110109 (Minor Use Permit)
Date: November 21, 2013
Applicant: Kevin Nelson, Nelson Engineering
Staff Planner: Melanie Jackson
Zoning: TPZ (Timberland Production)
Location: Yankee Jim Road and Gillis Hill Road, Colfax
APN: 071-310-001, 071-330-008, 071-320-001, 071-270-003

PROPOSAL:

The applicant is requesting the approval of a Minor Use Permit (MUP) to allow for the construction of a caretaker's residence on one of three contiguous parcels, for the purpose of supporting a full-time caretaker for the 597.5 acre property.

CEQA COMPLIANCE:

A Modified Mitigated Negative Declaration (MND) and Errata (Attachment E) has been prepared for the project and has been finalized pursuant to CEQA. The Modified Mitigated Negative Declaration and Errata must be found to be adequate by the decision-making body to satisfy the requirements of CEQA, and a recommended finding for this purpose can be found at the end of this staff report.

SITE CHARACTERISTICS:

29

101

Staff conducted a site visit on May 10, 2011. 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 to the northeast of Yankee Jims 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.

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 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 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 and therefore, they are applying for this Minor Use Permit to allow for a caretaker's residence to oversee those activities.

The Minor Use Permit was brought forward to the Placer County Zoning Administrator on July 21, 2013 as a project that was categorically exempt from environmental review pursuant to Section 18.36.050 of the Placer County Environmental Review Ordinance (Class 3, New Construction or Conversions of small structures, CEQA Guidelines Section 15304). At the hearing, members of the public spoke in opposition to approval of the project, stating that the project should not be exempt from CEQA and should be put on hold until environmental review of the project was completed. At the close of the hearing, the Zoning Administrator took action to continue the project until environmental review had been completed.

On March 19, 2013, a Mitigated Negative Declaration that had been prepared for the project was circulated for public review. Due to the comments received on the MND that included discussions of environmental impacts related to aesthetics, geology and soils, biological resources and hydrology and water quality, the Mitigated Negative Declaration was modified

and re-circulated on September 2, 2013. Comment letters on the modified MND were received and are discussed below.

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 project applicant has proposed construction of a 4,000 square foot caretaker's residence. However, staff recommends that the caretaker's residence be limited to a maximum of 1,800 square feet of living space and a 25x25 square foot detached garage. The caretaker would oversee a Forest Management Plan that the property owners 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 were analyzed in the Mitigated Negative Declaration (Modified) prepared for the project.

ANALYSIS:

The applicants are requesting the approval of a Minor Use Permit to allow for a caretaker's residence to be constructed onsite. The intent of this request is to allow a caretaker to remain at the project site on a 24-hour basis. The proposed caretaker's residence site is relatively level and contains little tree coverage. The residence will be located on the eastern portion of the 320 acre parcel, to the west of the North Fork of the American River.

In support of their request for the caretaker's residence, the applicants have submitted an Addendum to the 2006 Forest Management Plan (previously submitted with the 2006 Minor Use Permit application). The modifications to the Forest Management Plan proposed in the Addendum include practices that would be suitable to the project site in its current condition. These practices include mastication of the unstocked slopes on the property, artificial regeneration by the planting of nursery grown seedlings in masticated areas, clearing of brush and overall land management practices to ensure the success of reforestation on the property. Further, the previous Forest Management Plan will still apply and it is anticipated that eventually, timber harvesting will occur.

The applicants have taken steps towards the implementation of the Forest Management Plan, including applying for and receiving a grant from the U.S. Department of Agriculture to use towards the cost of reforestation. The applicants have also undertaken firewood salvage operations to facilitate reforestation, stabilized mainline roads to minimize soil erosion and to preserve the existing road surfaces, and have begun masticating debris on the property leftover from the Ponderosa Fire.

Section 17.16.010 of the Placer County Zoning Ordinance allows for the construction of a caretaker's residence on parcels zoned TPZ with the approval of a Minor Use Permit. 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."

In order for staff to determine that a caretaker's residence is necessary to provide 24-hour oversight of the Forest Management practices, the applicant must demonstrate that timber harvest operations or reforestation is the current and will be the principal use of the site. Based on the Addendum to the Forest Management Plan, discussions with the applicant and materials submitted by the applicant (including evidence of a USDA grant), staff has determined that reforestation and timber harvesting is the planned principal use of the site. Because of this, and a discussion in the Addendum that supports the use of a caretaker's residence to ensure the success of reforestation on the property, staff has determined that the caretaker's residence will be accessory to the principal use of the site which requires 24-hour oversight is applicable as an accessory use of the site. Therefore, staff is in support of the request for a Minor Use Permit to allow for the construction of a caretaker's residence on the project site.

DISCUSSION OF ISSUES:

Environmental Analysis:

Consistent with the requirements of the California Environmental Quality Act, a Mitigated Negative Declaration was prepared for the proposed project. Environmental issues discussed in the environmental document include, but are not limited to: Air Quality, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality and Transportation and Traffic.

Air Quality

Development of the project site will include removal of vegetation, grading and construction of septic systems, utilities and the caretaker's residence. These activities may result in short-term diesel exhaust emissions from on-site heavy-duty equipment and would generate diesel related air emissions from the use of off-road diesel equipment required for site grading. However, with the implementation of mitigation measures included in the Environmental Document, these affects would be mitigated to a less than significant level.

Geology and Soils

The subject property contains soils that are categorized as having a high to very high hazard of erosion. Some of the soil types exhibit building limitations such as soil expansion potential and low soil strength. Some soil types present on the subject property exhibit building limitations such as soil expansion potential and low soil strength. Improvements on the property, including roads and structures, could pose a hazard of unstable earth conditions that could affect such improvements. However, mitigation measures have been included in the environmental document that will reduce potential risks related to geology and soils to a less than significant level.

Hazards and Hazardous Materials

The project is located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. It is listed on the Department of Toxic Substances Control's Envirostor list as a voluntary cleanup site. A Phase I Environmental Results Report was prepared for the project site and the listed results for soil

sampling that occurred on the property included arsenic and chromium at levels above the residential California Human Health Screening Levels. As a result, the proposed construction of a caretaker's residence on the project site could expose people to elevated levels of toxic materials. However, with the implementation of mitigation measures included in the environmental document, environmental impacts related to contaminated soils will be reduced to less than significant.

In addition, the project site 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. Construction of the caretaker's residence would result in exposing the inhabitants of the residence to a risk of loss, injury or death as a result of wildland fires. Mitigated measures are included in the environmental document that reduce wildland fire risks to less than significant levels.

Hydrology and Water Quality

Potential water quality impacts exist on the subject property and may be triggered by project construction and post-project development. Construction activities will disturb soils and cause potential introduction of sediment into stormwater during rain events, potentially impacting the Bunch Creek and Smuthers Ravine watercourses. However, through the implementation of Best Management Practices, this potentially significant impact will be reduced to a less than significant level.

Transportation and Traffic

The proposed project creates site-specific impacts on local transportation systems that are considered less than significant when analyzed against the existing traffic conditions and roadway segment / intersection level of service. However, the cumulative effect of an increase in traffic creates the potential of significant impacts to the area's transportation system. With the payment of traffic fees, these potential impacts will be reduced to less than significant levels.

RESPONSES TO COMMENTS:

On October 2, 2013, the Public Review period for the modified Mitigated Negative Declaration closed. Two comment letters were received on the modified Mitigated Negative Declaration from: Michael Garabedian on behalf of Friends of the North Fork and Mathew Reischman on behalf of the California Department of Forestry and Fire Protection (CalFIRE). These comments will be discussed separately below.

Friends of the North Fork

A comment letter was received by Friends of the North Fork on October 2, 2013. Relevant comments on the modified Mitigated Negative Declaration included the size of the caretaker's residence, the Minor Use Permit's compatibility with the Placer County General Plan and Zoning Designation, compatibility with the environment and natural resources, vegetation management, the Minor Land Division previously approved for the subject property, visibility of the residence from neighboring properties, the necessity for the caretaker's residence, road improvements, fire hazards and air quality concerns.

Size and Justification of Caretaker's Residence

The comment letter states that the proposed 4,000 square foot caretaker's residence is not justified for the proposed use of the property.

The Modified Mitigated Negative Declaration for the project analyzed a 4,000 square foot caretaker's residence to be located on a 1-2 acre building site for the project. This square footage was based on the property owner's project proposal included in the entitlement (Minor Use Permit) application. Although the property owner has requested an allowance of up to 4,000 square feet of living space for the caretaker's residence, staff is recommending that the Zoning Administrator limit the square footage to 1,800 square feet. Ultimately, the Zoning Administrator will make the determination as to the size of the caretaker's residence.

Compatibility with Zoning Designation and Placer County General Plan

The comment letter from Friends of the North Fork states that the modified Mitigated Negative Declaration does not adequately address how the caretaker's residence would conform to the zoning of the property and the standards set forth in the Placer County General Plan.

The purpose of a caretaker's residence in the TPZ zone district is to allow for a 24-hour caretaker to live on-site in order to manage timber operations occurring on the subject property. The timber operations included in the Forest Management plan prepared for the property are in conformance with the property zoning and General Plan designations of Agriculture/Timberland. These operations are also compatible with surrounding properties in that those properties are similarly zoned and are either undeveloped or developed in conformance with the zoning.

The property is zoned TPZ (Timberland Production, 160 acre minimum parcel size) and is designated Agriculture/Timberland with a minimum lot size of 80-acres by the Placer County General Plan. The proposed caretaker's residence project does not conflict with the property zoning or with Placer County General Plan policies. A caretaker's residence is an allowed use in the Timberland Production zone district with the approval of a Minor Use Permit. The hearing body must make the determination that the residence would be incidental to the primary use of the property and would be necessary to facilitate the management of the property by a 24-hour caretaker.

Environment and Natural Resources Compatibility

The comment letter states that the biological assessment that was conducted by Miriam Green Environmental Consultants in 2008 that covered the specified building sites is inadequate because impacts may occur in other areas on the property.

The biological assessment was conducted by Miriam Green Environmental Consultants in 2008 and a second survey was conducted in May of 2013. The results of the study concluded that the proposed caretaker's residence is not expected to result in adverse impacts to special status species and wildlife due to the amount of acreage and because road cuts to the building sites already exist. In addition, the proposed building sites for the caretaker's residence are located in areas of the property that are generally clear of special species habitat. Sensitive habitats on the property, such as watercourses and riparian areas will be avoided and shall maintain a 100 foot buffer area from the centerline of year-round streams and a 50-foot from centerline buffer from intermittent streams.

Further, the biological assessment was limited to the two proposed building sites because those are the identified areas of disturbance for the caretaker's residence. The Modified Mitigated Negative Declaration and Errata analyzed these two building sites for environmental impacts based on the biological assessment, and did not analyze impacts to

the entirety of the property. This is because there is no evidence that the caretaker's residence would have environmental impacts to the remainder of the property and therefore, it is unnecessary to include an analysis of the property in the biological assessment and the Modified Mitigated Negative Declaration and Errata.

Vegetation Management

The correspondence received from Friends of the North Fork management of the vegetation on the subject property was not adequately discussed in the Modified Mitigated Negative Declaration.

A Forest Management Plan was prepared for the subject property in March of 2006, and an addendum to this plan was submitted with the entitlement application in April of 2011. The Forest Management Plan and Addendum describe the vegetation management that will occur on the property, including reforestation practices such as mastication, debris removal, clean-up of the previously burned portions of the property and the planting of seedlings in areas that have been prepared for reforestation. This plan and addendum are included as Attachments C and D to this staff report.

Approved Minor Land Division

The correspondence states that the Minor Land Division that was approved on the subject property should have been discussed in the environmental document.

The property owner's applied for a Minor Land Division in 2005 to create three parcels consisting of one 277.5-acre parcel and two 160-acre parcels. The Minor Land Division was approved as proposed. The Tentative Parcel Map that was prepared for the Minor Land Division is still active and has not yet been recorded. The Minor Land Division was included in the description of the project site in the Modified Mitigated Negative Declaration. However, the Minor Land Division was not analyzed as a part of the Minor Use Permit proposal because the Minor Use Permit for a caretaker's residence on the subject property stands alone as a separate entitlement. This is because the finalization of the Tentative Parcel Map is not required in order to construct on the subject property and the property is not yet recognized as three separate parcels. The parcel sizes approved with the Minor Land Division meet the 160-acre minimum parcel size of the TPZ zone district and therefore, when the Parcel Map is recorded, a caretaker's residence constructed on the property would not be in conflict with the allowable uses in the zone district, and would be required to meet all standards set forth in that zone district, including the minimum setback requirements for structures placed on the subject property.

Visibility of Caretaker's Residence

The correspondence states that the proposed building sites for the caretaker's residence are visible from American River Canyon and the Auburn State Recreation Area and that an analysis of resulting aesthetic impacts should have been included in the environmental document.

For the purposes of environmental analysis of aesthetics and visibility of the proposed caretaker's residence, a visibility map was prepared by Placer County Community Development Resources GIS staff. This map illustrates that neither of the two proposed building envelopes for the caretaker's residence are visible from any public properties within the immediate vicinity of the project site, including the Northfork of the American River. For

this reason, the proposed caretaker's residence will not impact visibility from surrounding public resources.

Necessity of the Caretaker's Residence

The correspondence states that the justification for the necessity of the caretaker's residence should have been included in the environmental document.

The project applicant's have stated that the approval of the Minor Use Permit to allow for the construction of the caretaker's residence is warranted due to the extensive amount of reforestation 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 a caretaker's residence is warranted to allow for a live-in caretaker on the subject property. This recommendation is based on the caretaker's ability to protect any investment that the landowners make to reforest the property. According to the forester, a caretaker would help 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 or within the vicinity. A resident caretaker will help 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.

The public comment correspondence from the Friends of the North Fork states that the majority of properties that are utilized for forest management practices are larger than 600 acres. Based on this statement, the correspondence requests a discussion of justification for the caretaker's residence based on the acreage of the property. The Placer County General Plan and Zoning Ordinance do not set forth a minimum acreage requirement in a Timberland Production zone district for property owners implementing forest management practices on such parcels. The minimum parcel size set forth by Placer County Zoning Ordinance for the Timberland Production Zone District is 160. Further, Section 17.04.030 (Definitions; Minimum Parcel Size) of the Placer County Zoning Ordinance states "**Minimum parcel size** means the smallest dimensions (length and width) and area allowed by this chapter for a parcel proposed in a subdivision, and for the use of an existing parcel that is the site of a proposed use". Therefore, the approximately 600-acre property meets the minimum acreage requirement for the Timberland Production zone district and as such, is compatible with the acreage requirement for the timberland production use.

Road Improvements

The correspondence states that the proposed building sites for the caretaker's residence should be located in an area that is the shortest distance from the improved access road in order to reduce environmental impacts resulting from required road improvements.

The applicants proposed two building sites as possibilities for the construction of one caretaker's residence. The locations of these sites were part of the applicant's project proposal, and there are no County standards that would require the building sites to be as close to the site access as possible. The improvements required for access to the proposed building sites were analyzed in the Modified Mitigated Negative Declaration and were determined to be less than significant with appropriate mitigation measures that are included in the draft Conditions of Approval contained in this staff report.

Fire Hazards

The correspondence states that the construction of the caretaker's residence would result in fire hazard risks to the property, the residents of the property, surrounding properties and surrounding residents.

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. Construction of the caretaker's residence could expose the inhabitants of the residence to risks associated with wildland fires. 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.

Air Quality Concerns

The correspondence requests clarification on what the "individual jurisdiction" referred to on page 8 of the Modified Mitigated Negative Declaration is and when would the Rule 228 weekly compliance evaluations apply.

The individual jurisdiction is the responsible air district, in this case, the Placer County Air Pollution Control District. PCAPCD's Rule 228 does not specify precise days or times of each day, but only requires a weekly evaluation by a CARB-certified individual. Additionally, PCAPCD may perform random inspections of the site during construction and may respond to complaints about fugitive dust, if any are made.

In conclusion, staff does not find any evidence of potential environmental impacts raised by the comments received that have not already been addressed in the Modified Mitigated Negative Declaration.

CalFIRE

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 of these recommendations have either been completed or are not applicable to this Minor Use Permit. However, these comments have been modified with the statement "where applicable" and are included in the Conditions of Approval for the Minor Use Permit.

RECOMMENDATION:

Staff recommends approval of the Minor Use Permit to allow for the construction of a caretaker's residence on the project site.

FINDINGS:

CEQA:

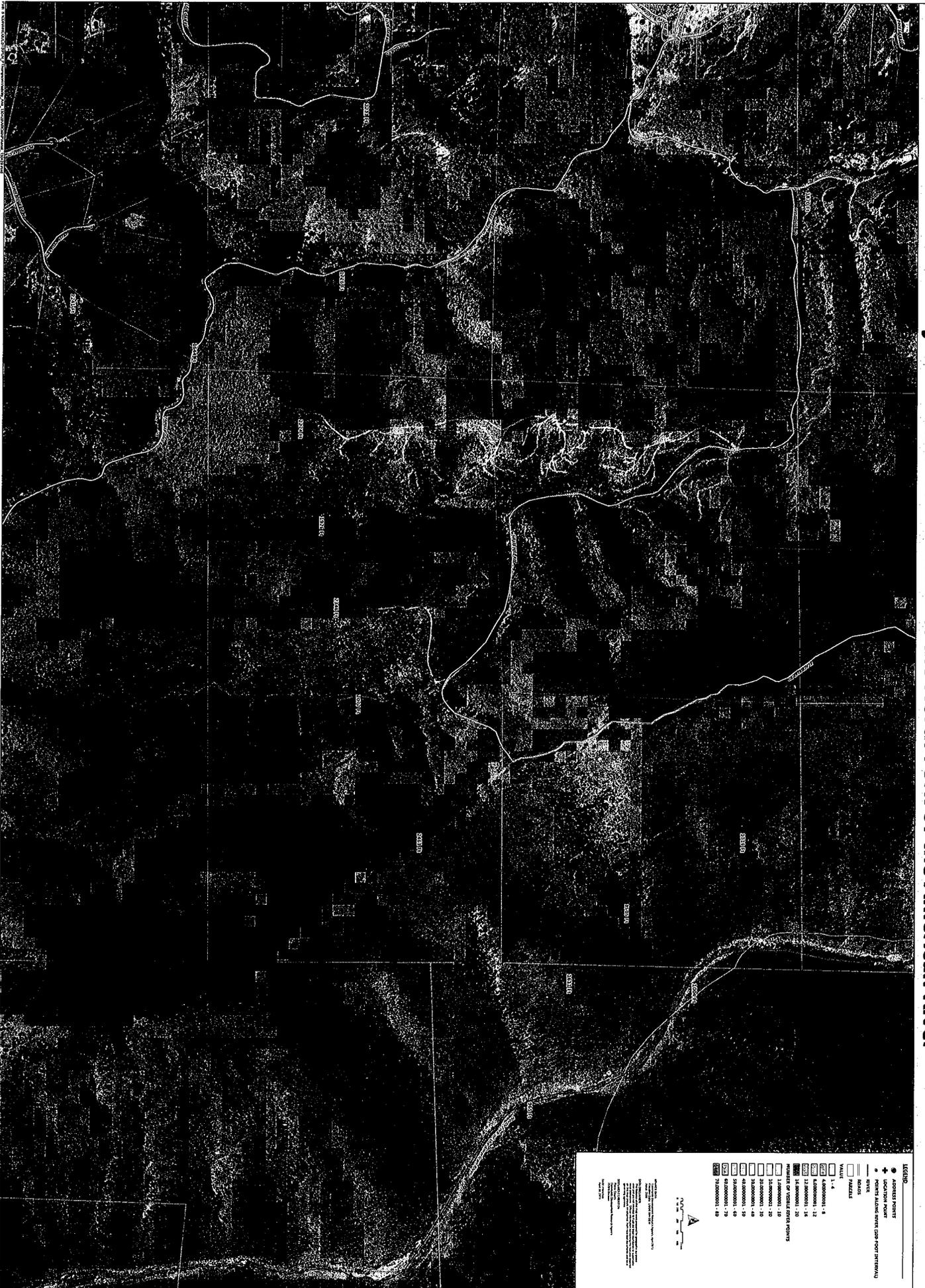
The Zoning Administrator has considered the proposed Modified Mitigated Negative Declaration and Errata, the proposed mitigation measures, the staff report and all comments thereto and hereby adopts the Mitigated Negative Declaration for the project based upon the following findings:

1. The Modified Mitigated Negative Declaration and Errata for the Camel's Hump Caretaker's Residence Minor Use Permit project has been prepared as required by law. With the incorporation of all mitigation measures, the project is not expected to cause any significant adverse impacts.
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 Modified Mitigated Negative Declaration and Errata 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 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.
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.
4. The proposed use will be consistent with the character of the immediate neighborhood and will not be contrary to its orderly development.
5. The proposed use will not generate a volume of traffic beyond the design capacity of all roads providing access to the parcel.

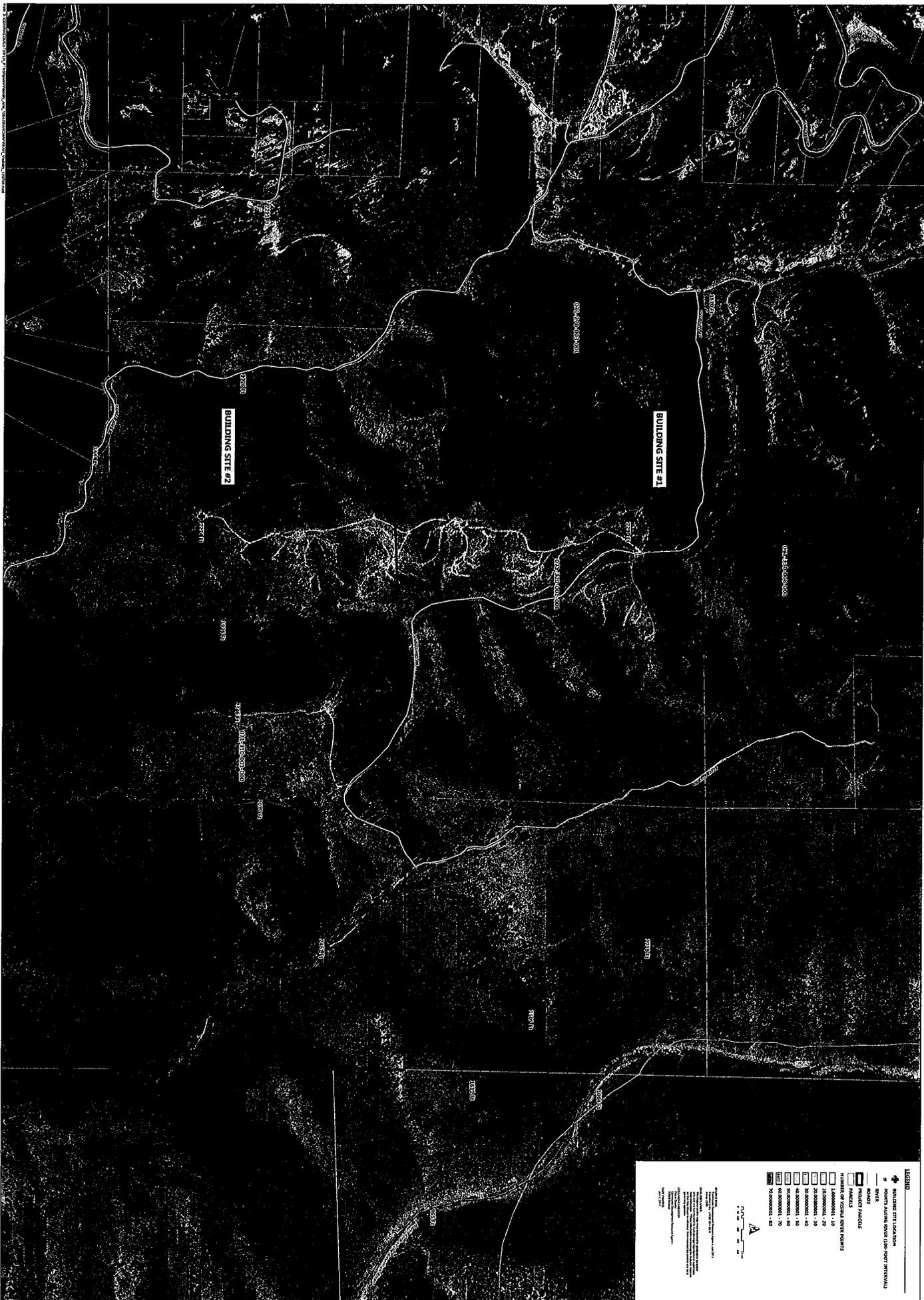
Visibility from Address Locations & the North Fork of the American River



LEGEND

- ADDRESS POINT
- ◆ LOCATION POINT
- ◆ PROPERTY ALIGNMENT (SHP-ROOF INTERVAL)
- ROAD
- WATER
- POWERLINE
- FENCE
- 1:1
- 1:4
- 1:8
- 1:16
- 1:32
- 1:64
- 1:128
- 1:256
- 1:512
- 1:1024
- 1:2048
- 1:4096
- 1:8192
- 1:16384
- 1:32768
- 1:65536
- 1:131072
- 1:262144
- 1:524288
- 1:1048576
- 1:2097152
- 1:4194304
- 1:8388608
- 1:16777216
- 1:33554432
- 1:67108864
- 1:134217728
- 1:268435456
- 1:536870912
- 1:1073741824
- 1:2147483648
- 1:4294967296
- 1:8589934592
- 1:17179869184
- 1:34359738368
- 1:68719476736
- 1:137438953472
- 1:274877906944
- 1:549755813888
- 1:1099511627776
- 1:2199023255552
- 1:4398046511104
- 1:8796093022208
- 1:17592186444016
- 1:35184372888032
- 1:70368745776064
- 1:140737491520128
- 1:281474983040256
- 1:562949966080512
- 1:1125899932161024
- 1:2251799864322048
- 1:4503599728644096
- 1:9007199457288192
- 1:18014398914576384
- 1:36028797829152768
- 1:72057595658305536
- 1:144115191316611072
- 1:288230382633222144
- 1:576460765266444288
- 1:115292153053288576
- 1:230584306106577152
- 1:461168612213154304
- 1:922337224426308608
- 1:184467448885271616
- 1:368934897770543232
- 1:737869795541086464
- 1:147573951108217296
- 1:295147902216434592
- 1:590295804432869184
- 1:1180591608865738368
- 1:2361183217731476736
- 1:4722366435462953472
- 1:9444732870925906944
- 1:18889465738458113888
- 1:37778931476916227776
- 1:75557862953832455552
- 1:151115725907664911104
- 1:302231451815329822208
- 1:604462903630659644416
- 1:1208925807261319288832
- 1:2417851614522638577664
- 1:4835703229045277155328
- 1:9671406458090554310656
- 1:19342812916181108621312
- 1:38685625832362217242624
- 1:77371251664724434485248
- 1:14474251329444886890496
- 1:28948502658889773780992
- 1:57897005317779547561984
- 1:115794010635579095123968
- 1:231588021271158190247936
- 1:463176042542316380495872
- 1:926352085084632760991744
- 1:1852704170172655211983488
- 1:3705408340345310423966976
- 1:7410816680690620847933952
- 1:1482163376138124169466904
- 1:2964326752276248338933808
- 1:5928653504552496677867616
- 1:11857307009104993355735328
- 1:23714614018209986711470656
- 1:47429228036419973422941312
- 1:94858456072839946845882624
- 1:18971691214569893689175248
- 1:37943382429139787378350496
- 1:75886764858279574756700992
- 1:151773529164559149513401936
- 1:303547058329118299026803872
- 1:607094116658236598053607744
- 1:121418823311647319610721536
- 1:242837646623294639221443072
- 1:485675293246589278442886144
- 1:971350586493178556885772288
- 1:1942701732963571113771544576
- 1:3885403465927142227543089152
- 1:7770806931854284455112178304
- 1:15541613863708568910224356608
- 1:31083227727017137820448713216
- 1:62166455454034275640897426432
- 1:124332910908068551281948852864
- 1:24866582181613710256393705536
- 1:49733164363227420512787411072
- 1:99466328726454841025574822144
- 1:19893265752809762005114764288
- 1:39786531505619524010229528576
- 1:79573063011239048020459057152
- 1:159146126022478096040918114304
- 1:318292252044956192081836228608
- 1:636584504089912384163672457216
- 1:1273169008179847683227444914304
- 1:2546338016359695366454889828608
- 1:5092676032719390732909779657216
- 1:10185352055438781457819559114304
- 1:20370704110877562915639118228608
- 1:40741408221755125831278236457216
- 1:81482816443510251662556472914304
- 1:16296563287000503325112914588608
- 1:32593126574001006650225829177216
- 1:651862531480020133004516583544304
- 1:130372506296004026000933167108608
- 1:260745012592008052001866334217216
- 1:5214900251840161040037326684344304
- 1:1042980050368032208007053368868608
- 1:2085960100736064416014106737737216
- 1:4171920201472128832028213475474304
- 1:8343840402944257664056426950948608
- 1:16687680858884515328112913901897216
- 1:33375361717769030656225827803794304
- 1:66750723435538061312451655607588608
- 1:133501446871071226249033311211517216
- 1:267002893742142452498066622423034304
- 1:534005787484284904996133244846068608
- 1:106801157496569880999266489692137216
- 1:213602314993139761999532979384274304
- 1:427204629986279523999065958768548608
- 1:854409259972559047998131917537097216
- 1:1708818599545118095996263850744194304
- 1:3417637199090236191992527701488388608
- 1:6835274398180472383985055402976777216
- 1:13670547963760944769900111059553554304
- 1:27341095927521889539800222119107108608
- 1:546821918550437790796004442382143216
- 1:1093643837000875581592008887764264304
- 1:2187287674001751163184017775528528608
- 1:4374575348003502326368035551057057216
- 1:8749150696007004652736071102114514304
- 1:1749830139201400930547214204229028608
- 1:3499660278402801861094428408458057216
- 1:6999320556805603722188856816916114304
- 1:13998641113611207443777713633832228608
- 1:27997282227222414887555427267664457216
- 1:55994564454444829775110854535328914304
- 1:11198912890888965955022169070655828608
- 1:22397825781777931910044338141311657216
- 1:44795651563555863820088676282623314304
- 1:89591303127111727640177352565246628608
- 1:179182606254223455280354705130493257216
- 1:358365212508446910560709410260986514304
- 1:716730425016893821120139820521973028608
- 1:143346085033378764224027964044384657216
- 1:286692170066757528448055928088769314304
- 1:573384340133515056896111856177538628608
- 1:1146768680670310113792237132355077257216
- 1:2293537361340620227584474264710154514304
- 1:4587074722681240455168948499420308608
- 1:9174149445362480910337896998840617216
- 1:1834829888672496182067779199768123314304
- 1:3669659777344992364135558399536246628608
- 1:7339319554689984728271116799072493257216
- 1:1467863911377996956554233598144786514304
- 1:2935727822755993913108467196289573028608
- 1:587145564551198782621693439257914657216
- 1:117429112910397565244338687455829314304
- 1:234858225820795130488677374911658628608
- 1:469716451641590260977354749823317257216
- 1:939432903283180521954709499646634514304
- 1:1878865806563610439109418992932688608
- 1:3757731613127220878218837985865377216
- 1:7515463226254441756437675971730754304
- 1:1503092652510883512887535194346148608
- 1:30061853050217670257750703886922914304
- 1:60123706100435340515510367773845828608
- 1:120247412200870681310207355476917257216
- 1:240494824401741362620414710953834514304
- 1:48098964880348272524082942190766908608
- 1:96197929760696545048165884381533817216
- 1:19239585520139090096331776763067634304
- 1:38479171040278180192663553526135268608
- 1:76958342080556360385327107052270537216
- 1:1539166816011267207706542140445106514304
- 1:30783336320225344154130842808902128608
- 1:61566672640450688308261685617804257216
- 1:12313334528091137661643337123608514304
- 1:24626669056182275323286674247217028608
- 1:49253338112364550646573348494434057216
- 1:98506676224729101293146696988868114304
- 1:1970133544945820258623339397773617257216
- 1:394026708989164051724667879554723314304
- 1:788053417978328103449335759109446628608
- 1:157610683957647206889871518218893257216
- 1:315221367915294413779743036437786514304
- 1:630442735830588827559486072875573028608
- 1:126088547166117765511892145775114657216
- 1:25217709433223553102378429155023314304
- 1:50435418866447106204756858310046628608
- 1:100870837328914212409513716620093257216
- 1:201741674657828424819027433240186514304
- 1:403483349315656849638054866480373028608
- 1:806966698631313699276109732960746057216
- 1:161393339726262719855221965921492114304
- 1:32278667945252543971044393184298228608
- 1:64557335890505087942088786368596457216
- 1:129114677801010175884177572737192914304
- 1:258229355602020351768355145474385828608
- 1:5164587112040407035367102909487717257216
- 1:103291742240808140707342058189543514304
- 1:206583484481616281414684116379087028608
- 1:413166968963232562829368232758174057216
- 1:826333937926465125658736465516348114304
- 1:16526678748513302531175293113269628608
- 1:33053357497026605062350586226539257216
- 1:661067149940532101247011724530786514304
- 1:132213429881064202494023549061573028608
- 1:264426859762128404988047098123146057216
- 1:52885371952425680997609419624629114304
- 1:10577074390485361999521883924928228608
- 1:21154148780970723999043767849856457216
- 1:423082975619414479980875356997129114304
- 1:84616595123882895996175071399425828608
- 1:169233190247765791932350142798857257216
- 1:338466380495531583864700285597714514304
- 1:676932760991063167729400571195429028608
- 1:135386551992122633545880114291057257216
- 1:270773103984245267091760228582114514304
- 1:541546207968490534183520457164229028608
- 1:108309251536980106836704091428458057216
- 1:216618503073960213673408182856916514304
- 1:433237006147920427346816371713833028608
- 1:8664740122958408546936327434276657216
- 1:17329480249168170933872654868553114304
- 1:34658960498336341867745309737106228608
- 1:6931792099667268373549061947421257216
- 1:13863581193345367547098138948425114304
- 1:27727162386690735094196277896850228608
- 1:5545432477338147018839255579370057216
- 1:11090864954676294037678511158740114304
- 1:22181729909352588075357022317480228608
- 1:4436345981870517615071404463496057216
- 1:8872691963741035230142808926992114304
- 1:17745383274882070460285618537984228608
- 1:3549076654976414092057123707596857216
- 1:70981533099528281841142474151937114304
- 1:14196306619105656368228488303874228608
- 1:28392613238211312736456976607748457216
- 1:567852264764226254729139532154969114304
- 1:11357045295284525094582790430993828608
- 1:22714090590569050189165580861987657216
- 1:454281811811381003783311617239753114304
- 1:90856362362276200756662323447950628608
- 1:18171272472455240511332446895901257216
- 1:363425449449104810226648937918025114304
- 1:72685089889820962045329787583605028608
- 1:14537017977964192409065957177210057216
- 1:29074035955928384818131914354420114304
- 1:58148071911856769636263828708840228608
- 1:11629614382371353927252765401768057216
- 1:23259228764742707854505530803536114304
- 1:46518457529485415709011061607072228608
- 1:9303691505897083141802212321414457216
- 1:18607382117934162836404424428289114304
- 1:37214764235868325672808848856578228608
- 1:74429528471736651345617697713156457216
- 1:148859057434733302711233954263129114304
- 1:29771811486946660542246790852625828608
- 1:595436229738933210844935817052517257216
- 1:11908725947778664216898716340505114304
- 1:23817451895557328433797432681010228608
- 1:4763490379111465686759486536202057216
- 1:9526980758222931373518973072404114304
- 1:1905396156445862747103796144808228608
- 1:3810792312891725494207592289616457216
- 1:76215846257834509884151845792329114304
- 1:15243169515666901976830369594458228608
- 1:30486339031333803953660739188917257216
- 1:609726780626676079073214783778345114304
- 1:12194536012533521581464295675567114304
- 1:24389072025067043162928591351134228608
- 1:4877814405013408632585718270226857216
- 1:975562881002681726517

Visibility from the North Fork of the American River





**PLACER COUNTY DEPARTMENT OF
AGRICULTURE
WEIGHTS AND MEASURES**

11477 E Avenue, Auburn, CA 95603-2799 (530) 889-7372 FAX (530) 823-1698

March 28, 2012

R E C E I V E D
MAR 29 2012

TO: Melanie Jackson, Planning Department
FROM: Josh Huntsinger, Agricultural Commissioner

PLANNING DEPT.

RE: Camel's Hump Caretaker Residence (PMPC 20110109) 3rd Submittal

This letter is in response to Nelson Engineering's letter to the Placer County Planning Department dated March 13, 2012.

The section of the applicant's letter addressed specifically to the Agricultural Commissioner states that the "caretaker residence" is proposed to be downsized from 6,000 square feet to 4,000 square feet as compared to the original proposal. The applicant states that the proposed downsizing is, "to be in alignment with the surrounding area caretaker residences." I question this inference on the basis that the applicant does not provide any examples of other nearby caretaker residences associated with timber production that are anywhere close to 4,000 square feet in size.

Placer County Code, Section 17.04.030, defines "Caretaker and Employee Housing" as permanent or temporary housing that is secondary to the primary use of the property. Such dwellings are used for housing a caretaker employed on the site of a non-residential use (timber management and production in this case) where the caretaker is needed for security purposes or to provide twenty-four (24) hour care or monitoring of the facilities...

Placer County Code, Section 17.56.090, further clarifies that Caretaker housing "shall be allowed only where the principal commercial, industrial, institutional, agricultural or lumbering use of the site involves operations, equipment or other resources that require twenty-four (24) hour oversight." and that "At least one of the occupants of a caretaker or employee housing unit shall be a full-time employee of the business, operation or institution that qualifies for caretaker or employee housing pursuant to this section."

There are literally tens of thousands of acres of forestland in Placer County managed for timber production that do not have full-time onsite caretakers. It is not standard industry practice to have full-time caretakers living on timber production lands in Placer County. This parcel represents a relatively small project in comparison to Placer County's overall timber industry. I am willing to concede that the

ATTACHMENT M

113

applicant may have specific and unusual needs that require a 24-hour onsite caretaker, but cannot support anything other than a non-permanent structure or dwelling such as a manufactured or mobile home of no more than 1,200 square feet. If the applicant truly intended to use the proposed residence as part of an economically-viable timber operation, they would attempt to build something that was in keeping with the character and economic realities of timber production. As proposed, the 4,000 square foot "caretaker's residence" continues to have the appearance of a ruse designed to enable the applicant to build a high-end residence on TPZ zoned land in conflict with county code.

Larry Risser
PO BOX 11
23000 Black Bear Rd.
Colfax, CA 95713
071-330-005
071-330-012
071-320-002

Placer County Planning Commission
3091 County Center Drive
Auburn, CA 95603

Re: PMPC 20110109

Sirs,

This letter is to express my support on the record for the proposed Minor Use Permit requested by Fred Basquin and Jed Parker to construct a caretaker's quarters on parcels 071-330-008, 071-320-001, 071-310-001 and 071-270-003. As the owner of three adjacent parcels, I support the use permit and negative declaration.

Property owner Basquin and Parker have completed extensive and costly mastication and planting on the subject property, greatly reducing the fire danger on their property and protecting surrounding properties. They have worked hard to reduce dangerous overgrown brush and restore the property to productive timberland. I believe a caretaker's quarters will enhance this effort to maintain a safe and productive property.

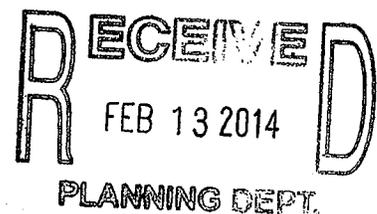
Basquin and Parker have met all the requirements set forth by the Zoning Administrator and Planning Department, which are well beyond requirements imposed on surrounding TPZ property owners for similar Minor Use Permits.

Please accept my support and approval for the proposed project.

Sincerely,



Larry Risser



ATTACHMENT N

115

November 13, 2013

HAND DELIVERED

Dear Jennifer,

Enclosed are the items we have previously discussed on the Gillis Hill/Camel's Hump project.

My concern (and my son, Jay's as well) is a flagrant disregard for the existing zoning of TPZ. In fact, I believe the owners originally purchased the land with the express purpose of circumventing the zoning in order to make a kazillion dollars selling residential building sites. I guess if the income potential is significant, then trying to "work the system" becomes more acceptable.

A caretaker cottage may be the legal way to build on the TPZ land but it just reeks of a way to make more money on your investment than the zoning originally permitted. I don't know what options the County has at this juncture, but it seems reasonable that the spirit of the law would permit only a modest caretaker residence of say 1200 square feet and certainly not located on the view section of the canyon rim.

I hope that you can convey my concerns to the Zoning Administrator and Staff.

Sincerely,

Alan Shuttleworth

(530) 346-2848

<bigalcolfax@yahoo.com>

RECEIVED
NOV 13 2013

PLANNING DEPT.

RECEIVED
NOV 18 2013

PLANNING DEPT.

RECEIVED
BOARD OF SUPERVISORS
5 BOS Rec'd _____ COB _____ CoCo _____
TSI _____ CEO _____ Other _____

NOV 18 2013

Sup D1 _____ Sup D4 _____ Aide D1 _____ Aide D4 _____
Sup D2 _____ Sup D5 _____ Aide D2 _____ Aide D5 _____ ✓
Sup D3 _____ Aide D3 _____ ✓

116

Advertisement #1

Realtor notes this property has 5 to 7 hilltop building sites for "estate" homes.

The proposed estate home sites are in TPZ zoning yet nothing about that is mentioned in the advertisement.

RECEIVED
NOV 18 2013

PLANNING DEPT.

RECEIVED
NOV 18 2013

PLANNING DEPT.



MLS#80087305 : \$2,330,000
 9999 Gillis Hill Rd
 Weimar CA, 95736

Land Features

Area Active
Status 608.000
Lot Size August 31 2008
Date Listed

- Request
- Detailed Info
- View Slide Show
- Print Listing
- Tell a Friend
- Save Listings

RECEIVED
 NOV 18 2013
 PLANNING DEPT.

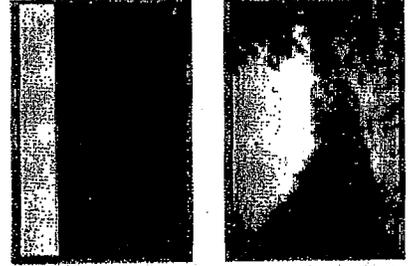
Street View Birds Eye Map Aerial Map Mortgage Calculator Zillow Data

9999 Gillis Hill Rd, Weimar, CA

View 12 Full Screen Photos >>
Click Thumbnail to Enlarge

Real Estate Agent Remarks:

ONCE IN A LIFETIME does a property like this come along. Historic ridge along American River Canyon. Tentative map for 3-way split. 360 degree view from one of the multiple building locations. With five to seven hilltop options for beautiful building site(s) for your getaway, Green or Estate home(s). Creek on property. View of River possible. Roads cut to sites. 10 min to I-80, 30 min to Ski Slopes or Auburn Photos, maps, details & personal tours avail. Shown by appointment only, locked gate.



1/8

Advertisement #2

Realtor notes this property is zoned TPZ but that "homes can be built on TPZ," and that a "process is available to remove (the land) from TPZ."

R E C E I V E D
NOV 18 2013

PLANNING DEPT.

RECEIVED
NOV 18 2013

PLANNING DEPT.



More views



View

Property Description

Land Property, County: Placer. Split in process for 3 parcels. (160, 160 & 285). Price is as shown for entire 605 acres. Parcels may be purchased separately from \$854,000. A well is in on each parcel and P & M tests are complete at one of the building sites on each parcel. Incredible, 360 degree world class views. Multiple building site options on each parcel. Creek runs through, plenty of usable acreage. Once in a lifetime opportunity. Truly a remarkable property in a fantastic location. Just 1 hour to ski slopes, minimal snow at 2400 foot elevation, 10 minutes to Highway 80, 45 minutes to Sacramento. Rollins Lake, American River, Bear River, Stevens trail all just minutes away.

Property Features

■ Land Property ■ County: Placer ■ Approximately 605 acre(s) ■ Zoned TPZ. Details available. Homes can be built on TPZ. Great tax advantages. Process also available to remove from TPZ. ■ Topography: Agricultural land, Oaks and Pines, some Brush. ■ Utilities present: Wells, excellent. Additional Irrigation water supply from spring/stream /river. ■ Improvement plans approved and ready for Construction. ■ Road work approved, required for split Details available. ■ Buy all or part! Also available as separate parcels; 160, 160 & 285. ■ Owner willing to complete split during escrow. Buyer can purchase prior to split or individual lots following split. ■ Owner financing considered with approved terms.

Area Description

Set in Weimar less than 10 minutes from major Interstate with access to Tahoe and Sierra Foothills. Beautiful area with Pines and Oaks, bubbling streams, panoramic views.

Approximately 15 minutes East of Auburn on Highway 80. 30 minutes to ski resorts; 1 hour to Tahoe/Truckee or Sacramento. Airport, Hospitals in Auburn.

This property is great for those who want a natural setting and good access to rivers, lakes and the mountain recreation areas for leisure time and great transportation options for business in Sacramento, Reno or the Bay Area.

2/1

R E C E I V E D
NOV 18 2013

PLANNING DEPT.

Larry Risser
PO BOX 11
23000 Black Bear Rd.
Colfax, CA 95713
071-330-005
071-330-012
071-320-002

Placer County Zoning Administrator
3091 County Center Drive
Auburn, CA 95603

Re: PMPC 20110109

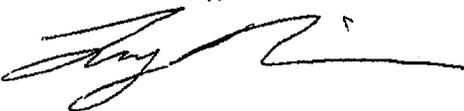
Sirs,

This letter is to express my support on the record for the proposed Minor Use Permit requested by Fred Basquin and Jed Parker to construct a caretaker's quarters on parcels 071-330-008, 071-320-001, 071-310-001 and 071-270-003. As the owner of three adjacent parcels, I support the use permit and negative declaration.

Property owner Basquin and Parker have completed extensive and costly mastication and planting on the subject property, greatly reducing the fire danger on their property and protecting surrounding properties. They have worked hard to reduce dangerous overgrown brush and restore the property to productive timberland. I believe a caretaker's quarters will enhance this effort and maintain a safe and productive property.

Please accept my support and approval for the proposed project.

Sincerely,



Larry Risser

Rec'd 11/15/13
[Handwritten initials]



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

13760 Lincoln Way
AUBURN, CA 95603
(530) 839-0111
Website: www.fire.ca.gov

RECEIVED

OCT 08 2013

ENVIRONMENTAL COORDINATION SERVICES

September 26, 2013



Maywan Krach
Placer County Comm. Dev. Resource Agency
3091 County Center Drive, Suite 190
Auburn, CA 95603

RE: Camel's Hump caretakers Residence (SCH#2008012032)

The above project has been reviewed for compliance with the California Forest Practice Act and Rules. Pertinent requirements of the rules are summarized in the bullets list below, with rule references and explanation provided here:

The project could involve the cutting or removal or both of timber or other solid wood forest products from timberlands for commercial purposes. Additionally, Public Resources Code 4527 defines commercial purposes, among other activities, as the cutting or removal of trees during the conversion of timberlands to land uses other than the growing of timber including residential or commercial development projects. Any such projects implemented under the revised plan are subject to the Forest Practice Act and Rules.

Recommendations for compliance with the Forest Practice Act and Rules are as follows:

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

The Forest Practice Rules and harvesting forms are available online at:

http://www.fire.ca.gov/php/rsrc-mgt_forestpractice.php

Sincerely,

Matthew Reischman
Unit Forester
Nevada-Yuba-Placer Unit
(530) 265-2603

cc Ken Nehoda, CAL FIRE-Sacramento CA
State Clearinghouse-Sacramento CA

CONSERVATION IS WISE-KEEP CALIFORNIA GREEN AND GOLDEN

PLEASE REMEMBER TO CONSERVE ENERGY. FOR TIPS AND INFORMATION, VISIT "FLEX YOUR POWER" AT WWW.CA.GOV.

122

FRIENDS OF THE NORTH FORK

7143 Gardenvine Avenue
Citrus Heights California 95621

October 2, 2013

RECEIVED

OCT 02 2013

ENVIRONMENTAL COORDINATION SERVICES

Maywan Krach
Community Development Technician
Environmental Coordination Services
Placer County Community Development Resource Agency
3091 County Center Drive, Suite 190, Auburn, CA 95603

Re: 3rd Mitigated Negative Declaration ,
Camels Hump Caretaker Residence (PMPC 20110109),
An Environmental Impact Report is required

Dear Ms. Krach:

Friends of the North Fork thanks Placer County for this opportunity to comment on the new and revised Belcara MND.

Needed project description and essential CEQA document information

The project description and CEQA document content are lacking in a number of areas, including but not limited to:

- Map(s) showing the property in relation to the surrounding public land including identification of ASRA lands
- Map showing the three approved but not developed lots including identification of the road locations for it
- Maps of locked gate(s) leading to the property and how their opening and closure is managed, who manages it, who has access to the property, and who is denied access to their property through the gate.
- Locate the proposed forest cottages on the three parcel approved map
- Showing the Mergen owned-Placer Land Trust easement property
- Locate Camels Hump including in relation to the both project property and public property that it is on and the impact of the division between the two ownerships and background of owner proposals for the property.
- Locate the Colfax sewer plant operation and the waterways into which it discharges
- Map and identify existing resident homes in the project vicinity
- Map and identify the property owned on the ridge by any owners of the project property and their home in the area, apparently across Yankee Jim's Road from the project property

The creation of the Mergen North Fork Preserve on July 25, 2013 immediately adjacent to the project property creates an enhanced opportunity to find a Forest Conservation Buyer who wants to manage the entire 600 acres for forest use

Placer Land Trust's acquisition of an easement on the Mergen property has major environmental and project implications, including the enhanced opportunity for finding a Forest Conservation Buyer. The Land Trust press release and project description are included in this letter document at the end.

Each of the MND's land use section's seven "No Impact" designations are in error, and the MND has in effect no land use and land use conflict analysis. Instead the section asserts conclusory statements with no explanation;

- How would a cottage be in conformance with zoning and the general plan?
- How would one not be incompatible with surrounding property uses?
- How would the cottage not cause economic and social change from adverse changes to the rural and natural resource production environment?

Project interference with the prospect of finding a forestry conservation buyer is most notable. The cottage project could lead to major improvements on the property that conflict with TPZ designation. The manner that this project is carried out could begin the process of forest conversion.

The caretaker project pushes the forestry envelope, and it pushes this envelope in a manner consistent with landowner previous proposals for this property, including the TPZ rezoning that was denied by the County.

The caretaker project could interfere with recreation including river rafting and use of the ASRA.

The increase in traffic onto the property would be major.

The MND identifies on page 21 that the project area has gold bearing quartz veins that occupy fracture and sheared rock between the Weimar /Gillis Hill fault zones and describes previous mining activity on the property. But the MND hedges all of this at the top of page 13 by saying that the 600 acre project site "may" contain some areas of past mining activities.

The MND determined, No population and housing impact (page 22) even though one new cottage and three new homes would increase the number of houses and families in a 600 acre forest area from two to three or from two to as much as five. This suburbanization and fragmentation of a forest operation is incompatible with zoning and planning and would through physical changes bring a radical change in the economic and social conditions of Gillis Ridge.

The landowners benefit from miniscule taxes due to the TPZ zoning. This in itself is a social and economic condition – a benefit – created by the state and County.

The landowner's efforts to manage the vegetation on the property require description including how management now takes place

All of the owner activities on the property need to be described including activity related to fire protection and forest management including implementation of the forestry plan, and who is managing and carrying out these efforts. An owner made statements at a public meeting that they are doing this now.

The MND fails to address the impacts of a cottage in relation to the three previously approved parcels

Only on page 22 is the management of the three previously approved parcels mentioned. This refers to a 24-hour caretaker to manage all of the three contiguous parcels. Starkly missing from this statement is what would be managed and how it would be managed.. Sales of the other properties and installation of the required roads would detract from forest management through interference with or objection to logging, fire start potential, pet interference with wildlife, desire for canyon views, and so on. This should be in the project description.

An EIR needs to address elimination of the three lots which are inconsistent with forest management by fracturing the management unit and the construction of high standard roads.

That any cottage approval must not facilitate road construction that leads to completion of the three lots requires discussion

I have heard two different estimates of the cost to build the roads required by the three lot approval, \$1 million and closer to \$750,000. In any event, this cost is the obstacle that has prevented completion of the roads and the parcel map approval for a number of years up to this time. Approval of a cottage that facilitates completing part of this road is inconsistent with forest management of the property.

The MND states that the minor division is still alive. Page 2. When does this authority expire? If the approval is up for renewal, the EIR for this project should be part of the procedure to consider, and this EIR should be changed to address this as a County action in Section F page 26 of the MND.

The MND aesthetics analysis is cursory and neglects Camels Hump and recreation impacts and historical cultural values

The southern cottage location above Yankee Jim's Road is on a major promontory that is visible throughout the canyon and Auburn State Recreation Area. The failure of the MND to even mention the ASRA is a critical omission.

The project may promote development on the Gillis Hill Ridge, which is directly visible from the North Fork.

The southern cottage location is clearly visible from Camels Hump and Gillis Ridge. The southern part of Camels Hump, though without a constructed hiking or other designated trail, is known to attract some hikers and hunters. It is completely unnecessary to locate a cottage on the southern cottage site and to damage this historic, recreation and cultural resource. It is also inadvisable to put a cottage or any other structure at this location where the public on the public part of Camels Hump may look down at it.

About half of Camels Hump is on the project property. Camels Hump and Gillis Hill/Ridge was an historic regional monument used by miners for many miles around from the top of the ridge on the other side of I-80, up and down the canyon, and on the Foresthill Divide and far beyond.

No tribal consultation is noted. Page 11. Gillis Ridge has known paleo sites, one a large flat acorn grinding rock. Cottage location would bring residents into this area, so mitigation may be required depending on the nature of the four previously recorded and two newly recorded cultural sites (page 11), to the mining and mine processing areas (page 13 and hazardous materials on 15), and so on.

There is no demonstrated necessity for a caretaker cottage on the property

One owner has property on the ridge near the 600 acres and lives across Yankee Jim's Road from the entrance to the property. I have been unable to enter the property unless the gate on Yankee Jim's road was unlocked for the purpose of my visit. If security problems exist, they should be described including the frequency and dates or approximate dates of occurrence. What, exactly, is the "full time oversight" need and how is the caretaker residence consistent with TPZ (page 6)?

Most forest properties are larger than 600 acres, are easily accessible from roads and do not have caretaker cottages. How is it justified in this situation to have a cottage when compared to most forest lands? There are two homes by the property now, there is no established trail access, and access is limited by steep and rugged hills and limited access to the canyon.

Hardrock fractured water supply requires assessment

MND identifies fractured hardrock as the water supply for the project without explaining the unpredictability and unreliability of this source and the impact that wells can have on the water supply of other well users.

The proposed cottage size is not for forest management use

The up to 4,000 square foot cottage house sizes proposed over time by the applicant demonstrate that forestry management is not the purpose or even primary purpose of the house.

If a forestry cottage is built, it must be at the location requiring the least amount of road improvement, and road improvements for forest management should be subject to less than standards than are necessary for the approved land division.

Soil disturbance should be kept to a minimum. Road construction should not be permitted to extend road construction beyond the shortest road segment so as to not promote further development of the property.

It is found throughout the MND that no mitigation is needed of impacts, such as due to identified high erosion potential and other geological issues. E.g., page 12-13. Not having a cottage eliminates many of the potential problems the site proposals create.

The Edwards forest operation continues without the bridge improvements required for the three lot approval. However, the MND describes necessity for dealing with undersized culverts at Bunch Creek and Smuthers Ravine (page 18).

Road construction should be required to the strictest necessary requirements for fire access and control, but unnecessary standards should not be applied for purposes of a forest cottage.

The MND does not address the fire hazard directly created by both of the proposed locations, and especially so the southern most site is highly hazardous to cottage occupants

Both cottages would be potential fire start locations that may be distant or removed from water sources or hydrants.

About 180 degrees of a circle around the southern location is a short distance up slope from Yankee Jim's Road and both cottage locations are vulnerable to fires sweeping up the ravine to the east. The consultant for the fire study done for the Foresthill Divide has described the vulnerability of houses located on or near canyon rims. Fires burning upslope roll over houses at the top like a wave and

burn both sides of a structure. Houses built out from the ridge are the most vulnerable because they get the direct hit of fires. Protecting structures detracts fire fighters from direct fire control efforts..

See the Mach 8, 2010, letter that is Exhibit 3 in Friends' Shute Mihaly Weinberger letter of Marc 12, 2010, as well as Exhibits 2, 5, 6, and 7 of the March 12, 2010, letter, and with the pertinent parts of the letter.

Air pollution parameters are vague

On page 8, what is the "individual jurisdiction" referred to? On which days and what time are the Rule 228 weekly compliance evaluations?

All assessments for the cottage need to address for the entire 600 acre property.

Limiting the May 2013 site assessment to the acre or two or a couple acres of the cottage footprint and its immediate sites is inadequate. The limiting of the bloom period biological assessment to the building and road sites that would be disturbed (page 9) is inadequate. The entire property needs assessment because residential location activity can affect a wide area and other sites maybe available for cottages on the property.

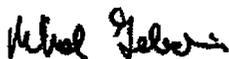
Regarding wetland assessment, has an Army Corps jurisdictional determination been sought for the several tributaries on the 600 acres?

The previous environmental documents do not obviate the need for an EIR

What is the Specific Plan referred to in this Section, C? Page 3.

In conclusion, the factors identified above are substantial evidence in the light of the record as a whole in this matter that the project may have a significant effect on the environment.

Sincerely,



Michael Garabedian, President
916-719-7296

Attachment: Mergen property press release.



News Release

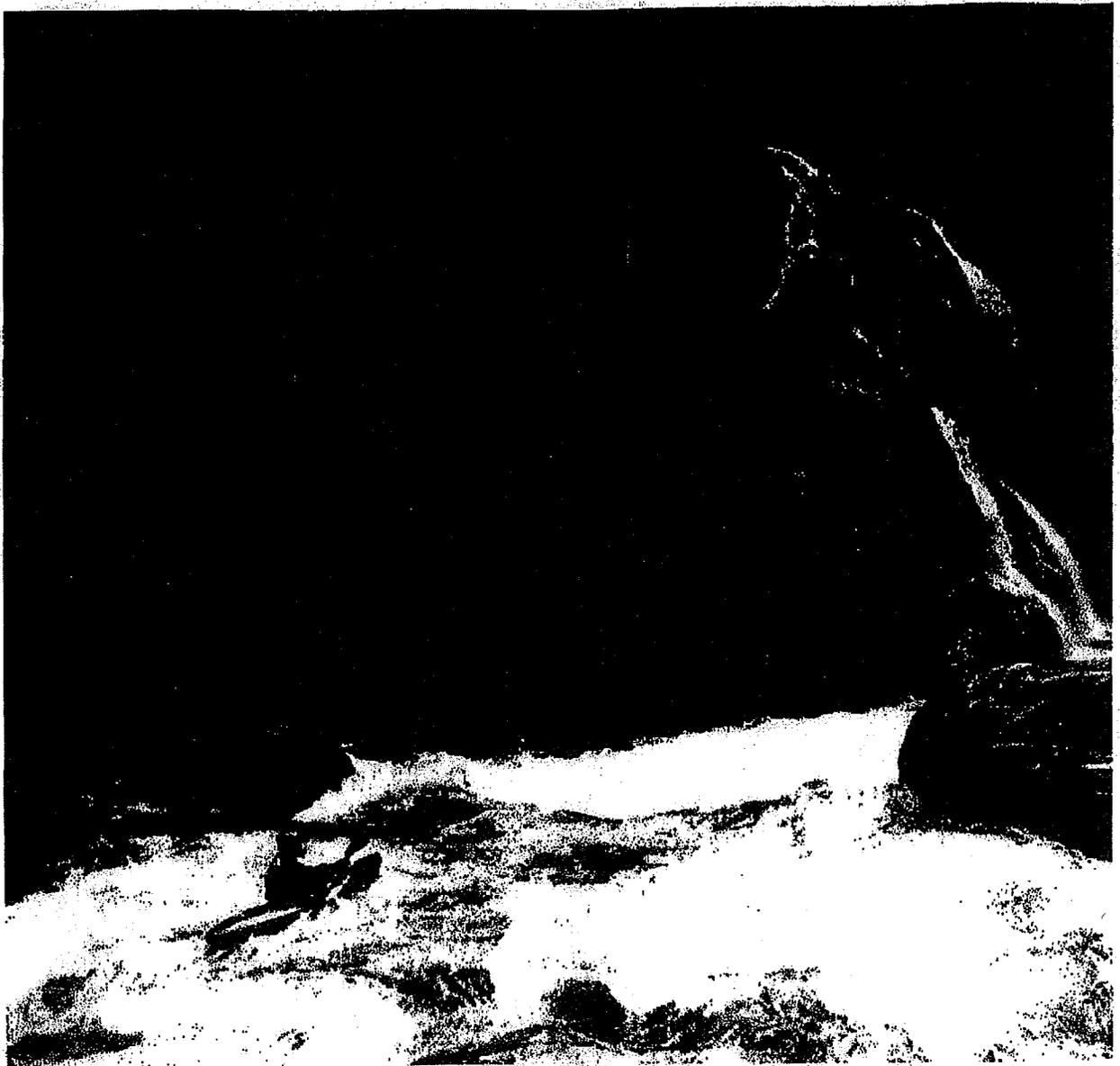
Placer Land Trust Protects American River Land

8/5/2013

Popular Rafting and Kayaking Destination Protected Forever

Photo: Ian Buckley

WEIMAR, CA – Placer Land Trust has teamed with the Emigrant Trails Greenway Trust to acquire another 160 acres of land on the North Fork American River at Gillis



Hill, guaranteeing a five-mile stretch of the river stays forever wild and scenic.

"This is the only private parcel on the river for miles in either direction," said Placer Land Trust's Executive Director Jeff Darlington. "Protecting this property from development ensures that a five-mile stretch – from above the Colfax Iowa Hill Bridge downstream past Indian Creek and Shirltail Creek all the way to Yankee Jim's Bridge – will remain wild and scenic, forever."

The "Mergen North Fork Preserve" borders existing public land within the Auburn State Recreation Area along stretch of the North Fork American River containing Staircase Rapids, well known by rafters, kayakers, and other river enthusiasts. Emigrant Trails Greenway Trust (ETGT), a private philanthropic foundation, partnered with Placer Land Trust to protect this property from residential development within the canyon.

"Protecting this critical portion of the watershed strengthens national wild and scenic values upstream, and

water quality downstream," said Patty Schifferle, ETGT Trustee. "This purchase connects substantial investments along the North Fork American River where habitat corridors and scenic corridors are critical to our community."

ETGT funding was augmented by funds from Placer Land Trust's wetlands mitigation account (funded by Placer County Water Agency) as well as support from over 700 land trust members. Placer Land Trust purchased the property from Paul & Joy Mergen for \$175,000.

The North Fork American River has long been an area of special interest and continues to be a priority for Placer Land Trust, due in large part to its popularity as a recreation destination.

"Placer Land Trust, by making this purchase, has ensured that this land and river frontage will be protected for future generations," said Deric Rothe, owner of Sierra Whitewater Inc, a rafting company based in Auburn. "The North Fork of the American River is critical to the whitewater rafting industry and is a valuable asset to the community as a whole."

Additionally, the American River provides substantial domestic water for Placer County and the surrounding region, and Placer Land Trust has an interest in keeping that water clean and free from runoff, erosion, and sedimentation. The Trust does that by working with willing landowners like the Mergen family to prevent development and other harmful land uses in the canyons from polluting local waterways.

Find out more about [Mergen North Fork Preserve](#)



Mergen North Fork Preserve

Quick Facts:

- 160 acres on the North Fork American River north of Yankee Jim's Bridge.
- Contains "Staircase Rapids" popular with whitewater enthusiasts.
- Protected in 2013 in partnership with Emigrant Trails Greenway Trust.

Protecting Canyon Lands

Placer Land Trust's acquisition and protection of the 160-acre Mergen North Fork Preserve ensures that a five mile stretch of the North Fork American River will be permanently protected. This stretch of river runs from above the Colfax Iowa Hill Bridge downstream past Indian Creek and Shirrtail Creek all the way down to Yankee Jim's Bridge. The Mergen property is the last privately owned property on the river in this stretch, and Placer Land Trust's stewardship of the property will ensure that no development occurs in this part of the canyon, keeping the river wild and scenic, forever. Primary funding was provided by Emigrant Trails Greenway Trust.

River Recreation

The Mergen North Fork Preserve is within the Auburn State Recreation Area and borders federal land. The Preserve contains both banks of the North Fork, and includes the Staircase Rapids, well known by rafters, kayakers, and other river enthusiasts.

Water Quality

The American River provides substantial domestic water for Placer County and the surrounding region, and Placer Land Trust has an interest in keeping that water clean and free from runoff, erosion, sedimentation, and pollution. The Trust does that by working with willing landowners like the Mergen family to prevent development and other harmful land uses in the canyons from polluting local waterways.

Wildlife & Scenery

The Mergen North Fork Preserve runs from the top of Gillis Hill Ridge (near Camel's Hump) steeply down to the river. This area is home to an incredible diversity of wildlife - from large mammals (bear, deer, coyote) to reptiles, amphibians, birds and insects, and of course fish and aquatic life in the river itself. Together with the beautiful flora dominated by oaks and pines, the wildness of this area provides breathtaking scenery from up- and down-canyon.