



**COUNTY OF PLACER**  
**Community Development/Resource Agency**

Michael J. Johnson, AICP  
Agency Director

**PLANNING  
SERVICES DIVISION**

EJ Ivaldi, Deputy Director

**MEMORANDUM**

**TO:** Honorable Board of Supervisors

**FROM:** Michael J. Johnson, AICP  
Agency Director

By: Melanie Jackson  
Associate Planner

**DATE:** June 17, 2014

**SUBJECT: THIRD-PARTY APPEAL - CAMELS HUMP CARETAKER RESIDENCE MINOR USE PERMIT**

---

---

**ACTION REQUESTED**

1. Conduct a Public Hearing to consider a third-party appeal by Michael Garabedian on behalf of Friends of the North Fork.
2. Deny the third-party appeal filed by Michael Garabedian on behalf of Friends of the North Fork.
3. Adopt the Mitigated Negative Declaration (Modified) and Mitigation Monitoring and Reporting Program that was prepared for the Camels Hump Caretakers Residence Minor Use Permit.
4. Approve the Camels Hump Caretakers Residence Minor Use Permit.

There is no County cost associated with these actions.

**PROJECT DESCRIPTION**

The applicant is requesting approval of a Minor Use Permit for the construction of 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 purpose of the caretaker's residence is to support a full-time caretaker on the property. The caretaker would oversee a Forest Management Plan (Attachment H) that the property owners would implement in order to restore the property that was heavily damaged by the Ponderosa fire in 2001. The property is accessed by Gillis Hill Road which would be improved to a minimum width of 18 feet as a requirement of permit approval. The driveway to access the caretaker's residence would be improved to a minimum 10 foot width, including fire turnouts with spacing as required by the servicing fire district.

**BACKGROUND**

The project site consists of one legal lot comprised of 597.5-acres that has been assigned four Assessor's Parcel Numbers. A Minor Land Division was approved for the subject property in June 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 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. Approval of the rezone and the modification to the parcel map would have allowed for the property to be subdivided into seven resulting residential parcels. That 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 have applied for a Minor Use Permit to allow for a single 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 re-circulated for the 30-day public review period ending on October 2, 2013. The project was then rescheduled before the Zoning Administrator.

#### Zoning Administrator Hearing (November 21, 2013)

At its November 21, 2013 meeting, the Zoning Administrator heard the applicants request for approval of a 4,000 square-foot caretaker's residence on one of two building sites on an approximately 600 acre parcel. After a presentation from staff and 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 an attached or detached garage on the subject property. As a part of the approval, the Zoning Administrator determined that a 4,000 square-foot size residence was not necessary to support a caretaker on the property and that a reduced square footage of 1,800 square-feet was consistent with the size of other approved caretaker's residences in Placer County. Additionally, the Zoning Administrator 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 Friends of the North Fork on December 2, 2013. The basis of the appeal was that the Zoning Administrator applied the incorrect standards of approval for the caretaker's residence, that the approval is inconsistent with the Timberland Production zone district, the Placer County General Plan and the California Constitution, that the caretaker's residence impacts visual resources within the project area and that 24-hour surveillance of the subject property is unnecessary.

#### 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 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 its March 27, 2014 hearing.

### Planning Commission Hearing (March 27, 2014)

On March 27, 2014, the Planning Commission considered the appeal filed by Friends of the North Fork of the Zoning Administrator's decision on the Camels Hump Caretaker's Residence. After hearing from staff, the applicant, the appellant, and members of the public, the Planning Commission took action to unanimously deny the third-party appeal, to uphold the Zoning Administrator's decision to approve the Minor Use Permit, to adopt the Mitigated Negative Declaration (Modified), and to adopt the Conditions of Approval as modified. The Planning Commission also took action to make an additional modification to Condition of Approval #1 to limit the caretaker's residence to a single-story structure. The Planning Commission denied the Appeal based on the determination that the issues raised did not rise to a level that would warrant denial of the Minor Use Permit. Specifically, the Planning Commission found that the property owners intend to conduct forest practices on the property and that this maintenance, as well as 24-hour surveillance of the site, would reduce fire risks to the property and surrounding areas.

### **APPEAL**

On April 7, 2014, an appeal (Attachment C) was filed by Michael Garabedian, on behalf of Friends of the North Fork, of the Planning Commission's decision to uphold 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. On May 7, 2014, the appellant filed supplemental written comments in support of his appeal (Attachment D). The issues included in the totality of the appeal comments are listed below:

1. Illegal caretaker's residence
2. Misrepresentation of value and uses in a Real Estate Advertisement
3. Necessity for a State of California Department of Toxic Substances Control Assessment
4. Deficient and unenforceable Forest Management Plan
5. Undocumented total of trees planted on property
6. Inadequate evaluation of fire protection impacts
7. Inadequate review of fire safe building sites
8. Impacts to cultural and historical resources
9. Impacts to visibility
10. Construction on identified building sites constitutes ridgeline development
11. Devaluation of Gillis Hill Ridge and Camel's Hump
12. adequate review of alternate building sites and housing
13. 24-hour oversight unnecessary

### **RESPONSE TO APPEAL LETTER**

To ensure that each assertion set forth in the appeal letters (April 7, 2014 and May 7, 2014) are responded to, staff has prepared a specific response for each issue raised in the appeal letter:

#### 1. The Caretaker's Residence is not Authorized as Provided by Law

In the introductory statement of the explanatory appeal materials, Friends of the North Fork states that a caretaker's residence is allowed on TPZ property when it is necessary to manage land zoned Timberland Production [California Government Code §51104(h)(6) (California Timberland Productivity Act, 1982)]. The appellant goes on to state that forestry is an allowed use per section 17.16.010(D)(Timberland Production; Allowable Uses and Permit Requirements) of the Placer County Zoning Ordinance and that a caretaker's residence is also allowed when a Minor Use Permit is approved and when it complies with section 17.56.090(B)(Caretaker and Employee Housing; Status of Occupants).

In reference to these codes, the appellant asserts that the approved Minor Use Permit is not authorized as provided by law because it is being sought for the purpose of increasing property value as opposed to allowing for a caretaker's residence to oversee a timber production operation on the property. However, the appellant appears to support his argument with conjecture instead of facts (See #2). The appellant further asserts that the applicant is attempting to misuse the provisions of the applicable code sections and that this misuse is a violation of Placer County Code, the California Government Code and the California Constitution.

Staff Response

The Planning Commission determined based on the staff report, the Mitigated Negative Declaration (Modified), the supporting documents and the information and testimony presented during the hearing that the grant of the Minor Use Permit is authorized as provided by law and is consistent with the applicable sections of Placer County Code, California Government Code and the California Constitution. This determination was based on the Commission's conclusion that the facts established that a 24-hour caretaker's residence is warranted because of the forest practices that will occur on the subject site.

2. Real Estate Advertisement

The correspondence from Friends of the North Fork states that the property owners have misrepresented the possible uses and value of the property in a real estate advertisement by characterizing the land as "recreational" and "undeveloped", with multiple building sites and three wells existing on the property, and no mention of the TPZ zoning.

Staff Response

A formal response to this issue is unnecessary because the County does not regulate private real estate advertisements.

3. State of California Department of Toxic Substances Control Assessment

The correspondence from Friends of the North Fork states that, prior to construction of a residence on the property, the owners must complete a State of California Department of Toxic Substances Control assessment because there is an abandoned mine and ore processing area with hazardous materials on the property.

Staff Response

The Mitigated Negative Declaration (Modified) that was circulated on October 2, 2013, discussed environmental concerns related to abandoned mines and toxic substances on the subject property. Phase I and II Environmental Results Reports prepared for the subject property determined that there are several abandoned mining features existing on the site, and that levels of arsenic and chromium from past mining operations exceeded the residential California Human Health Screening Levels. However, mitigation measures are included in the Mitigated Negative Declaration (Modified) that require, prior to project implementation, the property owners complete any remedial actions required by the State of California Department of Toxic Substances Control and to provide Placer County Environmental Health Services with a "No Further Action", or equivalent, letter from California Department of Toxic Substances Control with regard to residual contamination from past mining activities. The mitigation measures also include a requirement that the project applicant secure the opening of any mine tunnels to prevent unauthorized access. These mitigation measures are included as Conditions of Approval for the project.

4. Forest Management Plan

The correspondence received from the Friends of the North Fork states that the County relies too heavily on the Forest Management Plan and the Addendum to the Forest Management Plan as justification for the caretaker's residence and the residence's consistency with the Timberland Production zone district. The appellant makes four statements to support this claim and each of these statements are addressed separately, below.

- A. *The County's reliance on the Forest Management Plan and the Addendum to the Forest Management Plan is misplaced because the plan is not a binding or enforceable document and is not regulated by the California Forest Practices Act. In addition, the Forest Management Plan does not document a business enterprise that requires a fulltime employee to occupy the caretaker's residence and, as a result, does not satisfy the conditions required under County Code. Because of this, the Board of Supervisors cannot adopt a finding of consistency with the Timberland Production zone district.*

Staff Response: A Forest Management Plan is a document that is prepared at the discretion of private property owners. The plan serves as a guide for implementing a series of forest management practices on properties that are suitable for timber management and production. Although the Forest Management Plan demonstrates how forest practices will be implemented on the property, a plan is not necessary for the approval of a caretaker's residence and, because of this, there is no requirement that specific information be included in the document.

The finding that is required for approval of a caretaker's residence is set forth in Section 17.56.090(A)(1)(Caretaker and Employee Housing; Eligibility; Caretaker Housing) of the Placer County Zoning Ordinance, which provides that caretaker housing may be established on the site of another use where "the principal commercial, industrial, institutional, agricultural or lumbering use of the site involves operations, equipment or other resources that require 24-hour oversight." To make this finding, the Placer County Zoning Administrator and Planning Commission reviewed the description of the forest practices included in the Forest Management Plan and determined that forest practices carried out on the property would support a 24-hour caretaker.

- B. *The Forest Management Plan was created for the purpose of supporting a rezone to the property from Timberland Production (160-acre minimum) to Residential Forestry with an 80-acre minimum parcel size. This purpose is not consistent with County Code because it supports conversion of TPZ property.*

Staff Response: This statement is not relevant because the project does not propose to change the TPZ zoning on the property.

- C. *The County has failed to evaluate the Forest Management Plan and the Addendum to the Forest Management Plan as a part of the project, which is required because the County relies on the implementation of the Forest Management Plan and the Addendum to the Forest Management Plan as a condition of the minor use permit. As part of the project consideration, the County has an obligation to evaluate the environmental impacts resulting from the implementation of the Forest Management Plan. The County's reliance on the Forest Management Plan as the basis to approve the minor use permit is misplaced in the absence of adequate environmental review.*

Staff Response: The Forest Management Plan and the Addendum to the Plan is included as a condition of approval of the Minor Use Permit for the Camels Hump Caretakers Residence to assure that forest management practices will be carried out on the subject property. The plan was reviewed as a part of the Minor Use Permit because it describes the forest practices that will be carried out on the subject property. Forest practices are an allowed use within the Timberland Production zone district and for this reason, do not require environmental review.

- D. *The Condition of Approval of the Minor Use Permit that requires implementation of the Forest Management Plan and the Addendum to the Plan is preempted by State law because it attempts to control how timber operations are conducted. Timber harvesting is within the sole purview of the CalFire and therefore, the County does not have the authority to condition the minor use permit to require implementation of the Forest Management Plan. In addition, CalFire's comments on the project require the owners to secure appropriate permits before proceeding with timber production and the applicant's failure to secure an appropriate management plan is evidence that the Forest Management Plan is merely a ruse to circumvent the Timberland Production zone land use limitations. Without a condition of approval requiring the implementation of the Forest Management Plan, the County cannot make a finding of consistency with the Timberland Zone District requirements.*

Staff Response:

The applicant submitted a Forest Management Plan to demonstrate to the County that the property is being prepared for future timber harvesting. Consequently, The Planning Commission determined that it was appropriate for a caretaker to be located on site to oversee the implementation of forest practices and the preparation of the property for future timber harvesting.

Additionally, a comment letter on the project was received from Mathew Reischman on behalf of CalFire (Attachment M) during project review. 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.

The recommendations included in the comment letter are meant to ensure the property owner's compliance with the requirements of the CalFire. The submittal of a Timber Harvest Plan is only required at the time a property is harvested for timber and is not required for the approval of a Minor Use Permit for a caretaker's residence by Placer County.

Appellant also misstates the law with respect to the scope of state law preemption under the Z-Berg-Nejedly Forest Practice Act of 1973 ("FPA"). The FPA exclusively governs the conduct of timber harvesting operations. It does not, however, preempt a local jurisdiction's authority to regulate how forest practices are implemented. The Forest Management Plan proposed by the applicant is a plan for continued reforestation of the property and a description of what forestry practices will be implemented. The purpose of imposing the condition that this Plan be implemented is to ensure that the property is utilized for the purpose that supports the need for a caretaker's residence. As the Plan in question is *not* a Timber Harvest Plan, the County is not preempted from imposing a condition of approval requiring its continued implementation. As noted above, when the time comes for timber harvest, the applicant will be required to comply with the FPA.

5. Tree Planting

The addendum to the Forest Management Plan is not clear as to how many trees have been planted on the property since it was acquired by the current property owners.

Staff Response

As previously mentioned, the applicants submitted a Forest Management Plan to demonstrate that forest practices would be implemented on the property. Although the applicant has indicated that he has planted a significant amount of seedlings on the property, the County did not require this information to make the determination that a caretaker's residence is warranted.

6. Fire Protection

The Planning Commission, Zoning Administrator, Planning Division staff, CalFire, and the California Board of Forestry did not adequately evaluate the impact of the project with regard to fire protection, forest management, forest conversion and Timber Harvest Plans. As a result, the County has put at risk the TPZ designation of three separately owned TPZ properties in the project area (including the subject property).

Staff Response

The approved Minor Use Permit allows for the construction of a caretakers residence to support the implementation of forest practices on the subject property. These practices are described in the Forest Management Plan and the Addendum to the Plan that was prepared for the subject property by a registered professional forester. Implementation of these forest practices will reduce fuel loads on the property and support a healthy forest, also reducing the possibility of fire. In addition, the 24-hour caretaker will provide surveillance of the property and adjacent properties, increasing the likelihood of early fire detection. The Planning Commission concluded that these factors support the project's consistency with timberland production, forestry management, and fire safety. The Planning Commission further determined that the use of the property would not result in the conversion of properties zoned for timberland production and would not negatively affect Timber Harvest Plans conducted in the vicinity of the project site. Therefore, the impact of the project on fire protection, forest management, forest conversion and Timber Harvest Plans were adequately evaluated by the Planning Commission, Zoning Administrator, CalFire, the California Board of Forestry and Planning Division staff.

7. Fire Safe Building Locations

The Forest Management Plan, the Minor Land Division, the Zoning Administrator and the Placer County Planning Services Division staff did not adequately recognize or address fire safe building locations or hazards to public safety that would result from the construction of a caretaker's residence on the subject property.

Staff Response

The subject property is located in an area highly susceptible to wildland fires. The property was partially burned by the Ponderosa fire in 2001. However, mitigation measures were included in the environmental document that will reduce fire hazard risks to a less than significant level, including shaded fuel breaks, fuel load reductions, roadside fuel reductions, defensible space, and on-site water storage.

8. Cultural and Historical Resources

The correspondence received from Friends of the North Fork states that the cultural and historic importance of Camels Hump should be formally recognized by the project and the environmental document.

Staff Response

A Cultural Resource Assessment of the subject property was prepared by Peak and Associates, Inc. in December of 2008. The findings of this assessment were discussed in the "Cultural Resources" section of the Mitigated Negative Declaration (Modified) prepared for the project. The study reported that the subject property contains four previously recorded cultural resource sites and two newly recorded sites. However, it was determined that none of the sites contain artifacts. The study determined that the proposed project would not result in impacts to cultural resources and therefore, no mitigation measures were required.

9. Visibility

The Friends of the North Fork appeal states that the project's two building sites have commanding views and are highly visible from public lands on and approaching Camels Hump. The building sites may also be visible from the North Fork American River and the river watershed.

Staff Response

The building sites that were approved as a part of the Camels Hump Caretakers Residence Minor Use Permit were analyzed during the preparation of the Mitigated Negative Declaration (Modified) and during the preparation of the Zoning Administrator and Planning Commission staff reports. As a result of this analysis, the Planning Commission determined that the building sites cannot be viewed from the North Fork of the American River or the North Fork American River Canyon. This determination was made based on a GIS exhibit prepared by Placer County GIS that illustrates the building sites lack of visibility

from the river and the canyon (Attachment K). In addition, the location of the building sites are screened from view from the North Fork of the American River, the North Fork American River Canyon and surrounding public properties by the Camels Hump ridge top. As a result, the Planning Commission determined in the Mitigated Negative Declaration (Modified) that impacts related to visibility of the project site from surrounding properties were less than significant and no mitigation measures were required.

10. Ridgetop Development

The appeal materials assert that the building sites identified for construction of the caretaker's residence are located on ridges. The appellant then states that, as a result of this ridgetop development, the building sites are highly visible from the ridge approaching the river and possibly from the North Fork American River or the North Fork American River Canyon.

Staff Response

Placer County General Plan Policy 1.K.1 states that that "new development in scenic areas (e.g., river canyons, lake watersheds, scenic highway corridors, ridgetops and steep slopes)" employs design methods that "avoids locating structures on steep slopes", incorporates screening measures to reduce visibility of structures and maintains the visual character and quality of the area. However, the location of a caretaker's residence on the identified building sites does not conflict with the intent of this policy because the sites are not visible from the North Fork American River Canyon and therefore, is not included in the identified "scenic areas". Additionally, the building sites are located at elevations of approximately 2,300 square feet, where the North Fork American River is located at an elevation of 1,000 feet and the canyon ridge top that lies between the river and the building sites is 2,500 feet. Therefore, the building sites are screened from view of the North Fork American River and the river canyon by their elevations and the elevations of the surrounding ridgetops.

11. Public Interest and Devaluation of Gillis Hill Ridge and Camel's Hump

The appeal from Friends of the North Fork states that the Placer County Planning Services Division is "dismissive of the importance of, and the public interest in, each of these scenic, recreational points for the Camels Hump caretakers house Minor Use Permit" (referring to public properties and recreational opportunities surrounding and adjacent to the project site). Such opportunities include the North Fork of the American River, the North Fork American River Canyon, Gillis Hill Ridge, the Chamberlain Class IV whitewater run and the Camels Hump ridge top.

Staff Response

Impacts to public properties in the vicinity of the project site were analyzed during the preparation of the Mitigated Negative Declaration (Modified). The Planning Commission determined that the construction of a caretaker's residence on the subject property would not impact public property located in the vicinity of the project site. For this reason, the Planning Commission determined that mitigation measures are not required. This determination was made because the majority of the project site cannot be viewed by surrounding public properties due to the elevation of the project site in relation to those properties.

12. Alternate Building Sites and Housing

The entire property should be reviewed for an appropriate building site and alternative forms of housing should be considered, including mobile structures.

Staff Response

The Planning Commission's review of a proposed project is based on the project description included in the application materials for an entitlement. The Commission reviewed the proposed building sites as included in the project description and determined that the project is consistent with the requirements of Placer County Code.

13. 24-hour Oversight

The correspondence from Friends of the North Fork states that 24-hour oversight of the subject property is unnecessary.

Staff Response

Information discussing staff's determination on the need for a 24-hour caretaker is described above in response to Appeal Issue number 7. The Planning Commission determined that a 24-hour caretaker living on the project site is necessary to ensure preservation of the forest practices that are carried out on the property. In addition, the 24-hour caretaker will provide surveillance of the property and adjacent properties, increasing the likelihood of early fire detection and other safety and security concerns.

**CONCLUSION/RECOMMENDATION**

As detailed in this report, staff could find no merit in any of the appeal issues raised by the appellant. The Planning Commission found that this project is consistent with the 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 Board of Supervisors upholds the decision of the Planning Commission and takes the following actions:

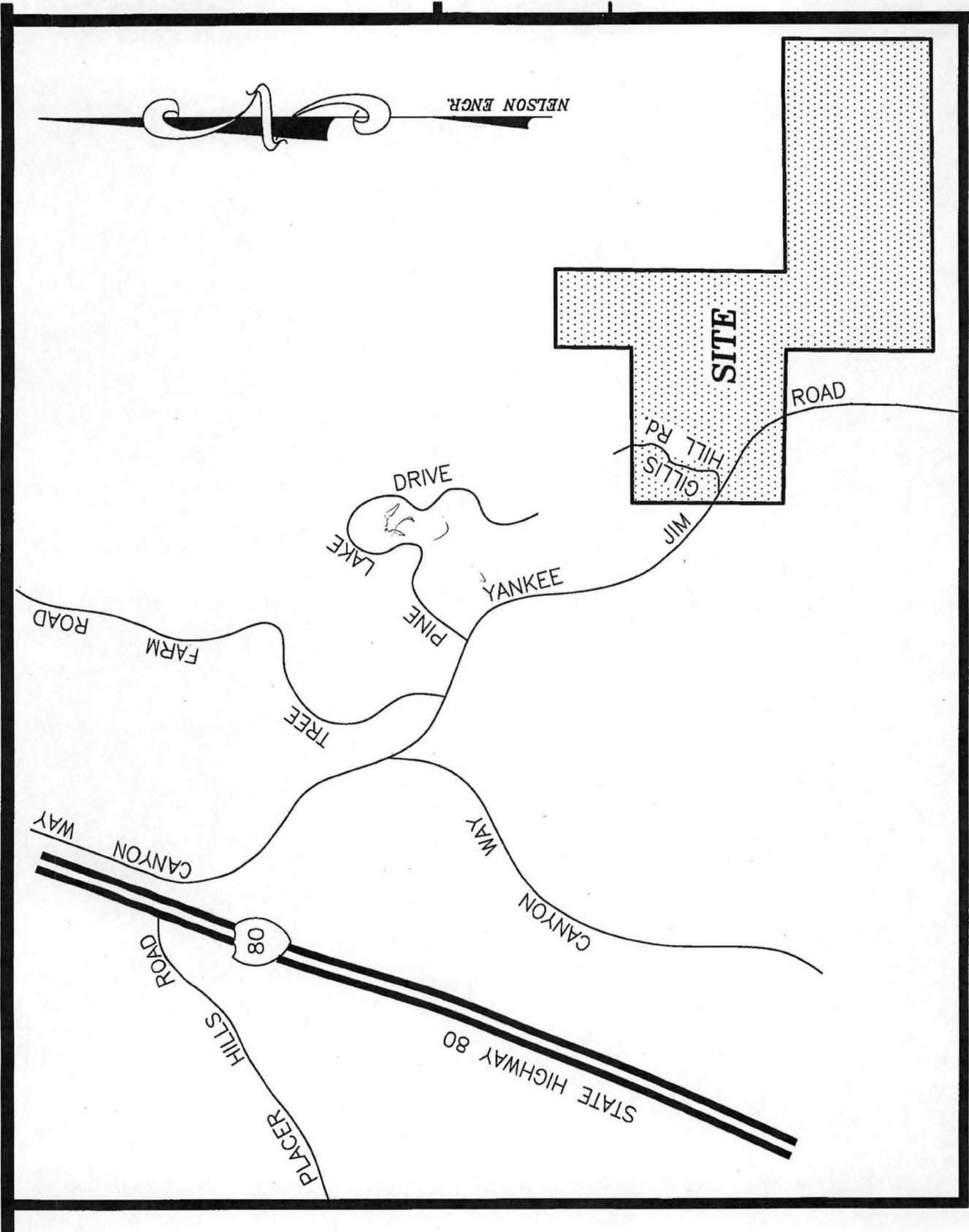
1. Deny the third-party appeal filed by Friends of the North Fork.
2. Adopt the Mitigated Negative Declaration (Modified) (Attachment F) and Mitigation Monitoring Program (Attachment G) prepared for the project based on the following findings:
  - A. The Mitigated Negative Declaration (Modified) has been prepared for the Camels 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.
  - B. 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.
  - C. 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.
  - D. The mitigation monitoring reporting program contains all mitigation measures identified in the Mitigated Negative Declaration (Modified) as necessary to reduce the project impacts to a less-than-significant level. As such the program complies with the provisions of Section 21081.6 of the Public Resources Code. Pursuant to Article 18.28 of the County Code, the adopted program will be fully enforceable by the County through imposition of the same as conditions of approval for the project.
  - E. The custodian of records for the project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn CA. 95603.
3. 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 (Attachment B) based on the following findings:

- A. 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 evidence presented indicates that 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 use on this property is appropriate and consistent with County Code.
- B. The proposed use is consistent with applicable policies and requirements of the Placer County General Plan.
- C. The establishment of the proposed use will not, under the circumstances in 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 site 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.
- D. 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 is 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 adjacent neighboring property for the use of timberland production.
- E. The proposed use will not generate a volume of traffic beyond the design capacity of all roads providing access to the parcel.

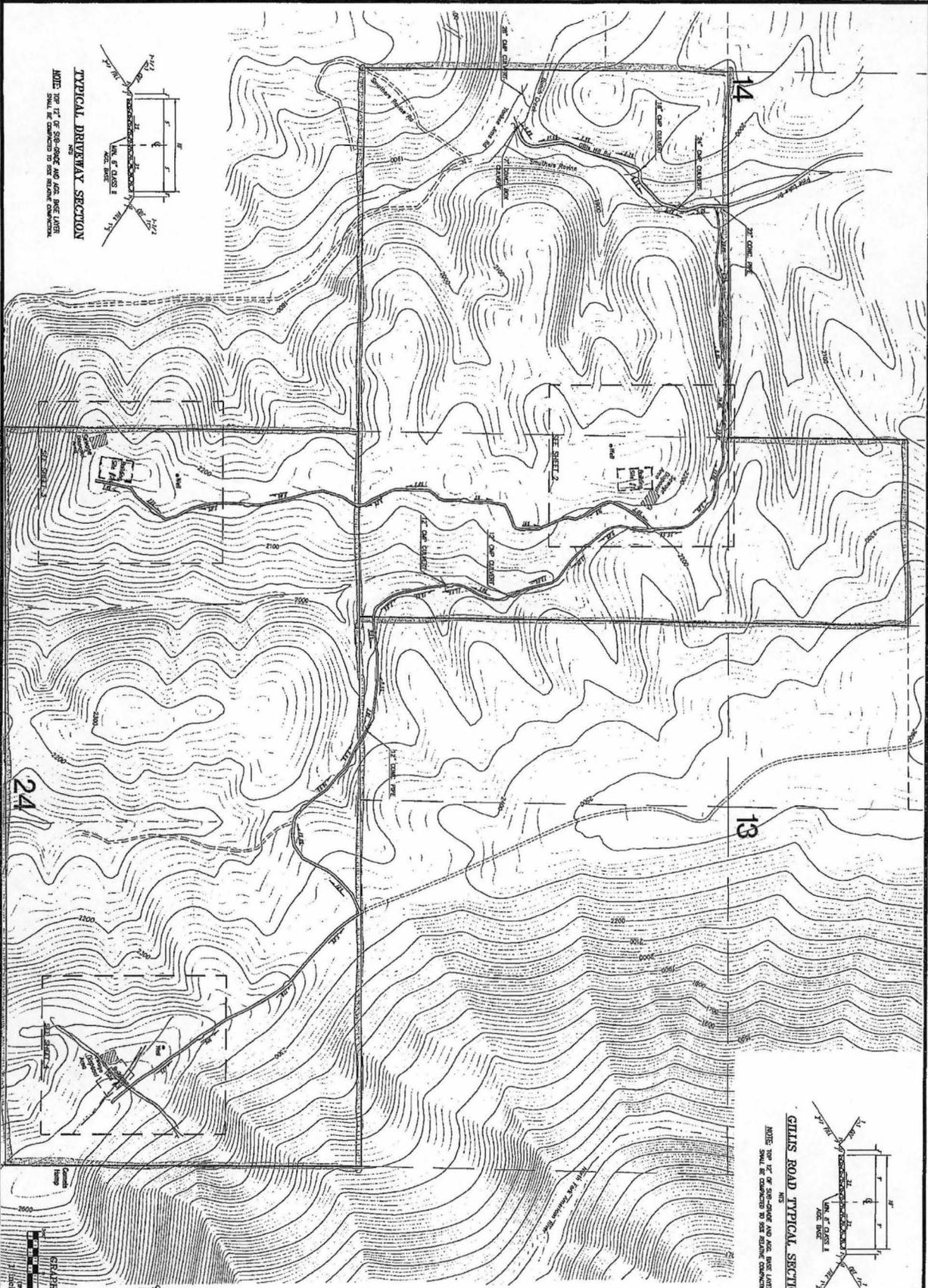
**ATTACHMENTS:**

- Attachment A: Vicinity Map
- Attachment B: Site Plan
- Attachment C: Planning Appeal (Received April 7, 2014)
- Attachment D: Supplemental Appeal Materials (Received May 7, 2014)
- Attachment E: Recommended Conditions of Approval
- Attachment F: Mitigated Negative Declaration (Modified)
- Attachment G: Mitigation Monitoring Program
- Attachment H: Basquin/Parker Property Forest Management Plan (March 27, 2006)
- Attachment I: Addendum to Basquin/Parker Property Forest Management Plan (April 8, 2011)
- Attachment J: Planning Commission Staff Report (March 27, 2014) (Duplicate attachments removed)
- Attachment K: Visibility Map Exhibits (Visibility from the North Fork of the American River)
- Attachment L: Letter from the Agricultural Commissioner (March 28, 2012)
- Attachment M: Letter from CalFire, Mathew Reischman

- cc: Kevin Nelson, Nelson Engineering – Applicant  
 Jed Parker – Property Owner  
 Fred Basquin – Property Owner  
 Rebecca Taber – Engineering and Surveying Division  
 Justin Hansen – Environmental Health Services  
 Gerry Haas – Air Pollution Control District  
 Andy Fisher – Placer County Parks Division  
 Karin Schwab – County Counsel's Office  
 Michael Johnson – CDRA Director  
 EJ Ivaldi – Deputy Planning Director

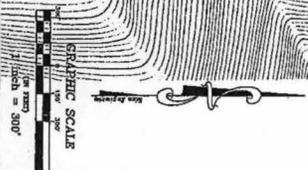


VICINITY MAP  
NO SCALE



**TYPICAL DRIVEWAY SECTION**  
 AND  
 NOTE: TOP 1" OF SUB-BASE AND 1/2" BASE LAYER SHALL BE COMPACTED TO PER AASHTO SPECIFICATIONS

**GILLES ROAD TYPICAL SECTION**  
 AND  
 NOTE: TOP 1" OF SUB-BASE AND 1/2" BASE LAYER SHALL BE COMPACTED TO PER AASHTO SPECIFICATIONS



**NELSON ENGINEERING**  
 Civil Engineering, Surveying & Land Planning  
 200 Commercial Ave., Suite 100  
 Folsom, CA 95630  
 (916) 432-4116  
 e-mail: nelson@nelson.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: K/R

PROJECT No. 11-021      DWG. NAME 11-017B(Plan)



PLACER COUNTY PLANNING DEPARTMENT RECEIVED

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 1909
Tahoe City CA 96145
530-581-6280/FAX 530-581-6282
E-Mail : planning@placer.ca.gov

APR 07 2014
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 4-7-14 (5 pm)
Letter
Oral Testimony
Zoning TPZ
Maps: 7-full size and 1 reduced for Planning Commission items
Appeal Fee \$ 536
Date Appeal Filed 4-7-14
Receipt # 14-0096772
Received by S
Geographic Area

-----TO BE COMPLETED BY THE APPLICANT-----

- 1. Project name Camels Hump Carretakar Residence (PMPC 20110109)
2. Appellant(s) Friends of the North Fork 916-719-7296 916-727-1727 (cell/fax)
Address 7143 Gardenvine Ave., Citrus Heights CA 95621
3. Assessor's Parcel Number(s): 071-270-003-000, 071, 310-001-000, 071-320-001-000, 071-330-008-000
4. Application being appealed (check all those that apply):
Administrative Approval (AA- )
Use Permit (CLP/MUP- )
Parcel Map (P- )
General Plan Amendment (GPA- )
Specific Plan (SPA- )
Planning Director Interpretation (date)
Minor Boundary Line Adj. (MBR- )
Tentative Map (SUB- )
Variance (VAA- )
Design Review (DSA- )
Rezoning (REA- )
Rafting Permit (RPA- )
Env. Review (EIAQ- )
Other: TPZ conversion
5. Whose decision is being appealed: Planning Commission
6. Appeal to be heard by: Board of Supervisors
7. Reason for appeal (attach additional sheet if necessary and be specific): TPZ property grounds for appeal attached

(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 Gabe
Michael Gavebedain, President
Friends of the North Fork

RECEIVED  
APR 07 2014

CDRA

In the matter of the Placer County Planning Commission,	)	
Kenneth Denio, Vice/hearing Chair (Supervisor Weygandt appointee)	)	
Miner Grey III (Supervisor Montgomery appointee)	)	
Richard A. Johnson (Supervisor Holmes appointee)	)	Grounds
Jeffrey Moss (Supervisor Uhler appointee)	)	
Wayne Nader, At-Large (West of Sierra Crest))	)	for
Richard Roccucci (Supervisor Duran appointee)	)	
Larry Sevison, Chair, absent At-Large (East of Sierra Crest),	)	Appeal
action on March 27, 2014 to deny the of the Appeal by	)	
Friends of the North Fork of the Camels Hump Caretaker	)	
Residence Minor Use Permit PMPC 20110109 approved	)	
by the Zoning Appeal Administrator November 21, 2013	)	

Friends of the North Fork appeals as follows:

**The three Gillis Hill Timber Production Zone ownerships are a vital two square mile privately established contributor to the county and state economies. TPZ status is the primary establishing factor that is unique to and at issue in this appeal.**

1. Gillis Hill has two square miles of land in Timber Production Zone (TPZ) under three ownerships:
  - a. The 600-acre Basquin-Parker land where the caretaker cottage is proposed.
  - b. The 520-acre Edwards tree farm and agricultural operation.
  - c. The 120-acre Risser property.

All of these properties were under Williamson Act contract before transferring to TPZ status.

The establishment and maintenance of this TPZ areq is an enforceable restriction under the California Constitution and the exemption of these lands from property taxes is also an exemption established in the California Constitution.

The TPZ is further established pursuant to and is subject to California statutes and regulations and the Placer County Code.

The TPZ is overseen, regulated, taxed and assessed by the County including the by County Assessor, the State Board of Forestry, Calfire and the State Board of Equalization.

Appeal points: Planning staff have failed to develop, involve and assemble the necessary geographic, forestry, taxation, and enforceable restriction know-how and experience for its staff report, for the CEQA document, and for the Planning Commission. Local fire service and Calfire/Board of Forestry and other CEQA Responsible Agencies have not performed their CEQA duties by applying their

TPZ and other expertise in CEQA comments on the project, about the impact of structures on timber management, about fire prevention, about forest management, about forest conversion, about Timber Harvest Plans and so on. The Planning Commission has not acted to protect caretakers and the public from fire and other project hazards. Actions of the applicant, Planning Commission, Zoning Administrator, and Planning staff have put the County at risk of losing the TPZ status of the project land which could lead to loss of the entire two square miles of TPZ lands on Gillis Hill Ridge.

2. Planning relies to a large extent on the owner's Timber Management Plan and Addendum. Nelson Engineering said at the Planning Commission hearing that no assessment of the entire property had been made for caretaker locations.

Appeal points: The Timber Management Plan is old, outdated, and significantly deficient. As such, it, the CEQA MND and other project documents are inadequate documents for the County to rely upon to any significant extent.

Among the plan's gross failings are:

a. Failure to address the impacts of caretaker housing on forest management.

b. Failure to address fire and fire prevention.

c. Failure to assess and address alternate caretaker locations for forest management purposes.

d. Failure to address caretaker location visual impacts. Visual issues are a part of forest management and the Forest Practice Act.

e. Failure to address each of the requirements in the Calfire letter that requires submittal of (1) a Timber Harvest Plan (RM-63) or other harvesting document, (2) a timberland conversion permit or applicable timberland conversion exemption, and (3) incorporation of a California Licensed Timber Operator for conduct of timber operations.

3. The April 8, 2011 600-acre TPZ Forest Management Plan Addendum that describes "what has been done on the property towards forest management" does not document when, where and how many trees the owners have planted on the property during the 10 years they have owned it.

Appeal points: It was stated at the Planning Commission hearing that 50,000 trees have been planted, but it was not stated when or where. The addendum may be interpreted as meaning that no trees were planted before the date of the addendum.

4. The Forest Management Plan Addendum erroneously describes the property as "marginal forest land."

Appeal points: This is false and there is no reason that the 600-acre property is not as well-stocked with trees as the Edwards property that has burned except for deficient silvicultural practices. It adds to the various issues that suggest a

low level of or lack of commitment to forest management.

**Placer County's core responsibilities at issue in this appeal are to protect the public health, safety and welfare.**

5. Wildfire impacts on structures and human and natural communities and the environment are an essential part of the County's planning responsibility.

Appeal points: The impacts of wildland fires on structures, and the impacts of fire starts from structures and the manner in which structure location impacts fires and fire prevention is an essential part of County oversight, regulation and enforcement.

**Planning Department and Planning Commission Devaluation of Gillis Hill Ridge and Camels Hump**

6. The North Fork American River canyon is a stunning feature of the Sierra Nevada range. Gillis Hill Ridge is a prominent geological feature of the canyon. Gillis Hill Fault runs down the ridge. Camels Hump which is on the ridge is visible for many miles around including across the Foresthill and Iowa Hill Divides. It was a landmark used by miners. Camels Hump is a hiking destination without designated and maintained hiking trails. Camels Hump is visible from the North Fork American River and the river is visible from Camels Hump. The Chamberlain Class IV whitewater run passes the ridge. This is part of the river from the upper end of Clementine reservoir to the current state and federal wild river designations that has been formally found by the Department of Interior to be eligible for designation as a federal wild and scenic river. Camels Hump and these features are a prominent part of the Auburn State Recreation Area.

Appeal points: The Placer County Planning Department (Planning) is dismissive of the importance of and the public interest in each of these scenic, recreational points for the Camels Hump caretaker house MUP. Planning's hostility to the public values of these natural features is expressed in many ways, perhaps most notably, when it includes Camels Hump is not among "commonly accessible public properties within the immediate vicinity of the project site." Staff Report page 7, paragraph 5.

7. Camels Hump is an historic and cultural landmark that has not, as far as we know, been formally designated as such.

Appeal points: the historic and cultural importance of Camels Hump and Gillis Hill Ridge should be formally recognized for purposes of the project including in CEQA documents.

**The absent need of appellant and the Planning Commissioners for an understanding of project facts, and what the project is and what the appeal process is**

8. A north-south section line is the property boundary dividing the ownership of Camels Hump in half. The west side is owned by the project landowners and the east side and down to the river is in public ownership.

Appeal points: Planning erroneously speculated two days before the Planning Commission hearing that Camels Hump is entirely in the private ownership of the project sponsors. The 2001 Ponderosa Fire perimeter topographic map shows this boundary. We showed a slide of this perimeter and pointed out the boundary at the Planning Commission hearing. Planning chose to omit this fire perimeter topographic map from the Commission staff report.

9. The project's two proposed house locations are on a ridge.

Appeal Points: Planning was adamant when we met with them two days before the hearing that the house locations are not on a ridge. No agreement could be reached about reading topographic maps, and Planning talked over my reading of a Home Ground book definition of ridge. Planning writes in its staff report, "The proposed caretaker resident locations ... would not be located on ridgelines or steep slopes." March 27, 2014 Staff Report, page 7, paragraph 4. Our December 30, 2013, Planning Commission hearing power point presentation showed the high visibility of the proposed caretaker ridge from Camels Hump and the from ridge approaching it from the river.

10. Steep and significant slopes are on three sides of the southern proposed house location. Steep slopes and fire-critical topographic features are on the Yankee Jims Road side of the northern house location.

Appeal Points: Planning did not recognize these as significant slopes.

11. Friends of the North Fork (Friends) tried without success over a four month period to have a meeting with Planning about the project.

Appeal points: There has been no necessary and reasonable means to meet with Planning about the project. We requested a Planning meeting on the project well before the Zoning Administrator Hearing and received no response. Once the appeal was scheduled before the Planning Commission we requested a meeting again. We were asked to explain what we wanted to meet about and responded with a list by e-mail. A key purpose of the meeting was to achieve common understanding of project facts. Planning informed us that we might not get a meeting and that the meeting decision was at a high level. Only after we brought

our inability to get a meeting to the attention of a County Supervisor, did we have this meeting. Based on what applicant Nelson said at the Planning Commission hearing, Planning in this matter might have a policy of meeting with project applicants and not with appellants.

12. Staff appears to be selective about what information goes in the staff report, to the Commission and to appellant. The Nelson Engineering letter dated March 13, 2012 that is referred to in the Agricultural Commissioner's memo of March 28, 2012, and other information is not or does not seem to be in the staff report, and may not be in the Commission packet or in Environmental Coordination Services Files.

Appeal points: Friends' requests to see the file are not yet responded to. On April 3, 2014, I e-mailed to ECS which is out, then talked to project staff who referred us to support staff, and we've yet to hear since April 3. We have looked at the file earlier, but it is not clear that ECS has all project file information. As far as we know Planning has not received one single document from the project in response to our appeal documents. This seems unlikely.

13. As Chair of the hearing, the Vice Chair of the Commission interrupted our presentation a couple of times to declare points we were making to be irrelevant.

Appeal points: The hearing Chair did not seem to understand the appeal process or the issues and appeared selective about who he declared and didn't declare to be irrelevant regarding similar points.

**The minor division of the 600-acre TPZ property approved in 2005 failed due to TPZ incompatibility.**

14. Basquin and Parker bought the long established TPZ land in 2004 for \$300,000 (\$500 an acre) and soon tried to develop it.

- a. They are now paying about \$1,028 in taxes per year, about \$1.50 per acre.
- b. According to them and a selling point in a realtor's listing online, they were paying \$750-800 in taxes annually around the time of that listing. The property is exempt from property taxes as long as it is in TPZ and TPZ-compatible uses.
- c. The property has been put on the market by these owners for as much as \$2.5 million (over \$4,000 an acre). For sale signs have been posted by the property fairly recently with high sale prices.
- d. An abandoned mine and ore processing area with hazardous materials requires DTSC assessment before housing can be located on the property.
- e. A division into three parcels (160, 160 and 277.5 acres) was approved the year after they bought it, 2005. 160 acres is the minimum TPZ parcel size.
- f. Fred Basquin/Jack Remington A.R. Associates appealed the 2005 minor division approval and in their appeal stated, "APPEAL CONDITION # 5a, ROAD IMPROVEMENTS ARE NOT REASONABLE FOR NUMBER OF PARCELS

AND SIZE OF PARCELS."

- g. Wellheads were established on the three proposed areas. A house built by the well head located near Camels Hump on Gillis Hill Ridge would be visible from the North Fork Chamberlain Class IV whitewater run.
- h. The \$500,000 to \$1,000,000 cost of building the minor division roads made the cost of completing the 3-parcel the land division prohibitively expensive.
- i. The owners applied for immediate rezone the property out of TPZ and into 80-acre parcels. This effort to make it feasible to develop the property was denied by the Board of Supervisors in 2010. Because of the property tax exclusion, the owners can at any time opt out of TPZ, but then they have to wait 10 years to develop it while their taxes go up year by year. Even then, a timberland conversion permit would be required.

Appeal points: The 2005 minor division road appeal was an attempt to challenge the project as it is necessarily limited to be by TPZ. It is one of their efforts to turn an exclusive forest management property into something it is not and that it cannot be. The fact is the minor division was never feasible and any efforts that succeeds in making it economic is an incompatible use. Unless resolved through assessment or remediation, the property is also not suitable for residency due to the DTSC Envirosta site.

**The developers, the Forest Mangement Plan, the Minor Division and Zoning Administrator, and the County staff demonstrate no recognition of fire safe building location practices and the hazards to public safety that would come from building on one of the two caretaker Gillis Hill Ridge locations.**

- 15. The ridge area and region have extreme fire danger.
  - a. Fire safe practices address the dangerous error it is to build on the three ridge top locations. The Kenneth Blonski book, Managing Fire in the Urban Wildland Interface (Solano Press 2010) describes how to locate structures in a fire safe manner. Chapter 12, "Community Design Solutions—New Residential Development Layout" and Chapter 15, "Community Design Solutions—Road Networks for Access and Evacuation." This was distributed to the Commission along with the Calfire area chief Brad Harris letter and a page from the Calfire fire structure document.
  - b. Fire behavior on rims and ridges hits the front of structures facing the canyon. The fire rolls over structures like a wave and also burns the side away from the ridge.
  - c. The Zoning Administrator approved two ridge top locations for a caretaker residence.
  - d. Building on one of the locations would increase fire hazard exposure to the City of Colfax.
  - e. The 2001 Ponderosa Fire burned over large parts of the ridge including the 600-acre parcel. The southern promontory proposed caretaker location is steeply

above Yankee Jims Road and was burned over completely by the 2001 Ponderosa Fire. The fire burned up to the proposed northern caretaker location.

- f. The 2001 Ponderosa Fire threatened Colfax and except for the shaded fuel break on the Edwards property Colfax was likely to be hit by the fire..
- g. The (2012) Robbers Fire was across the river from Gillis Hill.
- h. The purpose of about half of the Forest Management Plan Addendum is to promote a caretaker cottage location on the ridges. Forest management includes reduction of fire hazards as well as visual inventory and protection issues. The Addendum promotes the house without addressing at all the hazards created by locating a house on the ridges or the visual issues.

Appeal points: Putting residences on the TPZ ridges would be wanton, irresponsible act of callous disregard for public safety. The failure of all involved to recognize, or if they know it, to point out, that structures burn during wildfires because of their interrelationship within the immediate surroundings within 100 to 200 feet must be corrected by the Board of Supervisors. Any reliance for fire prevention on the project's surveyors and engineers is misplaced. Most statements by Nelson Engineering revealed profound ignorance of widely accepted fundamental fire prevention practices. For a significant example, in response to the hazard of project conditions allowing a separate structure for the caretaker house which structures could be a source of ignition for each other if they have 30 feet or less distance between them, Separation of primary and secondary structures should not be less than 30 feet. In response Nelson said that there would be no house on a second of the two locations. In high fire hazard areas such as this, the zone for structure protection is 100 to 200 feet from a structure. Slopes extend this zone.

**Emphasis on visibility from the river to the house while ignoring the impact on assessment values and TPZ issues of the view from the house.**

16. The promontory/south caretaker location has a commanding ridge top view of an approximately 300 degree or greater span that includes perhaps a 30 degree view into the river watershed, though according to Planning, not a view of the river itself. The north location has a very expansive view and a river view from it may be more unlikely. Many places in view of the locations would obviously have views of the structures.

Appeal points: Both locations are highly visible from the public lands on and approaching Camels Hump. The project and county equation up to now do not note the view from the proposed caretaker locations. Ability to see or to see from the river is important to recreational and other factors. However, river view is not the critical point when it comes to assessing the value of view properties. Assessment of a caretaker house on one of the ridge locations would be done comparing it to similar view properties.

**Investigation and review of alternative sites and temporary and mobile structures on the 600-acre parcel for caretaker residence location.**

16. According to fire studies and experts, the safest place to build houses is back from the slope (not possible on three sided promontory) and at the bottom of slopes. Alternate locations for a caretaker house on the 600-acre Basquin-Parker property include along Gillis Hill Road between Yankee Jims Road and the Edwards property. This is along the bottom of slope and has the same soil type as the south promontory ridge location.

a. Nelson Engineering stated at the hearing that no review had been made of the entire property for the best location on the 600-acre property.

b. The Agricultural Commissioner "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." March 28, 2012 memorandum.

Appeal points: A review of the entire property for alternative caretaker locations to eliminate and reduce fire hazards, and forest management, visual and other impacts needs to be made. Alternative forms of housing need to be considered. The permanent house advocated by a Planning Commissioner that would not be torn down due to practicality makes caretaker location on either ridge location a violation of the State Constitution requirement that uses of TPZ land must be compatible. A ridge location of a permanent structure would generate land value far in excess of forest use. The location a the view house on the TPZ would also be a conversion of the land out of forest use and into scenic view developmental values.

**Caretaker housing and caretaker zoning and minor use permit requirements.**

17. The case that is being made for a caretaker residence is public relations positioning.

Appeal points. 24-hour presence is not required; for security a locked gate prevents any vehicle entry and a December 30, 2013 hike up to Camels Hump from Yankee Jims Road near the river found no signs whatsoever of any 2, 3 or 4 wheel use to get up the ridge. In the Basquins own words, "Our home, on Porcupine Ridge, is located approximately ¼ mile from the Bunch Creek property....In June of 2001 we bought 9 acres on the top of Gillis Hill Ridge, which adjoined the Bunch Creek Property." February 15, 2010 letter to the Board of Supervisors.

**Conclusion**

18. This MUP decision is where the rubber hits the road of General Plan and its safety related elements and language, the County and City Local Hazard

Mitigation Plan, the Community Wildfire Protection Plans, the Fire Safe Councils, the Firewise community efforts, SB 1241, and so on

Appeal points: The position of the Zoning Administrator, Planning Commission and Planning staff is:

a. The public needn't worry about natural and environmental hazards and catastrophes.

b. There's nothing we can do here regarding this proposed MUP to prepare for and prevent fire and the hazards of fire. As Commissioner Moss stated at the hearing, fire happens.

The Board of Supervisors should override this erroneous, misinformed action.

The Zoning Administrator and Planning Commission have acted to promote man made disaster. The Board needs to act to prevent the unnecessary placement of public safety, property and lives that would be put at risk by this project.

This Friends appeal document includes by reference Friends' 3-page December 2, 2013 grounds for appeal to the Planning Commission from the Zoning Administrator's decision in this matter, and our 11-page January 3, 2014, Appeal explanatory material letter (this letter mistakenly has the date April 19, 2013 on it), and the attachments to each document.

Friends will submit its explanatory material in 30 days as required.

The March 27, 2014 Planning Commission Action Item Agenda with the motion to deny the appeal is attached.

I took a fire class as part of my forestry education and fought on four fires during my 1964-1968 pre-forestry and forestry school period, one fire in supply and camp work. Twenty years later I had volunteer fireman training and fought on four structure fires in a rural town in upstate New York.

Date: April 7, 2014

Respectfully submitted,

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



COUNTY OF PLACER  
PLANNING COMMISSION  
ACTION  
AGENDA  
DATE  
March 27, 2014

OFFICE OF  
Planning Services  
Division

3091 County Center Drive Suite 140  
AUBURN, CALIFORNIA 95603  
TELEPHONE: 530/745-3000  
FAX: 530/745-3080  
www.placer.ca.gov

Meeting was held in the Planning Commission Chambers, 3091 County Center Drive, Dewitt Center, located at the corner of Bell Road and Richardson Drive, Auburn CA 95603

To listen to audio of comments and the entire hearing please go to web-site below:  
[http://placer.granicus.com/ViewPublisher.php?view\\_id=4](http://placer.granicus.com/ViewPublisher.php?view_id=4)

10:00 am

**FLAG SALUTE**

**ROLL CALL:** Larry Sevison (Chairman) At-Large East of Sierra Crest [*absent*]; Ken Denio (Vice Chairman) District 2; Richard Roccucci, (Secretary) District 1; Richard Johnson, District 3; Jeffrey Moss, District 4; and Wayne Nader, At-Large West of Sierra Crest; Miner "Mickey" Gray, District 5

**REPORT FROM THE PLANNING DIRECTOR –**

*EJ Ivaldi, Deputy Director of Planning, reported on the following updates to the Commission: On February 25 at the Board of Supervisors meeting they approved the Zoning Text Amendment for Transitional and Supportive Housing; on March 11<sup>th</sup> they approved the Temporary Sign Ordinance to allow for continued use of certain temporary signs that would otherwise be prohibited. This ordinance to be effective until Jan 15, 2016. The Board also continued the Belcara Subdivision appeal to an open date.*

*Planning Commission next meeting will be April 24, tentatively scheduled is a Workshop for the Community Center, an appeal from Expo Floors regarding fence height, a Variance project in Tahoe and a conditional use permit in Rocklin – Rio Bravo. Planning Commission on May 8th staff will bring back Community Center for recommendation to the Board and hear the Sheridan Community Plan. June 12<sup>th</sup> plan to hold a Tahoe meeting, and if ready for hearing, there are two extension of time for chairlifts, Denny's Trailer Park Subdivision, Academy Relocation, Rafting Permits and Northstar Master Plan.*

*Commissioners congratulated EJ Ivaldi in his new role as Deputy Director for Planning.*

**PUBLIC COMMENT -** The opportunity was given to discuss with the Planning Commission, matters not included on the current agenda. *No public comment.*

1) 10:05 am

**CAMELS HUMP CARETAKER RESIDENCE (PMPC 20110109) – THIRD-**

**PARTY APPEAL OF THE ZONING ADMINISTRATOR'S ADOPTION OF  
A MODIFIED MITIGATED NEGATIVE DECLARATION AND  
APPROVAL OF A MINOR USE PERMIT  
(SUPERVISORIAL DISTRICT 5, MONTGOMERY)**

Consider a third party appeal filed by Michael Garabedian, on behalf of Friends of the North Fork, of the Zoning Administrator's adoption of a Modified Mitigated Negative Declaration and approval of a Minor Use Permit for the Camels Hump Caretaker Residence. The Zoning Administrator's approval on November 21, 2013 allows for a maximum 1,800 square foot caretaker residence and 25 foot by 25 foot attached or detached garage to be constructed on a portion of a 597.5-acre site.

**Project Location:** The project is located east of Interstate 80, approximately halfway between Weimar and Colfax. The site is accessed off of Gillis Hill Road which branches off of Yankee Jims Road.

**APN:** 071-330-008-000; 071-320-001-000; 071-310-001-000 and 071-270-003-000

**Total Acreage:** approximately 600 acres

**Zoning:** TPZ (Timberland Production)

**Community Plan Area:** Weimar/Applegate/Colfax Community Plan

**MAC Area:** Weimar/Applegate/Colfax MAC

**Applicant/Owner:** Fred Basquin and Jed Parker

**Appellant:** Michael Garabedian, on behalf of Friends of the North Fork

**County Staff:**

**Planning:** Melanie Jackson (530) 745-3036

**Engineering and Surveying:** Rebecca Taber (530) 745-3110

**Environmental Health:** Justin Hanson (530) 745-2300

**MOTION VOTE 6:0 Commissioner Nader moved, Commissioner Gray second;**

1. *To 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.*
4. *Approve the Zoning Administrators approved Conditions of Approval (Attachment E), as modified (Attachment F) as further modified Condition #1, "...construction of 1,800 square foot single story caretaker's residence...". Including the CEQA Findings and Minor User Permit Findings.*

**AYE:** Gray, Nader, Moss, Johnson, Roccucci, Denio,

**NO:** none

**ABSENT:** Sevison

*Three members from the public commented.*

**MEETING ADJOURNED: 12:10 PM**

RECEIVED

MAY 07 2014

CDRA

~~yes~~In the matter of the Placer County Planning Commission, )  
 Kenneth Denio, Vice/hearing Chair (Supervisor Weygandt appointee )  
 Miner Grey III (Supervisor Montgomery appointee) )  
 Richard A. Johnson (Supervisor Holmes appointee) )  
 Jeffrey Moss (Supervisor Uhler appointee) )  
 Wayne Nader, At-Large (West of Sierra Crest) )  
 Richard Roccucci (Supervisor Duran appointee) )  
 Larry Sevison, Chair, absent, At-Large (East of Sierra Crest), )  
 action on March 27, 2014 to deny the of the Appeal by )  
 Friends of the North Fork of the Camels Hump Caretaker )  
 Residence Minor Use Permit PMPC 20110109 approved )  
 by the Zoning Appeal Administrator November 21, 2013 )

May 7, 2014

Explanatory material

**EXPLANATORY ARGUMENT AND MATERIAL  
 REGARDING TPZ STATUS AS THE PRIMARY  
 ESTABLISHING FACTOR UNIQUE TO  
 AND AT ISSUE IN THIS APPEAL**

A residence or other structure is allowed on TPZ land as necessary for the management of land zoned as Timberland Production. Govt Code §51104(h)(6). Placer County permits this use, §17.16.010 (D), and requires that at least one of the occupants is a full time employee of the business, operation or institution which qualifies for the use, §17.56.090(B).

A key issue is whether the caretaker residence being sought here is authorized as provided by law. Friends contends it is not. Rather, the minor use permit is being sought for the purpose of securing the right to build a house to further advance the value of the property for sale, rather than for forest management. In this way, the applicant is attempting to misuse the code provisions and TPZ designation, which is inconsistent with the terms of the Placer County code and the applicable state law provision.

This is plainly obvious from readily available internet information which documents the owners' current intent to sell the property. An April 30, 2014 internet search for timberland for sale within 10 miles of Colfax in Placer County provides a listing for the property which is the project site. Even though Placer County Deputy County Counsel stated at the Planning Commission hearing that the owners can sell only a 600-acre parcel, advertisements describe three adjacent parcels totaling 600 acres on Gillis Hills Road, advertising the land not as timberland, but as "recreational" and "undeveloped," with multiple building sites, wells and conditional approval of the building of one house. LandAndFarm.com. It boasts that prominent "[b]uilding site have view of the Sierras to the east and the Sacramento skyline to the west." Ibid. The TPZ designation is not referenced as a term of land management, but as a plus due to

low taxation. “[Z]oned TPZ keeping taxes extremely low.” LandWatch.com. Moreover, the advertisement acknowledges that the owners are using federal public money to plant trees. “The owners have actively been utilizing Equip funds to masticate brush and re-forest parts of the ranch. They have planted 52,000 trees in the last 2 years with another 20,000 scheduled to go in this year.” There is no indication in the sale advertisement that the property would be subject to forest management or a limited opportunity for a “caretaker residence.” Indeed, the statements focus on the development possibility of the land, without mention of the TPZ restrictions. “There are 3 wells that have been drilled on the property with 3 perk and mantle tests. The county has conditionally approved the building of a house on one of two parcels.”

See: <http://www.landsofamerica.com/california/land-for-sale/600-acres-in-Placer-County-California/id/1599071>

The County thus far places great reliance on the so-called “Forest Management Plan,” dated March 27, 2006 and its “Addendum,” dated April 8, 2011, as the basis for concluding the proposal for the caretaker residence complies with the governing standards for such development on TPZ lands. This reliance is misplaced for several reasons.

First, the Forest Management Plan and its Addendum is not binding or enforceable. It is nothing more than a landowner’s position at a point in time. It is not a management scheme approved under the California Forest Practice Act, Public Resources Code § 4511 et seq., and has not been tested under the authority of the Forest Practice Act. At best, it provides a discussion for management, without any legally binding commitment. Moreover, it fails to provide a guarantee that the owners will do as the Placer County provision requires, and provide a live-in full time employee caretaker. There is no evidence documenting a business enterprise which will hire a full time employee to occupy the caretaker residence. Accordingly, on its face, it does not satisfy the conditions required under the Code, making it impossible for the Board of Supervisors to adopt findings of consistency.

Second, it is clear that a purpose of the Forest Management Plan was created to support a change in parcel size from two 160 acre parcels to 80 acre parcels. (Plan, at 8.) In this way, its purpose is not consistent with the County Code provision, because it supports conversion from TPZ designation.

Third, because the County relies on the implementation of the Forest Management Plan (Plan) as a condition for the minor use permit, the County must evaluate the Plan’s implementation as part of the project – something it has failed to do. The proposed condition of approval requiring a Deed Restriction on the property is “contingent upon the active implementation of the Forest Management Plan and its Addendum.” As part of the project under consideration, the County has an obligation to evaluate the significant

environmental effects of the Forest Management Plan and its Addendum. The County has failed to consider and evaluate the potential environmental effects documented in the Plan. For example, the Plan documents the density of new vegetation, decaying boles of standing dead trees, and localized steep slopes, which create "potentially significant safety features." (Plan, at 3.) It refers to the need for heavy equipment to plow and burn existing vegetation, which raise "significant issues of liability, air and water quality and maintaining control of burns." (Id., at 4.) Indeed, "[f]ire specialists would have to be brought in and an analysis of whether there is enough fuel on site to have a complete burn to reduce existing vegetation to levels open enough to allow planting would have to be done." (Id., at 4-5.) The Plan references the need to deal with undersized culverts, with the need to replace these culverts or possibly install bridges, to avoid potential adverse impacts to watercourses. (Id., at 6, 7.) The County's proposed Mitigated Negative Declaration fails to deal with these significant environmental effects, either as a part of the project or as a cumulative impact because of known future activities. The Plan itself documents the need for an EIR, and the County's reliance on the Plan as the basis to approve the minor use permit is misplaced in the absence of adequate environmental review.

The Plan Addendum also evidences the need for further environmental analysis. In fact, it speaks to actions which apparently have taken place, yet without any evidence that those actions were properly regulated. Firewood salvage operations and stabilization of roads are two such activities for which no evidence has been presenting to show compliance with CEQA or the Forest Practice Act. These are cumulative effects which the Mitigated Negative Declaration has failed to consider.

Fourth, the County's condition requiring implementation of the Plan is preempted by state law, as it attempts to control how timber operations are conducted. California's regulation of timber harvesting is under the sole purview of the California Department of Forestry and Fire Protection. Accordingly, conditioning approval of the minor use permit on implementation of the Plan is preempted by state law, as the Plan's implementation is properly regulated under the California Forest Practice Act. See Pub. Res. Code § 451.5(d); *Big Creek Lumber v. County of Santa Cruz* (2006) 38 Cal. 4<sup>th</sup> 1139, 1151, 1153. As Cal Fire has advised in its comments below, the owners are required to secure appropriate permits before proceeding with timber operations. The failure by the applicant to secure an appropriate management plan, such as Non-Industrial Timber Management Plan, as regulated under the Forest Practice Act, is further evidence that the applicant is merely using its Plan as a ruse to circumvent the TPZ land use limitations. See Pub. Res. Code Sec. 4593-4594 (for owners of timberland with less than 2,500 acres).

In the absence of the proposed condition to require implementation of the Plan, the County cannot make a finding of consistency, as there is no reliable or credible evidence that the caretaker residence will be used for management of

timberland production.

In addition to the need to evaluate the significant environmental effects associated with the Plan and its Addendum, the current advertisements for sale of the property document the status of the property which needs to be disclosed, and evaluated under CEQA. Specifically, the applicants' advertisements declare that the property has three building sites with three wells. These facts are relevant to consideration of the MUP because they evidence an intent to develop more than just a caretaker residence. And thus these conditions — and eventual development — need to be properly evaluated under CEQA.

## **MAY 7, 2014 EXPLANATORY MATERIAL FOR APRIL 7, 2014 GOUNDS FOR APPEAL (SEE CAPITAL LETTERS)**

Unless otherwise noted, Photo numbers in capital letters refer to images at:  
[http://www.giantgapmedia.com/NFkFriends/CHappeal\\_images/](http://www.giantgapmedia.com/NFkFriends/CHappeal_images/)

Friends of the North Fork appeals as follows:

**The three Gillis Hill Timber Production Zone ownerships are a vital two square mile privately established contributor to the county and state economies. TPZ status is the primary establishing factor that is unique to and at issue in this appeal.**

1. Gillis Hill has two square miles of land in Timber Production Zone (TPZ) under three ownerships:
  - a. The 600-acre Basquin-Parker land where the caretaker cottage is proposed.
  - b. The 520-acre Edwards tree farm and agricultural operation.
  - c. The 120-acre Risser property.

SEE PHOTO 21.

All of these properties were under Williamson Act contract before transferring to TPZ status.

The establishment and maintenance of this TPZ area is an enforceable restriction under the California Constitution and the exemption of these lands from property taxes is also an exemption established in the California Constitution.

The TPZ is further established pursuant to and is subject to California statutes

and regulations and the Placer County Code.

The TPZ is overseen, regulated, taxed and assessed by the County including the by County Assessor, the State Board of Forestry, Calfire and the State Board of Equalization.

Appeal points: Planning staff have failed to develop, involve and assemble the necessary geographic, forestry, taxation, and enforceable restriction know-how and experience for its staff report, for the CEQA document, and for the Planning Commission. Local fire service and Calfire/Board of Forestry and other CEQA Responsible Agencies have not performed their CEQA duties by applying their TPZ and other expertise in CEQA comments on the project, about the impact of structures on timber management, about fire prevention, about forest management, about forest conversion, about Timber Harvest Plans and so on. The Planning Commission has not acted to protect caretakers and the public from fire and other project hazards. Actions of the applicant, Planning Commission, Zoning Administrator, and Planning staff have put the County at risk of losing the TPZ status of the project land which could lead to loss of the entire two square miles of TPZ lands on Gillis Hill Ridge.

2. Planning relies to a large extent on the owner's Timber Management Plan and Addendum. Nelson Engineering said at the Planning Commission hearing that no assessment of the entire property had been made for caretaker locations.

Appeal points: The Timber Management Plan is old, outdated, and significantly deficient. As such, it, the CEQA MND and other project documents are inadequate documents for the County to rely upon to any significant extent.

Among the plan's gross failings are:

- a. Failure to address the impacts of caretaker housing on forest management.
- b. Failure to address fire and fire prevention.
- c. Failure to assess and address alternate caretaker locations for forest management purposes.
- d. Failure to address caretaker location visual impacts. Visual issues are a part of forest management and the Forest Practice Act.
- e. Failure to address each of the requirements in the Calfire letter that requires submittal of (1) a Timber Harvest Plan (RM-63) or other harvesting document, (2) a timberland conversion permit or applicable timberland conversion exemption, and (3) incorporation of a California Licensed Timber Operator for conduct of timber operations.

3. The April 8, 2011 600-acre TPZ Forest Management Plan Addendum that describes "what has been done on the property towards forest management" does not document when, where and how many trees the owners have planted on the property during the 10 years they have owned it.

Appeal points: It was stated at the Planning Commission hearing that 50,000 trees have been planted, but it was not stated when or where. The addendum may be interpreted as meaning that no trees were planted before the date of the addendum.

4. The Forest Management Plan Addendum erroneously describes the property as "marginal forest land."

Appeal points: This is false and there is no reason that the 600-acre property is not as well-stocked with trees as the Edwards property that has burned except for deficient silvicultural practices. It adds to the various issues that suggest a low level of or lack of commitment to forest management.

**Placer County's core responsibilities at issue in this appeal are to protect the public health, safety and welfare.**

5. Wildfire impacts on structures and human and natural communities and the environment are an essential part of the County's planning responsibility.

Appeal points: The impacts of wildland fires on structures, and the impacts of fire starts from structures and the manner in which structure location impacts fires and fire prevention is an essential part of County oversight, regulation and enforcement.

**Planning Department and Planning Commission Devaluation of Gillis Hill Ridge and Camels Hump**

6. The North Fork American River canyon is a stunning feature of the Sierra Nevada range. Gillis Hill Ridge is a prominent geological feature of the canyon. Gillis Hill Fault runs down the ridge. Camels Hump which is on the ridge is visible for many miles around including across the Foresthill and Iowa Hill Divides. It was a landmark used by miners. Camels Hump is a hiking destination without designated and maintained hiking trails. Camels Hump is visible from the North Fork American River and the river is visible from Camels Hump. The Chamberlain Class IV whitewater run passes the ridge. This is part of the river from the upper end of Clementine reservoir to the current state and federal wild river designations that has been formally found by the Department of Interior to be eligible for designation as a federal wild and scenic river. Camels Hump and these features are a prominent part of the Auburn State Recreation Area.

SEE PHOTO NOS. 60; 30; 26, 27 AND 28 TAKEN THROUGH THE SIGHT LINE ON NO. 31.

Appeal points: The Placer County Planning Department (Planning) is dismissive

of the importance of and the public interest in each of these scenic, recreational points for the Camels Hump caretaker house MUP. Planning's hostility to the public values of these natural features is expressed in many ways, perhaps most notably, when it includes Camels Hump is not among "commonly accessible public properties within the immediate vicinity of the project site." Staff Report page 7, paragraph 5.

7. Camels Hump is an historic and cultural landmark that has not, as far as we know, been formally designated as such.

SEE ATTACHED PHOTO OF LARGE ACORN GRINDING ROCK TAKEN ON GILLIS HILL RIDGE WITHIN 100 FEET OF THE CENTER MARKER OF SECTION 13.

Appeal points: the historic and cultural importance of Camels Hump and Gillis Hill Ridge should be formally recognized for purposes of the project including in CEQA documents.

**The absent need of appellant and the Planning Commissioners for an understanding of project facts, and what the project is and what the appeal process is**

8. A north-south section line is the property boundary dividing the ownership of Camels Hump in half. The west side is owned by the project landowners and the east side and down to the river is in public ownership.

SEE PHOTOS 23 AND 50.

Appeal points: Planning erroneously speculated two days before the Planning Commission hearing that Camels Hump is entirely in the private ownership of the project sponsors. The 2001 Ponderosa Fire perimeter topographic map shows this boundary. We showed a slide of this perimeter and pointed out the boundary at the Planning Commission hearing. Planning chose to omit this fire perimeter topographic map from the Commission staff report.

9. The project's two proposed house locations are on a ridge.

Appeal Points: Planning was adamant when we met with them two days before the hearing that the house locations are not on a ridge. No agreement could be reached about reading topographic maps, and Planning talked over my reading of a Home Ground book definition of ridge. Planning writes in its staff report, "The proposed caretaker resident locations ... would not be located on ridgelines or steep slopes." March 27, 2014 Staff Report, page 7, paragraph 4. Our December 30, 2013, Planning Commission hearing power point presentation

showed the high visibility of the proposed caretaker ridge from Camels Hump and the from ridge approaching it from the river.

FRIENDS POWER POINT PRESENTED TO THE PLANNING COMMISSION IS AVAILABLE BY E-MAIL TO MIKEG@GVN.NET.

10. Steep and significant slopes are on three sides of the southern proposed house location. Steep slopes and fire-critical topographic features are on the Yankee Jims Road side of the northern house location.

SEE PHOTO NOS.13, 14 AND 7.

Appeal Points: Planning did not recognize these as significant slopes.

11. Friends of the North Fork (Friends) tried without success over a four month period to have a meeting with Planning about the project.

Appeal points: There has been no necessary and reasonable means to meet with Planning about the project. We requested a Planning meeting on the project well before the Zoning Administrator Hearing and received no response. Once the appeal was scheduled before the Planning Commission we requested a meeting again. We were asked to explain what we wanted to meet about and responded with a list by e-mail. A key purpose of the meeting was to achieve common understanding of project facts. Planning informed us that we might not get a meeting and that the meeting decision was at a high level. Only after we brought our inability to get a meeting to the attention of a County Supervisor, did we have this meeting. Based on what applicant Nelson said at the Planning Commission hearing, Planning in this matter might have a policy of meeting with project applicants and not with appellants.

12. Staff appears to be selective about what information goes in the staff report, to the Commission and to appellant. The Nelson Engineering letter dated March 13, 2012 that is referred to in the Agricultural Commissioner's memo of March 28, 2012, and other information is not or does not seem to be in the staff report, and may not be in the Commission packet or in Environmental Coordination Services Files.

Appeal points: Friends' requests to see the file are not yet responded to. On April 3, 2014, I e-mailed to ECS which is out, then talked to project staff who referred us to support staff, and we've yet to hear since April 3. We have looked at the file earlier, but it is not clear that ECS has all project file information. As far as we know Planning has not received one single document from the project in response to our appeal documents. This seems unlikely.

13. As Chair of the hearing, the Vice Chair of the Commission interrupted our presentation a couple of times to declare points we were making to be irrelevant.

Appeal points: The hearing Chair did not seem to understand the appeal process or the issues and appeared selective about who he declared and didn't declare to be irrelevant regarding similar points.

**The minor division of the 600-acre TPZ property approved in 2005 failed due to TPZ incompatibility.**

14. Basquin and Parker bought the long established TPZ land in 2004 for \$300,000 (\$500 an acre) and soon tried to develop it.

- a. They are now paying about \$1,028 in taxes per year, about \$1.50 per acre.
- b. According to them and a selling point in a realtor's listing online, they were paying \$750-800 in taxes annually around the time of that listing. The property is exempt from property taxes as long as it is in TPZ and TPZ-compatible uses.
- c. The property has been put on the market by these owners for as much as \$2.5 million (over \$4,000 an acre). For sale signs have been posted by the property fairly recently with high sale prices.
- d. An abandoned mine and ore processing area with hazardous materials requires DTSC assessment before housing can be located on the property.

SEE ENVIROSTOR NO. 60001165,  
[http://www.envirostor.dtsc.ca.gov/public/profile\\_report.asp?global\\_id=60001156](http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60001156)

SEE MINE PHOTOS USED AS A VALUABLE FEATURE OF THE PROPERTY EVEN THOUGH IT HAS HAZARDOUS MATERIALS REQUIRING EVALUATION, LINK TO REAL ESTATE LISTING FOR THE PROPERTY IN PARAGRAPH 3 OF THIS PAPER.

- e. A division into three parcels (160, 160 and 277.5 acres) was approved the year after they bought it, 2005. 160 acres is the minimum TPZ parcel size.
- f. Fred Basquin/Jack Remington A.R. Associates appealed the 2005 minor division approval and in their appeal stated, "APPEAL CONDITION # 5a, ROAD IMPROVEMENTS ARE NOT REASONABLE FOR NUMBER OF PARCELS AND SIZE OF PARCELS."
- g. Wellheads were established on the three proposed areas. A house built by the well head located near Camels Hump on Gillis Hill Ridge would be visible from the North Fork Chamberlain Class IV whitewater run.
- h. The \$500,000 to \$1,000,000 cost of building the minor division roads made the cost of completing the 3-parcel the land division prohibitively expensive.
- i. The owners applied for immediate rezone the property out of TPZ and into 80-acre parcels. This effort to make it feasible to develop the property was denied by the Board of Supervisors in 2010. Because of the property tax exclusion, the owners can at any time opt out of TPZ, but then they have to wait 10 years to

develop it while their taxes go up year by year. Even then, a timberland conversion permit would be required.

Appeal points: The 2005 minor division road appeal was an attempt to challenge the project as it is necessarily limited to be by TPZ. It is one of their efforts to turn an exclusive forest management property into something it is not and that it cannot be. The fact is the minor division was never feasible and any efforts that succeeds in making it economic is an incompatible use. Unless resolved through assessment or remediation, the property is also not suitable for residency due to the DTSC Envirostor site.

**The developers, the Forest Management Plan, the Minor Division and Zoning Administrator, and the County staff demonstrate no recognition of fire safe building location practices and the hazards to public safety that would come from building on one of the two caretaker Gillis Hill Ridge locations.**

15. The ridge area and region have extreme fire danger.
  - a. Fire safe practices address the dangerous error it is to build on the three ridge top locations. The Kenneth Blonski book, *Managing Fire in the Urban Wildland Interface* (Solano Press 2010) describes how to locate structures in a fire safe manner. Chapter 12, "Community Design Solutions—New Residential Development Layout" and Chapter 15, "Community Design Solutions—Road Networks for Access and Evacuation." This was distributed to the Commission along with the Calfire area chief Brad Harris letter and a page from the Calfire fire structure document.
  - b. Fire behavior on rims and ridges hits the front of structures facing the canyon. The fire rolls over structures like a wave and also burns the side away from the ridge.
  - c. The Zoning Administrator approved two ridge top locations for a caretaker residence.
  - d. Building on one of the locations would increase fire hazard exposure to the City of Colfax.
  - e. The 2001 Ponderosa Fire burned over large parts of the ridge including the 600-acre parcel. The southern promontory proposed caretaker location is steeply above Yankee Jims Road and was burned over completely by the 2001 Ponderosa Fire. The fire burned up to the proposed northern caretaker location.
  - f. The 2001 Ponderosa Fire threatened Colfax and except for the shaded fuel break on the Edwards property Colfax was likely to be hit by the fire..
  - g. The (2012) Robbers Fire was across the river from Gillis Hill.
  - h. The purpose of about half of the Forest Management Plan Addendum is to promote a caretaker cottage location on the ridges. Forest management includes reduction of fire hazards as well as visual inventory and protection issues. The Addendum promotes the house without addressing at all the hazards created by locating a house on the ridges or the visual issues.

SEE FIREWISE COMMUNITIES LEARNING CENTER: PART 1  
UNDERSTANDING FIRE BEHAVIOR: EFFECTS OF TOPOGRAPHY,  
<http://learningcenter.firewise.org/Firefighter-Safety/1-10.php>

PHOTO 24 FROM CALFIRE FRAP SHOWS THE MULTIPLE FIRES THAT  
HAVE BURNED GILLIS HILL AND CAMELS HUMP.

PHOTO 23 SHOWS THE PERIMETER OF THE 2001 PONDEROSA FIRE.

THIS PHOTO SHOWS 300-FOOT DISTANCES FROM ONE STRUCTURE ON  
EACH OF THE TWO APPEEVED SITES:

Appeal points: Putting residences on the TPZ ridges would be wanton, irresponsible act of callous disregard for public safety. The failure of all involved to recognize, or if they know it, to point out, that structures burn during wildfires because of their interrelationship within the immediate surroundings within 100 to 200 feet must be corrected by the Board of Supervisors. Any reliance for fire prevention on the project's surveyors and engineers is misplaced. Most statements by Nelson Engineering revealed profound ignorance of widely accepted fundamental fire prevention practices. For a significant example, in response to the hazard of project conditions allowing a separate structure for the caretaker house which structures could be a source of ignition for each other if they have 30 feet or less distance between them. Separation of primary and secondary structures should not be less than 30 feet. In response Nelson said that there would be no house on a second of the two locations. In high fire hazard areas such as this, the zone for structure protection is 100 to 200 feet from a structure. Slopes extend this zone.

**Emphasis on visibility from the river to the house while ignoring the impact on assessment values and TPZ issues of the view from the house.**

16a. The promontory/south caretaker location has a commanding ridge top view of an approximately 300 degree or greater span that includes perhaps a 30 degree view into the river watershed, though according to Planning, not a view of the river itself. The north location has a very expansive view and a river view from it may be more unlikely. Many places in view of the locations would obviously have views of the structures.

Appeal points: Both locations are highly visible from the public lands on and approaching Camels Hump. The project and county equation up to now do not note the view from the proposed caretaker locations. Ability to see or to see from the river is important to recreational and other factors. However, river view is not the critical point when it comes to assessing the value of view properties. Assessment of a caretaker house on one of the ridge locations would be done comparing it to similar view properties.

**Investigation and review of alternative sites and temporary and mobile structures on the 600-acre parcel for caretaker residence location.**

16b. According to fire studies and experts, the safest place to build houses is back from the slope (not possible on three sided promontory) and at the bottom of slopes. Alternate locations for a caretaker house on the 600-acre Basquin-Parker property include along Gillis Hill Road between Yankee Jims Road and the Edwards property. This is along the bottom of slope and has the same soil type as the south promontory ridge location.

a. Nelson Engineering stated at the hearing that no review had been made of the entire property for the best location on the 600-acre property.

b. The Agricultural Commissioner "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." March 28, 2012 memorandum.

Appeal points: A review of the entire property for alternative caretaker locations to eliminate and reduce fire hazards, and forest management, visual and other impacts needs to be made. Alternative forms of housing need to be considered. The permanent house advocated by a Planning Commissioner that would not be torn down due to practicality makes caretaker location on either ridge location a violation of the State Constitution requirement that uses of TPZ land must be compatible. A ridge location of a permanent structure would generate land value far in excess of forest use. The location a [the] view house on the TPZ would also be a conversion of the land out of forest use and into scenic view developmental values.

**Caretaker housing and caretaker zoning and minor use permit requirements.**

17. The case that is being made for a caretaker residence is public relations positioning.

Appeal points. 24-hour presence is not required; for security a locked gate prevents any vehicle entry and a December 30, 2013 hike up to Camels Hump from Yankee Jims Road near the river found no signs whatsoever of any 2, 3 or 4 wheel use to get up the ridge. In the Basquins own words, "Our home, on Porcupine Ridge, is located approximately ¼ mile from the Bunch Creek property....In June of 2001 we bought 9 acres on the top of Gillis Hill Ridge, which adjoined the Bunch Creek Property." February 15, 2010 letter to the Board of Supervisors.

**Conclusion**

18. This MUP decision is where the rubber hits the road of General Plan and its safety related elements and language, the County and City Local Hazard Mitigation Plan, the Community Wildfire Protection Plans, the Fire Safe Councils, the Firewise community efforts, SB 1241, and so on.

Appeal points: The position of the Zoning Administrator, Planning Commission and Planning staff is:

a. The public needn't worry about natural and environmental hazards and catastrophes.

b. There's nothing we can do here regarding this proposed MUP to prepare for and prevent fire and the hazards of fire. As Commissioner Moss stated at the hearing, fire happens.

The Board of Supervisors should override this erroneous, misinformed action.

The Zoning Administrator and Planning Commission have acted to promote man made disaster. The Board needs to act to prevent the unnecessary placement of public safety, property and lives that would be put at risk by this project.

This Friends appeal document includes by reference Friends' 3-page December 2, 2013 grounds for appeal to the Planning Commission from the Zoning Administrator's decision in this matter, and our 11-page January 3, 2014, Appeal explanatory material letter (this letter mistakenly has the date April 19, 2013 on it), and the attachments to each document.

Friends will submit its explanatory material in 30 days as required.

The March 27, 2014 Planning Commission Action Item Agenda with the motion to deny the appeal is attached.

I took a fire class as part of my forestry education and fought on four fires during my 1964-1968 pre-forestry and forestry school period, one fire in supply and camp work. Twenty years later I had volunteer fireman training and fought on four structure fires in a rural town in upstate New York.

Date: April 7, 2014

Respectfully submitted,

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

-----  
Explanatory Material dated May 7, 2014



12-07-02

12 54



**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 single story 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.

**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 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 JUNE 2014 BOS

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 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).

## **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 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 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**

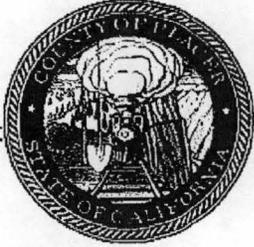
30. The property owner shall place a Deed Restriction on the property stating that the continued use of the caretaker's residence is contingent upon the active implementation of the Forest Management Plan and its Addendum and, should the property owner choose not to continue the timber operations outlined 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 June 17, 2016 unless previously exercised.



**COUNTY OF PLACER**  
**Community Development Resource Agency**

Michael J. Johnson, AICP  
Agency Director

**ENVIRONMENTAL  
COORDINATION  
SERVICES**

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.

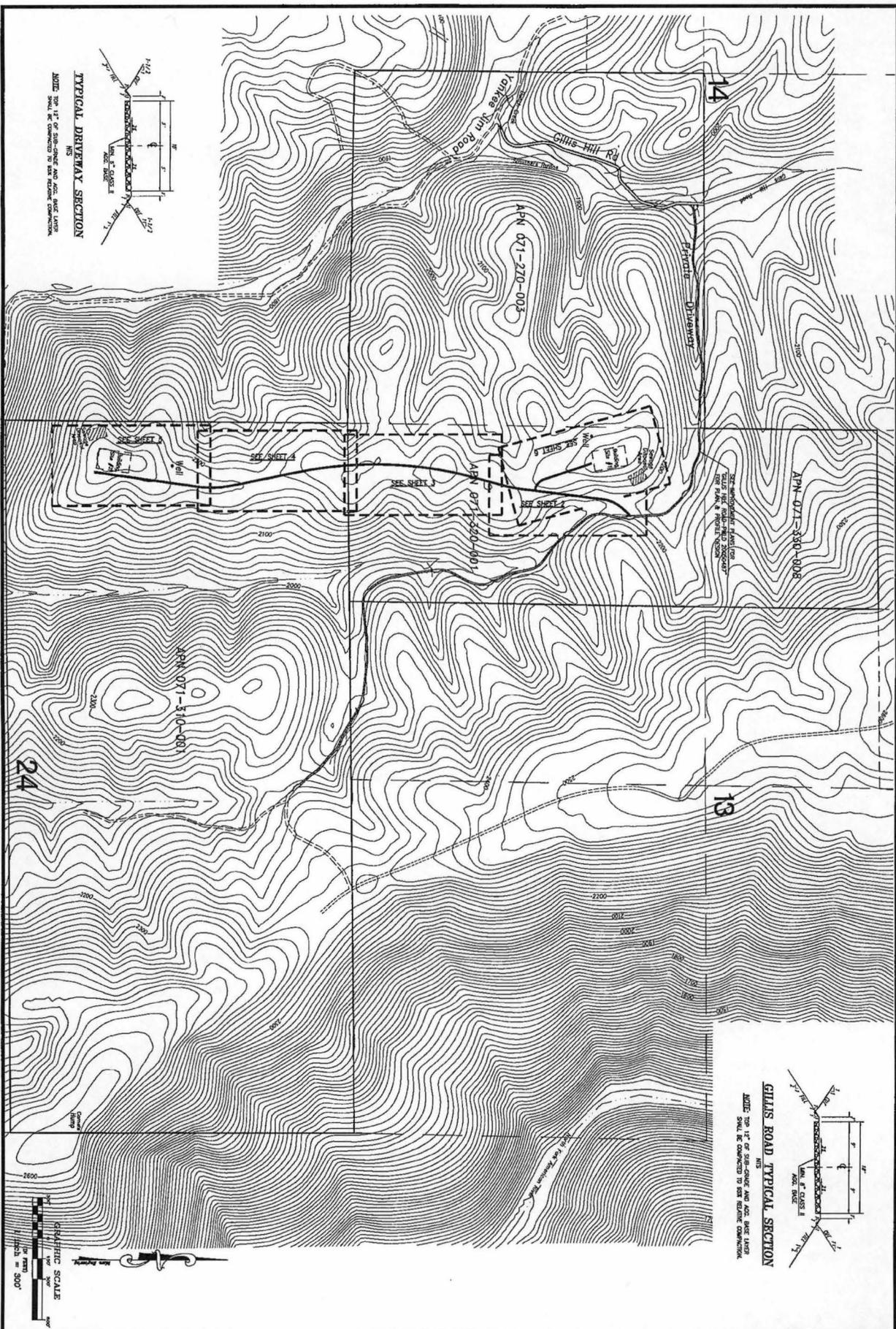
**PROJECT INFORMATION**

<b>Title:</b> Camels Hump Caretaker Residence	<b>Plus#</b> PMPC 20110109
<b>Description:</b> 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.	
<b>Location:</b> 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	
<b>Project Owner:</b> Fred Basquin & Jed Parker, 22057 Porcupine Ridge, Colfax, CA 95713	
<b>Project Applicant:</b> Kevin Nelson, Nelson Engineering, 18881 Wildflower Drive, Penn Valley, CA 95946	
<b>County Contact Person:</b> 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.



**TYPICAL DRIVEWAY SECTION**  
 1/4" = 1' (SEE PLAN FOR DIMENSIONS)  
 NOTE: TOP 1" OF SUB-CURB AND 4" OF SIDE WALK SHALL BE CONCRETE TO BE MATCHED TO EXISTING CONSTRUCTION.

**GILLIS ROAD TYPICAL SECTION**  
 1/4" = 1' (SEE PLAN FOR DIMENSIONS)  
 NOTE: TOP 1" OF SUB-CURB AND 4" OF SIDE WALK SHALL BE CONCRETE TO BE MATCHED TO EXISTING CONSTRUCTION.



1 OF 6	<b>NELSON ENGINEERING</b> Civil Engineering, Surveying, & Land Planning 1018 Commercial Ave., Suite 100 Folsom, CA 95630 (916) 432-4218 e-mail: info@nelsoneng.com	SITE PLAN FOR: <b>BASQUIN &amp; PARKER</b> A.P.N. 071-310-001, 071-330-008, 071-320-001, 071-270-003 COUNTY OF PLACER, CALIFORNIA		NO. REVISIONS _____	DATE _____	DESIGNED: <i>KJN</i> DRAWN: <i>KJN</i> DATE: <b>AUGUST, 2013</b>
		PROJECT No.: 11-021	DWO. NAME 11-1111a/11a.dwg			

67



**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: <b>Camel's Hump Caretaker's Residence</b>	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

cds

	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:

- 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.

**I. AESTHETICS – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (PLN)			X	
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (PLN)			X	
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (PLN)			X	
4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (PLN)			X	

**Discussion - All Items:**

The proposed project includes the construction of a caretaker's residence on the subject property in one of two identified locations. The subject property is located off of Yankee Jim's Road and Gillis Hill Road, east of Yankee Jims Road and between Yankee Jims and the North Fork of the American River. The property consists of approximately 600 acres and contains steep hills and valleys. On the portions of the property that were affected by the Ponderosa Fire in 2001, the landscape consists of re-sprouting hardwoods, brush, grasslands and stumps. Other areas of the property that were not damaged or partially damaged by the fire contain heavier tree coverage, including native oak woodlands and conifers. To the east of the subject property lies the North Fork of the American River, and surrounding properties to the north, east, south and west are mostly undeveloped agriculture and timberland, with similar topography and vegetation as the subject parcel.

The North Fork of the American River is considered a scenic resource and is an area of concern for adverse visual impacts. However, sites identified as possible construction areas for the caretaker's residence have a low possibility of adversely affecting the viewshed 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 American River canyon, that act to screen the project site from the American River Canyon. A visibility exhibit prepared by Placer County Geographic Information Systems staff illustrates the areas on the project site that have the potential to visually impact areas of the North Fork American River Canyon. The exhibit was created by plotting on an aerial map points of visibility on the project site as would be seen from the North Fork of the American River. The visibility map contains a legend that includes a yellow to red gradation, where yellow represents the least intensive visual impact and red represents the most intensive areas of potential viewshed impact. The gradients in between yellow and red illustrate the levels of intensity between the least intensive and the most intensive. This map is included with this document and can be viewed in color on the Placer County website at this link: <http://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/negdec>. As shown on this exhibit, there is no possibility that a caretaker's residence constructed on the proposed building sites can be seen from the North Fork of the American River.

Finally, construction of a 4,000 square foot residence on the project site will result in minimal site disturbance and tree removal because of the moderate size of the structure and because the proposed locations for the residence largely consist of brush and grass areas. For these reasons, and because of the small scale of the proposed caretaker's residence, impacts to scenic resources as a result of the proposed project are considered less than significant and no mitigation measures are required.

**II. AGRICULTURAL & FOREST RESOURCES – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (PLN)			X	
2. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN)				X
3. Conflict with existing zoning for agricultural use, a Williamson Act contract or a Right-to-Farm Policy? (PLN)				X
4. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (PLN)				X
5. Involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-agricultural or non-forest use? (PLN)			X	

**Discussion - Items II-1, 5:**

The subject property is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance. The proposed project includes the construction of a caretaker's residence on property designated by the Placer County General Plan as timberland. The applicants have selected two possible sites for the construction of the caretaker's residence, each consisting of one to two acres. Construction of the caretaker's residence on either area would result in conversion of one to two acres of timber farmland to a residential use. However, the selected project sites are located in areas of the property that are not heavily vegetated and are not utilized as active timberland. The purpose of the proposed caretaker's residence is to provide support of the restoration of the subject property for timberland production by allowing the fulltime oversight of a property manager. Additionally, the construction of a caretaker's residence would have minimal effects to the timberland use considering the size of the proposed areas of construction and the size of the subject property. For these reasons, impacts resulting from the construction of a caretaker's residence by converting farmland are considered less than significant and no mitigation measures are required.

**Discussion - Item II-2:**

The proposed caretaker's residence would not conflict with the general plan or other policies regarding land use buffers because the property is zoned Timberland Production and the purpose of the caretaker's residence on the project site is to operate and enhance the agricultural use of the property.

**Discussion - Item II-3:**

The proposed caretaker's residence is consistent with uses allowed under the Timberland Production Zoning. The property is not within a Williamson Act Contract and the proposed use will not conflict with a right-to-farm policy because the proposed use involves the farming of timberland.

**Discussion - Item II-4:**

The proposed project will not conflict with the existing zoning for, or cause rezoning of, forest land, timberland, or property zoned timberland production because the proposed project is consistent with the timberland zoning of the property.

**III. AIR QUALITY – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (PLN, Air Quality)			X	
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (PLN, Air Quality)		X		
3. Result in a cumulatively considerable net increase of any criteria for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (PLN, Air Quality)		X		
4. Expose sensitive receptors to substantial pollutant concentrations? (PLN, Air Quality)				X
5. Create objectionable odors affecting a substantial number of people? (PLN, Air Quality)				X

**Discussion - Item III-1:**

The project site is located within the Mountain Counties Air Basin (MCAB) and is under the jurisdiction of the Placer County APCD. The MCAB is designated as nonattainment for federal and state ozone (O<sub>3</sub>) standards, nonattainment for the state particulate matter standard (PM<sub>10</sub>) and partially designated nonattainment for the federal particulate matter standard (PM<sub>2.5</sub>).

The project proposes the construction of a caretakers residence on 597-acre forested parcel. The increase in density resulting from one new residence would not contribute a significant air quality impact to to the region, as the resultant emissions would be below the significant level. No mitigation measures are required.

**Discussion - Items III-2, 3:**

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 PM emissions from the use of off-road diesel equipment required for site grading. In order to reduce construction related air emissions, associated grading plans shall list applicable Air District Rules and State Regulations.

Operational related emissions will result from traffic to and from the site. However, the anticipated traffic generated by the proposed project will not result in significant air quality impacts, will not violate air quality standards and will not substantially contribute to existing air quality violations.

With the implementation of the following mitigation measures and notes on the grading improvement plans, construction and operational related emissions will not result in a cumulatively considerable net increase of any non-attainment criteria.

**Mitigation Measures - Items III-2, 3:**

MM III.1 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.

MM III.2 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.

MM III.3 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

EPA certified Phase II wood burning device or shall be a U.L. Listed Decorative Gas Appliance.

**MM III.4** Include the following standard notes on the Grading/Improvement Plan:

- 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.
- 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.
- During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.
- The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties.
- 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).
- 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.
- 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.
- 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.
- 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.
- During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
- 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.

**Discussion - Items III-4, 5:**

Construction of the project includes minor grading operations which would result in short-term diesel exhaust emissions from on-site heavy-duty equipment and would generate diesel PM emissions from the use of off-road diesel equipment required for site grading. However, with the implementation of the mitigation measures listed above, short-term construction-generated TAC emissions would not expose sensitive receptors to substantial pollutant concentrations and therefore would have a less than significant effect, and no additional mitigation measures are required.

Operational activities associated with the project would result in only minor Toxic Air Contaminant (TAC) emissions or odors. On account of these minor emissions, the lack of any immediately adjacent sensitive receptors, air quality and odor impacts to individuals in the vicinity resulting from operational activities will be less than significant, and no mitigation is necessary.

**IV. BIOLOGICAL RESOURCES – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans,			X	

policies or regulations, or by the California Department of Fish & Game, U.S. Fish & Wildlife Service or National Oceanic and Atmospheric Administration Fisheries? (PLN)				
2. Substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number of restrict the range of an endangered, rare, or threatened species? (PLN)				X
3. Have a substantial adverse effect on the environment by converting oak woodlands? (PLN)				X
4. Have a substantial adverse effect on any riparian habitat or other sensitive natural community, including oak woodlands, identified in local or regional plans, policies or regulations, or by the California Department of Fish & Game, U.S. Fish & Wildlife Service, U.S. Army Corps of Engineers or National Oceanic and Atmospheric Administration Fisheries? (PLN)			X	
5. Have a substantial adverse effect on federal or state protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) or as defined by state statute, through direct removal, filling, hydrological interruption, or other means? (PLN)			X	
6. Interfere substantially with the movement of any native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nesting or breeding sites? (PLN)				X
7. Conflict with any local policies or ordinances that protect biological resources, including oak woodland resources? (PLN)			X	
8. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (PLN)				X

**Discussion - Item IV-1:**

The proposed project includes the construction of a caretaker's residence on one of two proposed 1-2 acre building sites. In 2008, a biological resources assessment was conducted by Miriam Green Environmental Consultants. The study concluded that the subject property contains potential habitat for two special-status plant species: Brandegees clarkia and oval-leaved viburnum. However, the study was conducted during October when these plants are not in bloom, and because of this, the biological study could not confirm that the special-status plants were absent from the property. Therefore, a second field survey was conducted in May of 2013 during the blooming period of both plants that was focused on the proposed areas of disturbance on the property, including proposed building sites and access roads. The results of the second survey determined that there was no evidence of the existence of the special status species on the project site. As such, the proposed project will not have a substantial adverse effect on special status species. No mitigation measures are required.

**Discussion - Items IV- 2, 3, 6:**

The project includes the construction of a caretaker's residence on one of two 1-2 acre building sites. The biological resources study prepared by Miriam Green Environmental Consultants in 2008 states that the majority of the site consists of chaparral and foothill woodland intermixed with isolated stands of canyon live oak, blue oak, Ponderosa pine and Douglas fir. Other portions of the site consist of non-native annual grassland that is intermixed with the chaparral woodland. The habitat on site may support special status species and wildlife. However, the proposed caretaker's residence is not expected to result in adverse impacts to special status species and wildlife due to the large amount of acreage of the three contiguous parcels and because road cuts to the potential building sites already exist. Further, the proposed building sites are located in areas that are generally clear of special species habitat. Therefore, no mitigation measures are required.

**Discussion - Item IV-4:**

The biological resources study prepared for the project site by Miriam Green Environmental Consultants in 2008 states that the property contains three north-to-south flowing tributaries to Bunch Creek. Riparian forest is present along the Bunch Creek and Smuthers Ravine drainages and dominant vegetation in these areas include white alder, arroyo willow, red willow and Oregon ash. The woody understory consists of wild grape, Himilaya blackberry and poison oak. The biological study concluded that the riparian habitats along Bunch Creek and Smuther's Ravine would remain undisturbed by the proposed project. Based on the County's General Plan Policy 6.A.1, the County requires the implementation of sensitive habitat buffers, which include a requirement that all structures be setback 100 feet from the centerline of perennial streams, 50 feet from intermittent streams, and 50 feet from the edge of sensitive habitats to be protected, including riparian zones. The proposed caretaker's residence would be constructed in adherence to these policies and would not disturb these sensitive biological resources. Therefore, no mitigation measures are required.

**Discussion - Items IV-5:**

The biological resources study prepared for the project site by Miriam Green Environmental Consultants in 2008 states that the property contains three north-to-south flowing tributaries to Bunch Creek. The study reported findings that no regulated waters or wetlands were identified on the project site. The areas proposed for project construction are outside the areas of these tributaries and for this reason would not have an adverse impact on federally protected wetlands. In addition, based on the County's General Plan Policy 6.A.1, the County requires the implementation of sensitive habitat buffers, which include a requirement that all structures be setback 100 feet from the centerline of perennial streams, 50 feet from intermittent streams, and 50 feet from the edge of sensitive habitats to be protected, including riparian zones. Therefore, there would be no impact to these biological resources and no mitigation measures are required.

**Discussion - Item IV-7:**

The proposed project includes the development of a caretaker's residence on one of two building sites on the subject property. A biological study was prepared for the proposed project by Miriam Green Environmental Consultants in 2008. The biological study determined that plant communities on the subject property consist mostly of chaparral and foothill woodland, which include foothill pine, blue oak, black oak and canyon live oak. The study notes that building sites designated for the caretaker's residence are relatively free of vegetation, and that roads that access the building areas already exist. However, road widening and construction of the residence may result in impacts to trees located on the property, which are considered protected trees and impacts resulting from the proposed project may conflict with the Placer County Tree Preservation Ordinance. The study further notes that up to seven acres of the 597.5 acre property could be impacted by development, with an extra two acres of disturbance resulting from road improvements (approximately 1.5 percent of the sites total acreage). This level of disturbance on the subject property is considered less than significant and therefore, no mitigation measures are required.

**Discussion - Item IV-8:**

At the present time, Placer County has not adopted a Habitat Conservation Plan or a Natural Communities Conservation Plan. As such, there would be no impact to such plans.

**V. CULTURAL RESOURCES – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Substantially cause adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5? (PLN)			X	
2. Substantially cause adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5? (PLN)			X	
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (PLN)				X
4. Have the potential to cause a physical change, which would affect unique ethnic cultural values? (PLN)				X

5. Restrict existing religious or sacred uses within the potential impact area? (PLN)				X
6. Disturb any human remains, including those interred outside of formal cemeteries? (PLN)				X

**Discussion - Items V-1, 2:**

The project involves the proposed construction of a caretaker's residence on one of two 1-2 acre building sites. A cultural resource assessment was conducted for the subject parcels by Peak and Associates, Inc. in December of 2008. The study reports that the subject parcels contain four previously recorded cultural resources sites and two newly recorded sites. However, none of the recorded sites contain artifacts. The study concluded that the proposed project would not result in impacts to cultural resources. No mitigation measures are required.

To ensure the protection of any resources that are inadvertently discovered during the implementation of the caretaker's residence, the project will be conditioned as follows:

*"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."*

**Discussion - Items V- 3, 4, 5:**

There are no paleontological or geologic features known to be located on the project site, and the construction of the caretaker's residence on the project site will not affect ethnic cultural values or religious or sacred uses.

**VI. GEOLOGY & SOILS – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Expose people or structures to unstable earth conditions or changes in geologic substructures? (ESD)		X		
2. Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD)		X		
3. Result in substantial change in topography or ground surface relief features? (ESD)			X	
4. Result in the destruction, covering or modification of any unique geologic or physical features? (ESD)			X	
5. Result in any significant increase in wind or water erosion of soils, either on or off the site? (ESD)		X		
6. Result in changes in deposition or erosion or changes in siltation which may modify the channel of a river, stream, or lake? (ESD)		X		
7. Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? (ESD)			X	

8. Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (ESD)			X	
9. Be located on expansive soils, as defined in Chapter 18 of the California Building Code, creating substantial risks to life or property? (ESD)		X		

**Discussion - Item VI-1:**

This project is located in the Colfax area and proposes a single caretaker's residence to be constructed in one of two potential locations identified as Building Site #1 and Building Site #2 on the site plan in order to provide 24 hour security to oversee timber production on the approximately 600 acre property. A review of soil types as identified in the 1980 U.S. Department of Agriculture Soil Conservation Service Soil Maps of Western Placer County indicates that the soil types predominantly range from Mariposa-Rock Outcrop Complex, Maymen-Rock Outcrop Complex, and Mariposa-Josephine Complex soils. These soil types are generally characterized as shallow to moderate in depth, moderate to well drained, slow to moderate permeability, and with only fair effective rooting depths. Hazard of erosion is high to very high. Some soil types present across this large acreage exhibit building limitations such as soil expansion potential and low soil strength. If not constructed according to the specifications of a registered civil engineer, the roadway and structural improvements could potentially expose people or structures to unstable earth conditions. The proposed project's impacts associated with unstable earth conditions will be mitigated to a less than significant level by implementing the following mitigation measures:

**Mitigation Measures - Item VI-1:**

MM VI.1 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 which include the reconstruction and widening of the Gillis Hill Road private access road to a minimum 18 foot width plus shoulders, an LDM standard Plate R-17 roadway connection at the Yankee Jims Road and Gillis Hill Road, 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 including turnouts, and a fire apparatus vehicle turnaround.

MM VI.2 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 (Ref. Article 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.

**Discussion - Item VI-2:**

This project has identified two potential building sites for a proposed caretaker's residence on the approximately 600 acre property. Unimproved access roads and driveways to both of these potential building sites exist; however, some minor grading will be required to widen both Gillis Hill Road and the private driveway and include fire turnouts in some locations. The impact related to significant disruptions, displacements, compaction, or overcrowding of the soil is not considered to be significant; however, if not handled properly, the grading could result in negative effects on the environment. Therefore, even though Gillis Hill Road and the private access driveways currently exist in an unimproved condition and only minor grading is proposed, the following mitigation measures identified elsewhere in this document will reduce this grading impact to a less than significant level:

**Mitigation Measures- Item VI-2:**

Refer to text in MM VI.1 and MM VI.2

**Discussion - Item VI-3:**

This project proposes a single caretaker's residence to be constructed in one of two potential locations identified on the site plan in order to provide 24 hour security to oversee timber production on the approximately 600 acre property. Unimproved access roads and driveways for both potential building sites are already in place, as these have been used for many years as fire and private access roads. Both potential building sites have fairly level cleared surfaces, with minor grading expected for cuts and fills to level building pads and grade and improve existing driveways. There will not be a substantial change in topography or ground surface relief features in order to improve one of the existing access roads and building sites. No mitigation measures are required.

**Discussion - Item VI-4:**

This approximately 600 acre project site may contain some areas of past mining activities and bedrock artifacts of interest; however, both potential caretaker residential sites do not propose to disturb any of these areas. It is not anticipated that any unique geologic or physical features will be destroyed, covered, or modified as part of this project. No mitigation measures are required.

**Discussion - Items VI-5, 6:**

This project proposal would result in the construction of one caretaker residence, with standard all-weather fire access road/driveway, turnouts, and turnaround as required by the Engineering and Surveying Division and serving fire district. This project has within its boundaries the Gillis Hill Ridge, as well as a creek crossing of Bunch Creek. A minimum length of 100 feet of Placer County Land Development Manual standard 20-foot wide roadway shall be constructed from the existing Bunch Creek crossing towards the project site. From that point forward to the chosen caretaker residence site, the access road shall be constructed with an all-weather surface driveway standard that provides a width of no less than 12 feet and provides roadway turnouts no more than 400 feet apart, unless otherwise approved by the serving fire district.

The disruption of soils on this previously developed property to improve the access to the building site and create turnout areas and a turnaround increases the risk of erosion and creates a potential for contamination of stormwater runoff towards natural waterways with disturbed soils or other pollutants introduced through typical grading practices. The construction phase will create significant potential for erosion as disturbed soil may come in contact with wind or precipitation that could transport sediment to the air and/or adjacent waterways. Discharge of concentrated runoff in the post-development condition could also contribute to the erosion potential impact in the long-term, although the likelihood of this impact is very low since only one residence is being constructed on the 597.5-acre site. The potential for soil erosion and water quality impacts are always present and occur when protective vegetative cover is removed and soils are disturbed. It is primarily the shaping of building pads, grading for access roads, driveways, and hardscape areas, and septic system installation that are responsible for accelerating erosion and degrading water quality during construction activities. This disruption of soils on the site has the potential to result in significant increases in erosion of soils both on- and off-site. The proposed project's impacts associated with soil erosion can be mitigated to a less than significant level by implementing the following mitigation measures:

**Mitigation Measures - Items VI-5, 6:**

Refer to text in MM VI.1, MM VI.2 as well as the following:

MM VI.3 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.

**Discussion - Items VI-7, 8:**

According to the Forest Management Plan prepared by Douglas Ferrier, dated March 27, 2006, the area has been mapped by the State as having soils derived from Upper Jurassic marine sedimentary rocks, such as slates and shales. An earthquake fault is mapped trending northwesterly/southeasterly down the ridgeline of Gillis Hill, the main ridge between the North Fork American River and Bunch Creek/Smuthers Creek drainages. Gillis Hill crosses the property in its southeastern corner, in the vicinity of the Camels Hump. The project does not propose a building site at the Camels Hump at this time. No mitigation measures are required.

**Discussion - Item VI-9:**

This project proposes a single caretaker's residence to be constructed in one of two potential locations identified on the site plan in order to provide 24 hour security to oversee timber production on the approximately 600 acre property. A review of soil types as identified in the 1980 U.S. Department of Agriculture Soil Conservation Service Soil Maps for Western Placer County indicates that the soil types are characterized by undulating to steep, well drained soils that are shallow to deep over metamorphic rock. Some soil types present across this large acreage

exhibit building limitations such as soil expansion potential and low soil strength. If not constructed according to the specifications of a registered civil engineer, the roadway and structural improvements could potentially expose people or structures to unstable earth conditions. The proposed project's impacts associated with expansive soils can be mitigated to a less than significant level by implementing the following mitigation measures:

**Mitigation Measures - Item VI-9:**

Refer to text in MM VI.1, MM VI.2

**VII. GREENHOUSE GAS EMISSIONS – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant and/or cumulative impact on the environment? (PLN, Air Quality)			X	
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (PLN, Air Quality)			X	

**Discussion - All Items:**

Greenhouse gas (GHG) emissions of primary concern from land use projects include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). Construction related activities resulting in exhaust emissions may come from fuel combustion for heavy-duty diesel and gasoline-powered equipment, portable auxiliary equipment, material delivery trucks, and worker commuter trips. Operational GHG emissions would result from motor vehicle trips generated by the new residents, on-site fuel combustion for space and water heating, landscape maintenance equipment, and fireplaces/stoves; and off site emissions at utility providers associated with the project's electricity and water demands.

The project would result in minor grading and additional dwelling units. The construction and operational related GHG emissions resulting from the project would not substantially hinder the State's ability to attain the goals identified in AB 32 (i.e., reduction of statewide GHG emissions to 1990 levels by 2020; approximately a 30 percent reduction from projected 2020 emissions). Thus, the construction and operation of the project would not generate substantial greenhouse gas emissions, either directly or indirectly, which may be considered to have a significant impact on the environment, nor conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases and is therefore considered to have a less than significant impact, and no mitigation measures are required.

**VIII. HAZARDS & HAZARDOUS MATERIALS – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials? (EHS)				X
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (EHS)			X	
3. Emit hazardous emissions, substances, or waste within one-quarter mile of an existing or proposed school? (PLN, Air Quality)				X
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section		X		

65962.5 and, as a result, would it create a significant hazard to the public or the environment? (EHS)				
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (PLN)				X
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area? (PLN)				X
7. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (PLN)		X		
8. Create any health hazard or potential health hazard? (EHS)				X
9. Expose people to existing sources of potential health hazards? (EHS)		X		

**Discussion - Items VIII-1, 2:**

Construction of the proposed project would involve the short-term use and storage of hazardous materials typically associated with grading, such as fuel and other substances. All materials would be used, stored, and disposed of in accordance with applicable federal, state, and local laws including Cal-OSHA requirements and manufacturer's instructions. Therefore, the proposed project does not pose a risk of accident or upset conditions involving the release of hazardous materials. No mitigation measures are required.

**Discussion - Item VIII-3:**

There are no school sites located within a quarter mile of the project location. Further, the project does not propose a use that typically would involve any activities that would emit hazardous substances or waste that would affect a substantial number of people and is therefore considered to have a less than significant impact.

**Discussion - Items VIII-4, 9:**

A Phase I Environmental Results Report (Phase I) dated March 30, 2009 and a Phase II (Phase II) Environmental Results Report dated July 16, 2009 were prepared by GeoSolutions for the project site. The project is located on a site 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.

According to the Phase I, several abandoned mining features are located at the site, including three tunnels and a former rock crusher area located within a ravine in the central area of the site. To assess the potential for elevated levels of metals related to the historic mining operations conducted at the site, Geo Solutions collected 15 soil samples and one surface water sample to be analyzed for CAM 17 metals. Soil samples were collected from the following locations: at the openings of the two tunnels, from a mine tailings pile near the rock crusher, from the area in/around the rock crusher, from stream sediment located in the ravine below the rock crusher. One surface water sample was collected from the ravine below the rock crusher. Arsenic and chromium were reported above the residential California Human Health Screening Levels (CHHSLs) for each of the soil samples collected with the highest arsenic concentrations reported for the samples collected from the opening of the middle tunnel, mine tailing pile and near the rock crusher. The proposed construction of a caretakers residence could potentially expose people to elevated levels of arsenic and chromium in the soil at the project site. The open tunnel to the hard rock mine located on the project site is a potential safety hazard. These are potentially significant impacts that will be reduced to less than significant by the following mitigation measures:

**Discussion - Items VIII-4, 9:**

A Phase I Environmental Results Report (Phase I) dated March 30, 2009 and a Phase II (Phase II) Environmental Results Report dated July 16, 2009 were prepared by GeoSolutions for the project site. The project is located on a site 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.

According to the Phase I, several abandoned mining features are located at the site, including three tunnels and a former rock crusher area located within a ravine in the central area of the site. To assess the potential for elevated levels of metals related to the historic mining operations conducted at the site, Geo Solutions collected 15 soil samples and one surface water sample to be analyzed for CAM 17 metals. Soil samples were collected from the following locations: at the openings of the two tunnels, from a mine tailings pile near the rock crusher, from the area in/around the rock crusher, from stream sediment located in the ravine below the rock crusher. One surface water sample was collected from the ravine below the rock crusher. Arsenic and chromium were reported above the residential California Human Health Screening Levels (CHHSLs) for each of the soil samples collected with the highest arsenic concentrations reported for the samples collected from the opening of the middle tunnel, mine tailing pile and near the rock crusher. The proposed construction of a caretakers residence could potentially expose people to elevated levels of arsenic and chromium in the soil at the project site. The open tunnel to the hard rock mine located on the project site is a potential safety hazard. These are potentially significant impacts that will be reduced to less than significant by the following mitigation measures:

**Mitigation Measures - Items VIII-4,9:**

MM VIII.1 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.2 Prior to issuance of a building permit, the project applicant shall secure the opening of any mine tunnels to prevent unauthorized access.

**Discussion - Items VIII-5, 6:**

The project site is not located within an airport land use plan, nor within the vicinity of a private airstrip. No hazardous impacts related to air traffic would result from the construction of a caretaker's residence on the project site. No mitigation measures are required.

**Discussion - Item VIII-7:**

The project includes the construction of a caretaker's residence on the project site. 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 would result in exposing the inhabitants of the residence to a risk of loss, injury or death as a result of wildland fires. However, the following mitigation measures will reduce these impacts to a less than significant level.

**Mitigation Measures - Item VIII-7:**

MM VIII.3

- 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.
- Fuel reductions meeting PCFD/CDF "shaded fuel break" standards shall be provided along roadways within the project.
- 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%.
- Roadway width, grade and surfacing shall comply with Placer County Department of Public Works requirements and shall be approved by PCFD/CDF.
- Vertical clearances shall be at least 15 feet on all roads and driveways.
- 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.
- On-site water storage for fire department use shall be provided at approved locations (8,000 gallons total).
- 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.

**Discussion - Item VIII-8:**

The proposed project will not create any health hazards or potential hazards. The proposed project is to construct a caretakers residence.

**IX. HYDROLOGY & WATER QUALITY – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Violate any federal, state or county potable water quality standards? (EHS)			X	
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lessening of local groundwater supplies (i.e. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (EHS)				X
3. Substantially alter the existing drainage pattern of the site or area? (ESD)			X	
4. Increase the rate or amount of surface runoff? (ESD)			X	
5. Create or contribute runoff water which would include substantial additional sources of polluted water? (ESD)		X		
6. Otherwise substantially degrade surface water quality?(ESD)		X		
7. Otherwise substantially degrade ground water quality? (EHS)			X	
8. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map? (ESD)				X
9. Place within a 100-year flood hazard area improvements which would impede or redirect flood flows? (ESD)		X		
10. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (ESD)		X		
11. Alter the direction or rate of flow of groundwater? (EHS)				X
12. Impact the watershed of important surface water resources, including but not limited to Lake Tahoe, Folsom Lake, Hell Hole Reservoir, Rock Creek Reservoir, Sugar Pine Reservoir, French Meadows Reservoir, Combie Lake, and Rollins Lake? (EHS, ESD)			X	

**Discussion - Item IX-1:**

The project will utilize one of two existing onsite water wells for the proposed caretakers residence, and a proposed onsite sewage disposal system which will be installed in accordance with Placer County Code through permits obtained from Placer County Environmental Health Services (PCEHS). The location of the water wells are beyond the required 100-feet from the proposed onsite sewage disposal system. The water wells here are drilled in excess of 100-feet below ground surface and are protected from contaminants at the ground surface by sanitary seals and annular seals. Both existing water wells have had 4 hour well yields, passing bacteriological testing, and testing for primary and secondary drinking water standards submitted to PCEHS. With the setback distances required by County Ordinances and California State Law and that the septic systems and water wells must be placed in locations approved by PCEHS, the likelihood of this project to violate any potable water quality standards is considered to be less than significant. No mitigation measures are required.

**Discussion - Item IX-2:**

Both existing wells meet the County standard for providing adequate water supply for the proposed project. The project lies in a hardrock fractured water supply. It is impossible to quantify how much water will be yielded from a fractured water supply or how long any water well will be sustained. A single family dwelling is a low use as compared to an industrial use or an agricultural use. Thus, the potential to deplete the groundwater supply is considered to be less than significant in this case. No mitigation measures are required.

**Discussion - Items IX-3, 4:**

The project site consists of approximately 600 acres. Ground slopes range from 2% to 75%. Native vegetation consists mainly of dense conifer trees, low grasses, and brush. The entire site is tributary to Bunch Creek which flows through the western portion of the property. Bunch Creek is tributary to the North Fork of the American River. The other major drainage course located on the site is Smuthers Ravine which also flows through the western portion of the site before joining Bunch Creek. Several minor drainage courses cross Gillis Hill Road and the on-site access roadway. Due to the large project acreage, site topography, and size of the watershed, the construction of improved access roadways, driveways, and impervious surfaces for a caretaker structure has relatively little impact on the existing drainage patterns of the area. The relatively minor standard road improvements required as conditions of the Minor Use Permit for the caretaker's residence will not significantly increase the rate and amount of surface runoff of the site. No mitigation measures are required.

**Discussion - Items IX-5, 6:**

The project site is located within the Central Valley Regional Water Quality Control Board jurisdictional area. The site is accessed from Gillis Hill Road off of Yankee Jims Road. The entire site is tributary to Bunch Creek which flows through the western portion of the property. The other major drainage course located on the site is Smuthers Ravine which also flows through the western portion of the site before joining Bunch Creek. Both culverts under the road crossings at Bunch Creek and Smuthers Ravine are undersized, and overflow during larger storm events.

Potential water quality impacts are present both during project construction and post-project development. Construction activities will disturb soils and cause potential introduction of sediment into stormwater during rain events. The water quality of all natural waterways is important to maintain for the health of the ecosystem. Potential water quality impacts are present both during project construction and post-project development. Construction activities will disturb soils and cause potential introduction of sediment into stormwater during rain events. Through the implementation of Best Management Practices (BMPs) for minimizing contact with potential stormwater pollutants at the source and erosion control methods, this potentially significant impact will be reduced to less than significant levels. In the post-development condition, the project could potentially introduce contaminants such as oil and grease, sediment, nutrients, metals, organics, pesticides, and trash from activities such as roadway runoff, landscape fertilizing and maintenance, and refuse collection. Drainage from the project roadways will be treated via inlets, culverts, grassed swales, and rock-lined ditches. Individual home builders should provide permanent BMPs such as the use of flow spreaders, landscape buffer areas, gravel landscape paths, and infiltration trenches and other similar measures to spread out, infiltrate, and treat runoff from roofs and impervious driveways. The proposed project's impacts associated with water quality degradation will be mitigated to a less than significant level by implementing the following mitigation measures:

**Mitigation Measures - Items IX-5, 6:**

Refer to text in MM VI.1, MM VI.2, MM VI.3 as well as the following:

MM IX.1 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.2 Water quality Best Management Practices (BMPs) shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and/or for Industrial and Commercial, (and/or other similar source as approved by the Engineering and Surveying Division (ESD)).

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.

**Discussion - Item IX-7:**

This project is not likely to otherwise degrade groundwater quality.

**Discussion - Item IX-8:**

Both proposed caretaker residence sites are located at the top of ridges, and not within a 100-year flood hazard area as defined and mapped by the Federal Emergency Management Agency (FEMA). There is no impact.

**Discussion - Items IX-9, 10:**

Some road improvements will occur within the 100-year flood plain of Bunch Creek and Smuthers Ravine in order to improve access from Yankee Jims Road and Gillis Hill Road to the chosen caretaker residence site. The entire site is tributary to Bunch Creek which flows through the western portion of the property. The other major drainage course located on the site is Smuthers Ravine which also flows through the western portion of the site before joining Bunch Creek. Both culverts under the road crossings at Bunch Creek and Smuthers Ravine are undersized, and overflow when trying to handle large storm events. The project's impacts related to placing improvements within a 100-year flood hazard area that could impede or redirect flood flows and exposing people or structures to a significant risk of loss, injury, or death, including flooding will be mitigated to a less than significant level by implementing the following mitigation measures:

**Mitigation Measures - Items IX-9, 10:**

Refer to text in MM VI.1, MM VI.2, MM IX.1 as well as the following:

MM IX.3 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.4 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.

**Discussion - Item IX-11:**

The project will not alter the direction or rate of flow of groundwater.

**Discussion - Item IX-12:**

The project site drains to the Bunch Creek watershed. The additional impervious areas of the improved roadways, driveways, and the caretaker residence created by the project are small compared to the overall watershed. Water quality Best Management Practices will be required during the construction of road and drainage crossing improvements. Impacts to the Bunch Creek watershed as a result of this project will be less than significant. No mitigation measures are required.

**X. LAND USE & PLANNING – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Physically divide an established community? (PLN)				X
2. Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect?			X	

(EHS, ESD, PLN)				
3. Conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies, plans, or regulations adopted for purposes of avoiding or mitigating environmental effects? (PLN)				X
4. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN)				X
5. Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)? (PLN)				X
6. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (PLN)				X
7. Result in a substantial alteration of the present or planned land use of an area? (PLN)				X
8. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN)				X

**Discussion - Items X-1, 3, 4, 5, 6, 7, 8:**

The proposed project would result in the construction of a caretaker's residence on the subject property. The purpose of the caretaker's residence is to allow for a 24-hour caretaker to live on-site in order to manage timber operations occurring on the subject parcels. The timber operations are in conformance with the property zoning and General Plan designations of Agriculture/Timberland, and 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 subject property consists of approximately 600 acres and the selected building sites for the construction of the caretaker's residence are relatively distant from neighboring properties lines and/or other residences in the vicinity. The proposed caretaker's residence would support and enhance the timber operations in that an on-site caretaker would have the ability to manage these operations and reduce possible threats that could hinder the success of the timber management plan. For these reasons, the proposed use is in substantial conformance with the zoning and general plan designations of the property, would not result in the creation of incompatible uses with surrounding properties, would not conflict with existing habitat management or conservation plans, and would enhance the planned land use for the property. Because of this, no impacts to land use would result from the implementation of the caretaker's residence.

**Discussion - Item X-2:**

The proposed caretaker residence project does not conflict with plan policies. The Timberland Production zone district allows for a caretaker's residence with the approval of a Minor Use Permit when the hearing body determines that the residence is incidental to the primary use of the property and is necessary to facilitate the management of the property by a 24-hour caretaker. No mitigation measures are required.

**XI. MINERAL RESOURCES – Would the project result in:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. The loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (PLN)				X
2. The loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (PLN)				X

**Discussion - Item XI-1:**

The Mineral Land Classification of Placer County (California Department of Conservation-Division of Mines and Geology, 1995) was prepared for the purpose of identifying and documenting the various mineral deposits found in the soils of Placer County. The Classification is comprised of three primary mineral deposit types: those mineral deposits formed by mechanical concentration (Placer gold); those mineral deposits formed by hydrothermal processes (lode gold, silver, copper, zinc and tungsten); and construction aggregate resources, industrial mineral deposits and other deposits formed by magmatic segregation processes (sand, gravel, crushed stone, decomposed granite, clay, shale, quartz and chromite).

With respect to those deposits formed by mechanical concentration, the site and immediate vicinity are classified as Mineral Resource Zone MRZ-1, meaning, this is an area where available geologic information indicates there is little likelihood for the presence of significant mineral resources.

With respect to those mineral deposits formed by hydrothermal processes, as well as aggregates and industrial minerals, the site and vicinity have been classified as Mineral Resource Zone MRZ-3a<sup>(n-10)</sup>. This area is the Weimar/Gillis Hill Fault Zones area that contains cavity-filling, locally gold-bearing quartz veins that occupy fractured and sheared rock along and between the northerly trending Weimar and Gillis Hill fault zones.

**Discussion - Item XI-2:**

No recovery site has been delineated on the subject property or vicinity. Therefore, no impacts to the availability of locally-important mineral resources would occur as a result of the development of this site.

**XII. NOISE –** Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies? (PLN)				X
2. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)				X
3. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)			X	
4. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X
5. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X

**Discussion - Item XI-1, 2, 4, 5:**

The proposed project involves the construction of a caretaker's residence on one of two 1-2 acre building sites on the subject property. Noise associated with the proposed project would include construction noise with the development of the proposed residence and road improvements. The project would also result in the type of noise usually associated with a single-family residence and the project would not involve the creation of noise in excess of the standards of the Placer County General Plan. Noise occurring on the subject property would not affect parcels in the immediate vicinity due to the large size of the parcels, the location of the proposed residence on the parcel, and the large size of the adjacent properties. Additionally, the project is not located within the vicinity of a private airstrip. For these reasons, the project would not result in impacts relating to noise.

**Discussion - Item XI-3:**

The construction of the caretaker's residence may result in an increase of temporary ambient noise levels. However, the construction noise resulting from development of the proposed project would be temporary and is considered less than significant. No mitigation measures are required.

**XIII. POPULATION & HOUSING –** Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Induce substantial population growth in an area, either directly (i.e. by proposing new homes and businesses) or indirectly (i.e. through extension of roads or other infrastructure)? (PLN)				X
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (PLN)				X

**Discussion - All Items:**

The proposed project involves the construction of a caretaker's residence. The project site is in an area that is not heavily developed and is a significant distance away from other residences in the project vicinity. The project would not induce substantial population growth as the project would result in the development of one caretaker's residence to allow for a 24-hour caretaker to manage all of the three contiguous parcels. For these reasons, the proposed project would not result in impacts to population and housing.

**XIV. PUBLIC SERVICES –** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Fire protection? (ESD, PLN)			X	
2. Sheriff protection? (ESD, PLN)				X
3. Schools? (ESD, PLN)				X
4. Maintenance of public facilities, including roads? (ESD, PLN)				X
5. Other governmental services? (ESD, PLN)				X

**Discussion - Item XIV-1:**

No new fire protection facilities are proposed as part of this project. As conditions of approval, the project is required to construct fire turnouts at a minimum spacing of 400 feet, a fire apparatus vehicle turnaround, and road standards for fire equipment access in accordance with PRC Code 4290. A letter from the Department of Forestry and Fire Protection, Cal Fire, dated August 4, 2012, recognized the project applicant as cooperative in property fuels management. The Gillis Hill ridge has been identified by Cal Fire as a high priority for protecting the community of Colfax and the surrounding area, Interstate 80, and the Union Pacific Railroad lines. It is an important fuel break project for the Placer Sierra Fire Safe Council Community Wildfire Protection Plan. The applicant's

project for an on-site caretaker will provide an annual presence for maintaining access roads and reducing fuel loading on the property. No mitigation measures are required.

**Discussion - Item XIV-2:**

No new sheriff protection facilities are proposed as part of this project. There is no impact.

**Discussion - Item XIV-3:**

No new school facilities are proposed as part of this project. There is no impact.

**Discussion - Item XIV-4:**

There will be no change to current County maintenance activities on Yankee Jims Road as a result of this caretaker residence being constructed on the approximately 600 acre property. Gillis Hill Road and the access road to the chosen caretaker residence site are privately maintained. There is no impact.

**Discussion - Item XIV-5:**

No other governmental services are proposed as part of this project. There is no impact.

**XV. RECREATION – Would the project result in:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (PLN)			X	
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (PLN)				X

**Discussion - Item XV-1:**

The proposed project includes the construction of a caretaker's residence on the project site. In keeping with the expected use of a residence, the caretaker's residence may increase the use of recreational facilities in the area. However, the use of these facilities resulting from the creation of a caretaker's residence on site would be considered negligible and, as such, no mitigation measures are required.

**Discussion - Item XV-2:**

The construction of a caretaker's residence on the subject property does not include a proposal for the construction of recreational facilities nor would it require the construction or expansion of recreational facilities. This is due to the small scale of the project and its negligible effects on such facilities.

**XVI. TRANSPORTATION & TRAFFIC – Would the project result in:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. An increase in traffic which may be substantial in relation to the existing and/or planned future year traffic load and capacity of the roadway system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (ESD)		X		
2. Exceeding, either individually or cumulatively, a level of service standard established by the County General Plan and/or Community Plan for roads affected by project traffic? (ESD)				X

3. Increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (ESD)			X	
4. Inadequate emergency access or access to nearby uses? (ESD)			X	
5. Insufficient parking capacity on-site or off-site? (ESD, PLN)				X
6. Hazards or barriers for pedestrians or bicyclists? (ESD)				X
7. Conflicts with adopted policies, plans, or programs supporting alternative transportation (i.e. bus turnouts, bicycle lanes, bicycle racks, public transit, pedestrian facilities, etc.) or otherwise decrease the performance or safety of such facilities? (ESD)				X
8. Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (PLN)				X

**Discussion - Item XVI-1:**

The proposed project creates site-specific impacts on local transportation systems that are considered less than significant when analyzed against the existing baseline traffic conditions and roadway segment / intersection existing LOS, however, the cumulative effect of an increase in traffic has the potential to create significant impacts to the area's transportation system. Article 15.28.010 of the Placer County Code establishes a road network Capital Improvement Program (CIP). This project is subject to this code and, therefore, required to pay traffic impact fees to fund the CIP for area roadway improvements. With the payment of traffic mitigation fees for the ultimate construction of the CIP improvements, the project's traffic impacts are less than significant.

**Mitigation Measures - Item XVI-1:**

MM XVI.1 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.

**Discussion - Item XVI-2:**

The addition of one caretaker residence will add project traffic associated with one single family residence. This will not exceed, either individually or cumulatively, the level of service standard established by the General Plan and/or Community Plan for roads affected by project traffic. There is no impact.

**Discussion - Item XVI-3:**

The site access is from Yankee Jims Road, a public road, to Gillis Hill Road, a private road, to an unnamed private access driveway. Gillis Hill Road is an existing private roadway serving a number of properties including those that practice Timber Production. Periodic timber harvests result in large trucks hauling logs to market along the existing private roadways to Yankee Jims Road. Both residential passenger vehicles and commercial hauling vehicles share the roadways. The development of a caretaker's residence on the property would require the on-site private roadway, Gillis Hill Road, to be improved per the Minor Use Permit conditions of approval. These widening improvements and turnouts will allow for vehicles to safely share the roadway. No mitigation measures are required.

**Discussion - Item XVI-4:**

As conditions of approval, the project is required to construct fire turnouts at a minimum spacing of 400 feet, a fire apparatus vehicle turnaround, and road standards for fire equipment access in addition to minimum private water supply reserves for emergency fire use in accordance with PRC Code 4290. No additional mitigation measures are required.

**Discussion - Items XVI-5, 8:**

The proposed project includes the construction of a caretaker's residence on the project site, and the construction of a residence on the site would require providing a sufficient area for parking. The proposed project would not result in a change in air traffic patterns.

**Discussion - Item XVI-6:**

The project would not cause hazards or barriers for pedestrians or bicyclists. There is no impact.

**Discussion - Item XVI-7:**

The proposed project will not conflict with any existing, or preclude anticipated future policies, plans, or programs supporting alternative transportation. There is no impact.

**XVII. UTILITIES & SERVICE SYSTEMS – Would the project:**

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (ESD)				X
2. Require or result in the construction of new water or wastewater delivery, collection or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (EHS, ESD)				X
3. Require or result in the construction of new on-site sewage systems? (EHS)			X	
4. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (ESD)			X	
5. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (EHS)			X	
6. Require sewer service that may not be available by the area's waste water treatment provider? (EHS, ESD)				X
7. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with all applicable laws? (EHS)			X	

**Discussion - Items XVII-1, 2, 6:**

Public water and public sewer service are not available in this area. New water service and wastewater conveyance or treatment facilities construction are not applicable, as the caretaker's residence will be on a private well water and septic system. There is no impact.

**Discussion - Item XVII-3:**

The project will result in the construction of a new on-site sewage disposal system. Soils testing has been conducted by a qualified consultant and reports submitted showing the type of septic system required for the proposed caretakers residence that will adequately treat the sewage effluent generated by the project. One sewage disposal system will be located on a total parcel area of 597.5 acres in size and thus the impacts from these septic systems is considered to be less than significant. No mitigation measures are required.

**Discussion - Item XVII-4:**

Stormwater drainage provisions will be constructed with the roadway improvements and construction of these facilities has been analyzed under the Hydrology and Water Quality section of this document. No additional mitigation measures are required.

**Discussion - Item XVII-5:**

The project currently has two existing water wells. The yield on both of the existing wells (16 and 20+ gallons per minute) is high enough that no storage tank is required. There is sufficient water available to serve this project as the two existing wells meet the minimum standards set forth by PCEHS for water supply to serve each proposed parcel, and only one well is proposed to be used for the project. Thus, the concern about whether this parcel has sufficient water available for this project is considered to be less than significant. No mitigation measures are required.

**Discussion - Item XVII-7:**

The project lies in an area of the County that is served by the local franchised refuse hauler and is served by a landfill with sufficient permitted capacity. The concern whether this project is served by a landfill with sufficient capacity is considered to be less than significant. No mitigation measures are required.

**E. MANDATORY FINDINGS OF SIGNIFICANCE:**

Environmental Issue	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially impact biological resources, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		X
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		X

**F. OTHER RESPONSIBLE AND TRUSTEE AGENCIES** whose approval is required:

<input checked="" type="checkbox"/> California Department of Fish and Wildlife	<input type="checkbox"/> Local Agency Formation Commission (LAFCO)
<input checked="" type="checkbox"/> California Department of Forestry	<input type="checkbox"/> National Marine Fisheries Service
<input type="checkbox"/> California Department of Health Services	<input type="checkbox"/> Tahoe Regional Planning Agency
<input checked="" type="checkbox"/> California Department of Toxic Substances	<input checked="" type="checkbox"/> U.S. Army Corp of Engineers
<input type="checkbox"/> California Department of Transportation	<input checked="" type="checkbox"/> U.S. Fish and Wildlife Service
<input type="checkbox"/> California Integrated Waste Management Board	<input type="checkbox"/> _____
<input checked="" type="checkbox"/> California Regional Water Quality Control Board	<input type="checkbox"/> _____

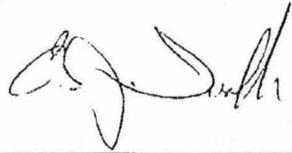
**G. DETERMINATION** – The Environmental Review Committee finds that:

Although the proposed project **COULD** have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because the mitigation measures described herein have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

**H. ENVIRONMENTAL REVIEW COMMITTEE** (Persons/Departments consulted):

Planning Services Division, Melanie Jackson, Chairperson  
 Planning Services Division, Air Quality, Lisa Carnahan  
 Engineering and Surveying Division, Rebecca Taber  
 Department of Public Works, Transportation

Environmental Health Services, Laura Rath  
 Flood Control Districts, Andrew Darrow  
 Facility Services, Parks, Andy Fisher  
 Placer County Fire/CDF, Brad Albertazzi



Signature \_\_\_\_\_ Date August 26, 2013  
 E. J. Ivaldi, Environmental Coordinator

**I. SUPPORTING INFORMATION SOURCES:** The following public documents were utilized and site-specific studies prepared to evaluate in detail the effects or impacts associated with the project. This information is available for public review, Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, Environmental Coordination Services, 3091 County Center Drive, Suite 190, 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.

<b>County Documents</b>	<input checked="" type="checkbox"/> Air Pollution Control District Rules & Regulations	
	<input checked="" type="checkbox"/> Environmental Review Ordinance	
	<input checked="" type="checkbox"/> General Plan	
	<input checked="" type="checkbox"/> Grading Ordinance	
	<input checked="" type="checkbox"/> Land Development Manual	
	<input checked="" type="checkbox"/> Stormwater Management Manual	
<b>Site-Specific Studies</b>	Planning Services Division	<input checked="" type="checkbox"/> Biological Resources
		<input checked="" type="checkbox"/> Cultural Resources Assessment
		<input checked="" type="checkbox"/> Cultural Resources Records Search
	Engineering & Surveying Department, Flood Control District	<input type="checkbox"/> Phasing Plan
		<input checked="" type="checkbox"/> Preliminary Grading Plan
		<input type="checkbox"/> Preliminary Geotechnical Report
		<input checked="" type="checkbox"/> Preliminary Drainage Report
		<input checked="" type="checkbox"/> Forest Management Plan dated March 27, 2006
	Environmental Health Services	<input checked="" type="checkbox"/> Groundwater Contamination Report
		<input type="checkbox"/> Hydro-Geological Study
		<input checked="" type="checkbox"/> Phase I Environmental Site Assessment
		<input checked="" type="checkbox"/> Phase II Environmental Site Assessment

**Mitigation Monitoring Program  
Mitigated Negative Declaration PLUS # PMPC 20110109  
for Camel's Hump Caretaker's Residence Minor Use Permit**

Section 21081.6 of the Public Resources Code requires all public agencies to establish monitoring or reporting procedures for mitigation measures adopted as a condition of project approval in order to mitigate or avoid significant effects on the environment. Monitoring of such mitigation measures may extend through project permitting, construction, and project operations, as necessary.

Said monitoring shall be accomplished by the county's standard mitigation monitoring program and/or a project specific mitigation reporting program as defined in Placer County Code Chapter 18.28, Mitigation Monitoring and Reporting Program.

**Standard Mitigation Monitoring Program (pre project implementation):**

The following mitigation monitoring program (and following project specific reporting plan, when required) shall be utilized by Placer County to implement Public Resources Code Section 21081.6. Mitigation measures adopted for discretionary projects must be included as conditions of approval for that project. Compliance with conditions of approval is monitored by the county through a variety of permit processes as described below. The issuance of any of these permits or county actions which must be preceded by a verification that certain conditions of approval/mitigation measures have been met, shall serve as the required monitoring of those condition of approval/mitigation measures. These actions include design review approval, improvement plan approval, improvement construction inspection, encroachment permit, recordation of a final map, acceptance of subdivision improvements as complete, building permit approval, and/or certification of occupancy.

The following mitigation measures, identified in the Mitigated Negative Declaration, have been adopted as conditions of approval on the project's discretionary permit and will be monitored according to the above Standard Mitigation Monitoring Program verification process:

Mitigation Measures #'s: MM III.1; MM III.2; MM III.3; MM III.4; MM VIII.3; MM XVI.1; MM VI.1; MM VI.2; MM VI.3; MM IX.2; MM IX.1; MM IX.3; MM IX.4; MM VIII.1; MM VIII.2

**BASQUIN/PARKER PROPERTY**  
**Portions Sections 13,14 & 24, T14N R9E, MDM & BM**

**FOREST MANAGEMENT PLAN**  
by  
**Douglas Ferrier, RPF #1672**

March 27, 2006

**SUBJECT PROPERTY**

**Physical Setting:**

Property is made up of four contiguous Placer County Assessor's parcels totaling 597.50 acres. They are:

APN 071-270-003	157.5 acres
071-310-001	320 acres
071-320-001	80 acres
071-330-008	<u>40 acres</u>
Total	597.5 acres

Elevations range from approximately 1600' above sea level, to just over 2600'. Aspects are generally flat (ridge tops) to west facing, although east, north and south aspects are also present, as property is bisected by three generally north to south flowing watercourses. The vast majority of the property falls within the drainages of three tributaries of Bunch Creek, which flows through a western corner of the property. Bunch Creek is itself a tributary of the North Fork American River, flowing into it about 2.3 miles southeast of the property. Within the property, Smuthers Ravine, Quall Trap Ravine, and an unnamed tributary flow southerly towards Bunch Creek. Except for Smuthers Ravine and Bunch Creek, all other watercourses on the property only flow water seasonally, and dry up during at least a portion of the summer and fall months.

In general, the area receives about 40 inches of precipitation a year, almost entirely as rain. Snow is very rarely seen at these elevations. Precipitation occurs almost exclusively from October/November to April/May, although other months of the year may receive small amounts of rain. The average number of frost free days in a season is between 150 and 250 days. Wintertime temperatures rarely go below 20° F and summertime temperatures can easily exceed 100° F for a number of days.

Geologically, the area has been mapped by the State as having soils derived from Upper Jurassic marine sedimentary rocks, such as slates and shales. An earthquake fault is mapped trending northwesterly/southeasterly down the ridgeline of Gillis Hill, the main ridge between the North Fork American River and Bunch Creek/Smuthers Creek drainages. Gillis Hill crosses the subject property in its southeastern corner (see property maps in Appendix at end of this report).

In 1980, the Federal Soil Conservation Service published the Soils of Western Placer County. The maps found in this publication show the property as having predominately Mariposa-Rock Outcrop Complex, Maymen-Rock Outcrop Complex and Mariposa-Josephine Complex soils. All of these soils are generally shallow to moderate in depth, moderate to well drained, slow to moderate permeability and only fair effective rooting depths (20-35"). Hazard of erosion is high to very high. The soils found on the property can typically support mixed forests of hardwoods and conifers, mainly California Black oak and Interior Live oak hardwoods, and Ponderosa pine, Douglas-fir and Foothill pine for conifers. Only at the very highest elevations of the property is found a few Sugar pines. Intermixed with the forests may be open annual grasslands (mainly on ridge lines) and scrub oak and brushfields (mainly at lower elevations, but

found on some steeper sites). Overall site quality is poor, with conifers only estimated to reach 95' in 100 years of growth.

All parcels are currently zoned Timberland Production (TPZ) by Placer County, with a 160 acre minimum parcel size. To the north, the property is bordered by a similar size ownership also zoned TPZ, but with slightly better soils and growing conditions. To the east and south are large government owned parcels located on steep slopes with shallow soils. On the west side of the property, the southern portion is bordered by a 78 acre parcel straddling the steep inner slopes of the Bunch Creek drainage, while in the northern portion of the adjacent western boundary, the area has been subdivided into 3-5 acre parcels.

### **Past History of Property**

Little is known of the early history of the property area. At one time, the property was combined in common ownership with the Edwards Property, immediately north of the subject property. From the mid 1940s until the mid 1970s, when the larger ownership was split into two ownerships with separate family ownerships, the area was managed as a tree farm, with associated tree improvement practices and small harvests likely to have occurred. Prior to the mid 1940s, it appears that livestock grazing occurred on the property. 1938 aerial photographs of the area (at the Placer County Archives in Auburn) show ranch buildings in the large meadow just north of the subject property, and the gently sloped to flat bottom lands and the flatter ridge line of Gillis Hill being relative open with grass dominating underneath the scattered trees.

The USGS topographic map of the area shows several mining tunnels in the unnamed drainage in the center of the subject property. This mining activity probably dates back to the early 1900s or during the depression era. The area was not known for being a part of the pre-1900 gold mining era in California. Impacts of any mining appears to be small, as there are only very limited tailing piles seen around tunnels. Because of its proximity to the town of Colfax and the Central Pacific/Southern Pacific Railroad, it is possible that parts of the property were used to harvest cordwood to be burned in the steam locomotives of the railroad between 1865 and 1900.

In the mid-1970s, the larger ownership was split into two separate ownerships, with the Edwards family taking ownership of the northern portion and the Barnes family taking ownership of the southern portion of the original property. The Barnes family, absentee owners, would own the property until 2004, when the current landowners bought the property.

In 1994, the Barnes family obtained an approved Timber Harvest Plan from the State of California (2-94-29-PLA(3)). In it, they proposed to commercially harvest conifer trees on 235 acres within Sections 13,14 & 24 of T14N R9E, MDM & BM. They proposed to use clearcutting, shelterwood-removal step, rehabilitation, and alternative prescription silvicultural methods to harvest the timber. The main limiting condition of the harvest was having enough existing conifer reproduction to support removal of the existing larger overstory conifer canopy, or the ground having the ability to support removal of all vegetation and being able to sustain a planting of new conifer seedlings. Within three years of obtaining the approved plan, the property was logged.

In 2001, in August, the most significant event to impact the subject property occurred, in the form of the Ponderosa Wildfire.

### **Impacts of the Ponderosa Wildfire**

Starting near the Ponderosa Bridge on the Yankee Jim's road across the North Fork American River, the fire would burn northwestern up Gillis Hill and across the majority of the subject property. Using 2005

aerial photographs of the property, approximately 379 acres of the property were totally burned, with only very scattered trees remaining alive, but generally heavily damaged. Another 21 acres was only partially burned, with a majority of the pre-fire tree vegetation remaining alive, but with some damage to their boles and foliage. The remaining 198 acres of the property was unburned (33%). A map showing the various burn areas can be found in the appendix of this report.

As a result of the fire, the Barnes family obtained an Emergency Notice from the California Department of Forestry to salvage harvest any remaining commercial size trees that were either killed or substantially damaged by the fire. So for many of areas of the property that were just starting to heal over from the commercial timber operations carried out in the mid 1990s, the fire removed what remained of the seed trees and canopy cover in these harvested areas, as well as burning up what reproduction had either been planted or naturally occurred since harvest. No attempts were made to reforest the subject property by the Barnes family after the fire. Nature was left to take its course.

### **Today's Vegetation**

The unburned portion of the subject property is concentrated in the northwestern portion of the ownership. It can be characterized as a young Douglas-fir/Oak forest on north facing slopes, an Oak woodland on ridgetops and south facing slopes, and scrub oak brushland on low elevation canyon slopes. Only the Douglas-fir/Oak forested areas meet the current definitions of stocking found in the State Forest Practices Act. Along Bunch Creek and Smuthers Ravine, a riparian forest of willow and alder trees border the watercourses in a narrow belt.

In the burned area, although no efforts were made to reforest the property, nature has reoccupied almost the entire burn area with new vegetation, dominated by resprouting of hardwoods (mainly oak) and brush (mainly ceanothus, manzanita, etc.) stumps, as well as grasses and forbs. New vegetation in some places is now almost ten feet tall. With the density of new vegetation, combined with falling over of decaying boles of standing dead trees, walking through some areas of the property can be extremely difficult. Add in localized steep slopes and you have potentially significant safety issues. As currently vegetated, little if any of the burn area meets the minimum tree stocking levels of the State Forest Practice Act, and will not for many years, unless active reforestation occurs.

## **FOREST MANAGEMENT CONSIDERATIONS**

### **Unburned Areas**

Only two of today's existing parcels (071-270-003 and 071-330-008), totaling 197.5 gross acres have significant acreage not damaged by the Ponderosa fire. However, even this gross acreage cannot be considered fully stocked with existing conifers, or even predominantly by conifers.

Parcel 003 has 53 acres of land dominated by conifer timber, but with some hardwoods present. The other 105 acres of the parcel are dominated by hardwoods, with only an occasional conifer. For parcel 008, it is 13 acres of conifer dominated land, and 16 of hardwood dominated acres.

Why this is important is because only conifers are considered having significant economic value. Given the specific site characteristics and species involved on the subject property, a one-hundred year old Ponderosa pine, growing at it's maximum rate for the entire 100 year period, would expect to be about 22" DBH (diameter at breast height) and 95 feet tall. At full stocking, approximately 75 of these size trees would occupy an acre of ground. Each tree would have 450 board feet in it, to an 8" top diameter, inside bark, for a total of 33,750 board feet per acre, gross volume. For a Black oak growing on the property for 100 years

at its maximum rate, its size would be about 15" in DBH and possibly 60' tall. A tree this size has about 33.8 cubic feet of wood in it, to a 4" top, inside bark. If a field cord of wood has 95 cubic feet in it, then each tree has about one-third of a cord of wood in it, and if there are about 60 oak trees per acre in a fully stocked stand on this kind of land, then there is 20 cords of wood per acre. In today's commodity market, pine stumpage values are around \$350 per thousand board feet, so our one acre is worth \$11,812.50, while our one acre of hardwoods, with a stumpage value in today's market of \$30 per cord, has a value of \$600 per acre. This theoretical exercise is only to give the reader a comparison of the relative value of different kinds of wood in today's market, and why the discussion of forest management is weighted towards the growing of conifer timber.

Currently unburned conifer dominated acreage on the subject property is not fully stocked with conifers. Locally significant numbers of hardwood trees can be found mixed in with the conifers. For wildlife, aesthetics, water quality, and ground disturbance purposes, this isn't necessarily bad. However, for planning purposes, one must then use a lower conifer stocking percent to calculate volume. Instead of 100% stocking with 75 trees per acre, one might use 65% or 70% stocking, with 48-52 trees per acre and volumes of 22,000 board feet per acre. Of interest is that on the adjacent Edwards property, whose commercial timber management and harvesting is governed by a Non-industrial Timber Management Plan (NTMP) approved by the California Department of Forestry and Fire Protection, the goal for full management is about 65% of full stocking, with a 20,000 board foot per acre conifer goal.

#### **Burned Areas**

Because there is essentially no conifer volume left in these areas, only a very scattered population of damaged individual trees, the primary goal for management is to return the acreage to be dominated by live trees, preferably conifers. If the Ponderosa Fire had just happened this past year, the procedure would be fairly straight forward: plant bare root Ponderosa pine and Douglas-fir seedlings grown and bought from an area nursery, control competing sprouting and germinating vegetation until conifer growth is well above surrounding vegetation, and then wait 75 years until the trees are large enough to support a commercial operation (about 16" DBH or larger). No heavy equipment would have had to operate on steep ground (over 50% slopes) and if appropriate and advised by a licensed Pest Control Advisor, specific herbicides could possibly be either hand sprayed or aerial sprayed on land. An alternative might also have been grazing livestock to keep competing vegetation down. Costs for the project might have been seedling planting at \$0.50 per tree, 150 trees per acre to be planted, or \$75.00 per acre, and planting to occur on probably 350 acres, or \$26,250 total cost for planting. Seedling would cost \$150 per thousand or \$22.50 per acre, for a total of \$7,875. Total cost so far of \$34,125. One follow-up herbicide treatment might be \$200 per acre, for a cost of \$70,000. Project cost is now \$104,125. Add to that 25% overhead and administrative costs, and you have a potential cost of about \$130,000. However, this was never done.

Today, the project is vastly more complicated and expensive. Because significant revegetation has occurred, it must be removed or re-engineered so that significant amounts of bare ground are exposed to allow planting of bare root conifer seedlings. Traditionally, heavy equipment such as large tractors have plowed up existing vegetation into windrows on elevation contours, and then burned. Debris left in piles from burning help reduce the potential for soil erosion, and cleared land is then planted. Tractor costs can run \$300 to \$400 per acre, and if done on 300 acres, would total \$105,000. This acreage must then have at least one follow up treatment to inhibit competing resprouting of non-conifer vegetation. However, large tractors generally should only be considered on slopes less than 50%, and in areas away from watercourses. Some acreage on the subject property is over 50% in slope (only 24% of the subject property is estimated to be 30% or less in slope, and 63% being between 30% and 50%. That leaves 13% over 50% in slope). In the burn area, it is estimated that there is about 60 acres of over 50% sloped ground. To revegetate this, some other method, such as prescribed burning would have to be used to remove the competing vegetation. Issues of liability, air and water quality and maintaining control of burns are significant issues. Fire specialists

would have to be brought in and an analysis of whether there is enough fuel on site to have a complete enough burn to reduce existing vegetation to levels open enough to allow planting would all have to be done. Logical fire units might also include some slopes less than 50%. Costs would include a Fire Plan, Air Quality Control Board fees, cost of standby equipment, and personnel to do the burning. Total cost of CDF initiated control burns runs can be around \$5,000 to \$10,000 for 50 acres. Private industry costs may be significantly higher, due to potential liability insurance costs..

The bottom line is that now that almost six years have gone by since the Ponderosa Fire, the costs of returning the burned acreage into a working forest have gone up significantly, due to the regrowth of vegetation on site. Not only do you have the \$130,00 base reforestation costs, but you also have current vegetation treatment costs of possibly \$115,000.

### **Cost Share Programs**

Both the State of California through the California Department of Forestry and Fire Protection, and the Federal Government, through the Natural Resources Conservation Service, have various cost share programs that may be able to be used to address some of the costs of reforesting the property. The Federal program, EQIP, generally pays up to 50% of the cost of certain land management practices, while the State's CFIP program pays up to 75% of some pre-determined costs for certain practices. The State also has a VMP (Vegetation Management Program) that includes prescribed burning on private lands, long with cost sharing of up to 50% of treatment costs. All programs should be investigated thoroughly prior to initiating any on the ground reforestation projects on the subject property.

## **FOREST MANAGEMENT PLAN**

### **Unburned Conifer Dominated Timberland**

Because this portion of the property was most recently logged in the mid 1990s, it will be at least 20-30 years until there will be significant amounts of merchantable timber that can sustain a low volume harvest. Where possible, subject property areas adjacent to development should be considered for thinning existing vegetation into shaded fuel breaks of at least 150' wide, along property boundaries. This would be a non-commercial operation, as trees to be removed are generally too small to have commercial value. Vegetation could be masticated with resulting chipped material left in place, for erosion control. Tree canopy would be opened up so that aerial fire fighting equipment could effectively reach both the crown of trees and the ground, should a forest fire become established and burn towards the property. **Target areas:** The western and northern boundary of the property in Section 14, T14N R9E, MDM. Costs would be somewhere around \$1,000 per acre, with about 9 acres of land needing treatment, for a cost of \$9-10,000.

Modified fuel breaks, or shaded fuel breaks are also effective tools along ridge lines. It was such a shaded fuel break on the adjacent Edwards Property on Gillis Hill that allowed fire fighting personnel to get in safely and stop the Ponderosa Fire before it reached the outskirts of Colfax. These areas have reduced vegetation densities so that there is some open ground between trees or brush. **Target Areas:** Side ridges within the unburned portions of the property. There is about 24 acres of this type of ground in Sections 13 & 14, and if a 200' wide swath of ground was masticated at a cost of \$800/acre (less vegetation density today than along boundary line described above), a total project cost would be \$19,200.

### **Unburned Hardwood Dominated Timberland**

Only after reforesting burn areas and manipulating vegetation for shaded fuel breaks on ridge tops, should consideration be given to trying to partial restock hardwood areas with a conifer component. Select only

those areas supporting California Black oak growing towards merchantable size. By hand, can remove in small openings up to two acres in size, all vegetation by cutting, piling and burning. Then plant in openings either Ponderosa pine seedlings in open sun light areas, or Douglas-fir in partial shade. Keep areas small as do not want to dry out the site. Treat at least once with first five years for competing vegetation. Possible methods include hand clearing, herbicides, or grazing animals. By using Black oak as an indicator species, you are picking areas that have enough soil to support conifer growth. Plant at a 12' x 12' spacing, then thin out to a 15' x 15' spacing after 5 years. Depending on growth, will eventually need to thin out to a 20' x 20' spacing.

### **Riparian Forest**

To prevent impacts to water quality in area watercourses, no projects should be done within these forests except to replace undersize road culverts and maintenance of roads. Because of density of culverts on main watercourses on property, should removed concentrations of potential culvert clogging large debris by hand on a periodic basis, before and during winter months. This usually requires removal in a zone 50' to 100' above culverts of large debris only, such as extensive limbs and concentrated deadfall.

### **Burned Areas**

Given the pattern of burn over the property, and the physical characteristics of the subject property, the entire burn area should be broken into smaller treatment areas. Areas over 50% in slope should generally be written off as inoperable, due to steepness of slope, thin soils, aspect, and existing revegetation already starting to occur. This means that there will be no treatments of the property east of Gillis Hill, as well as localized areas within the unnamed tributary flowing southerly through the middle of the property and into Bunch Creek. The remaining burn acreage could be broken down into roughly 80 acre units, with each unit staying on either the west or east side of the major drainages that run through the property in a north/south direction. This is done so that if prescribed fire is to be used to pre-treat the existing vegetation before replanting of trees, each set fire will plan to stay on one side of the watercourse, thus not burning across watercourses and exposing watercourse banks to increased erosion. More than one treatment area could be burned at a time, should the developed Fire Plan be in agreement. Burns could be done during winter months and tree planting to occur in the next February or March after the burn. Purchase of seedlings would need to be done in the fall, preceding the burn, and be ready for planting when appropriate after the burn. Douglas-fir can be planting in protected bottom lands and on north facing slopes, while Ponderosa pine would be appropriate for all other areas. Initial planting spacing should be no closer than 12' x 12', given the low elevation and thin soils. Followup treatment of competing vegetation should occur with 1-3 years of planting. A second treatment would need to be evaluated for after 6-8 years.

### **Economic Timber Management**

From an economic management standpoint, it is unrealistic to think that any for profit timber management company would invest funds in the growing of commercial forests on the subject property, given the thin soils, lack of existing growing stock, and the significant costs of reforestation after the Ponderosa Fire. Because of the fire, there will be no income to offset expenses for many years (at least 75 in the burned areas). The inability to achieve 100% conifer stocking, given soil and growing condition restraints, further reduces the likelihood that someone would be willing to invest scarce dollars into such an operation. Significant harvests off the unburned portions are at least 20-30 years away, and will be of low volume/value. If regulatory costs keep escalating like they have in the past 10 years, it will be even harder to meet any kind of positive economic goal. Even with the use of cost sharing programs picking up 50-60% of actual costs of reforestation, significant amounts of money would have to be spent now to generate some economic value sometime in the distant future. There is also the continued risk of another future wildfire in the area.

## ROAD MANAGEMENT PLAN

In the Appendix of this report is a series of maps, one of which shows the major roads on the subject property, as well as a number of roads that have been left unused and allowed to become overgrown with adjacent area vegetation. Most existing roads are native soil surface, which includes some rock in them. They are generally passible, even in damp conditions, due to the amount of native rock in them. None of these roads however were observed to have any waterbars or rolling dips in them. Because of this, minor sheet erosion and some gulling was observed, particularly on inclined roads, and where roads were used during wet weather. It is important to preserve the surface material in roads, and to prevent soil movement off roads and potentially towards watercourses. At a minimum, rolling dips need to be installed on all roads where roads have inclines over 3%. Rolling dips, as opposed to waterbars, allows motor vehicle traffic over them, even in damp conditions, while at the same time preventing precipitation drainage from running down roads significant distances before draining off to the sides. Waterbars are abrupt mounds of dirt directly across roads, while rolling dips are gradual declines into a shallow dip and back out in a gradual incline. Water flows into the dip, and out of the open throat of the dip, into existing vegetation and slash, where it can then seep into the ground.

Where roads are immediately adjacent to watercourses, such as along the north line of Section 24, base rock or crushed asphalt should be brought in and spread out over road surface, to lower potential road surface flows of water.

During summer months, erosion control features can be removed, although if installed correctly, rolling dips should withstand any season of the year use. However, if they are removed, they should be put back no later than October 15<sup>th</sup> of any year.

## ROAD CROSSINGS OF WATERCOURSES

It is evident from field inspection that both the culverts under the road crossings at Bunch Creek and Smuthers Ravine are undersized, and overflow when trying to handle large storm systems. Both crossings have had water flow over the top of the roads this past winter. Both crossings need to be replaced, with either culverts sized for 100 year storms, or possibly be bridges. All the landowners who use the road crossings should get together and discuss what is economically feasible replacing the crossing, so that potential adverse impacts to watercourses does not occur from future flood events.

Other road crossings of intermediate watercourses also have undersized culverts on them, most being no larger than 12" in diameter. The only time one should use culverts this small are for temporary culverts to be removed prior to any winter period. Most of these culverts should be at least 18" in not larger.

## VEGETATION AND FIRE MANAGEMENT PLAN

As stated previously, a system of modified fuels located on tops of ridges, called a shaded fuel break system, would go a long way towards reducing potential wildland fire damage to the property. It would allow firefighting personnel to safely get into the area to fight a potential fire, and it would allow aerial fire fighting resources, such as helicopters and airplanes, to drop fire retardant or water on a fire that would not only get on the surface of the vegetation, but would be able to drop down through the vegetation and onto any fuels burning on the ground. Vegetation immediately adjacent to roads needs to be kept pruned back and thinned, so the equipment can safely move in and out, as well as being used as a potential fire line. Major roads need to be kept passable at all times.

## TENTATIVE MAP PROPOSAL

A proposal has been made to reconfigure the four parcels that make up the subject property into three parcels, two being 160 acres and one parcel being the remaining 273.5 acres. What impacts to potential forest management of the ownership might occur with this reconfiguration? None if the ownership retains all three parcels. However, if the reconfiguration occurs, parcel A (the 273.5 acre one) will have all of the unburned areas in it, and other two will be totally within the burned area. What needs to be done in each area will not change, but issues of deeded access to each parcel will need to be addressed, should any parcel be sold off.

It would actually make some logical sense to split the two 160 acre parcels into four 80 acre parcels. Three of them would then have logical burn units that could be the basis for removing the existing vegetation by prescribed fire and then replanting areas. Issues of potential impacts to watercourses and water quality would not be an issue, as each of the four parcels would have only one aspect adjacent to any watercourse, and therefore could be burned without potential to crossing a watercourse. Each of the four parcels would have a ridge line to break off any prescribed fire (the same ridgelines that are proposed to be permanent shaded fuel breaks). However, splitting into these smaller parcel sizes may not be possible, depending on Placer County zoning ordinances.

## APPENDIX

Map showing Current Placer County Assessor's Parcels comprising Property

Property Map showing Soil Conservation Service Soil Types

Property Map Showing Road Access

Property Map Showing Watercourse Drainages

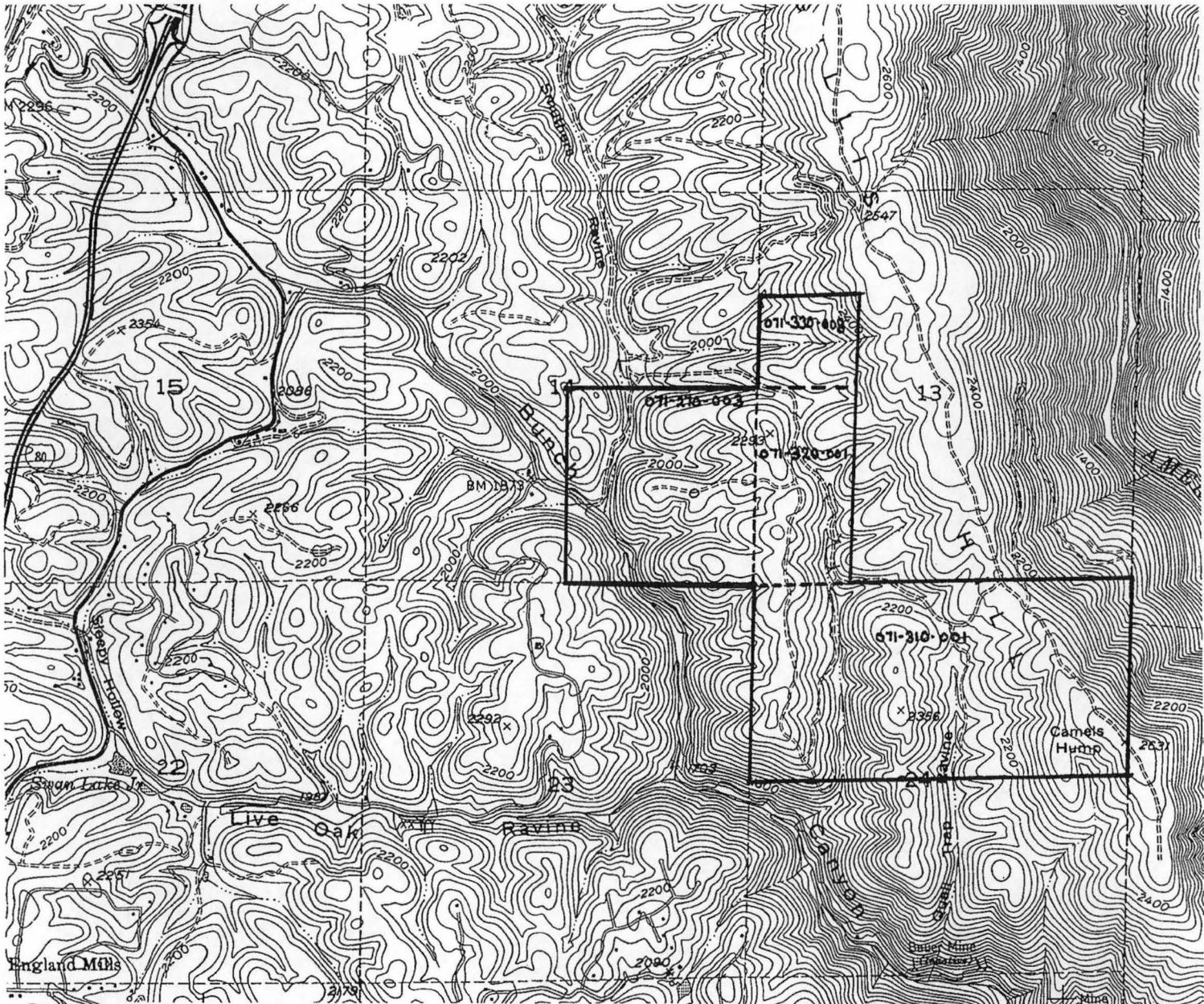
Property Map Showing 2001 Ponderosa Fire Impacts

Property Map Showing Road/Watercourse Crossings

Property Map Showing Riparian Forest Areas

Property Map Showing 30% and Less Slopes

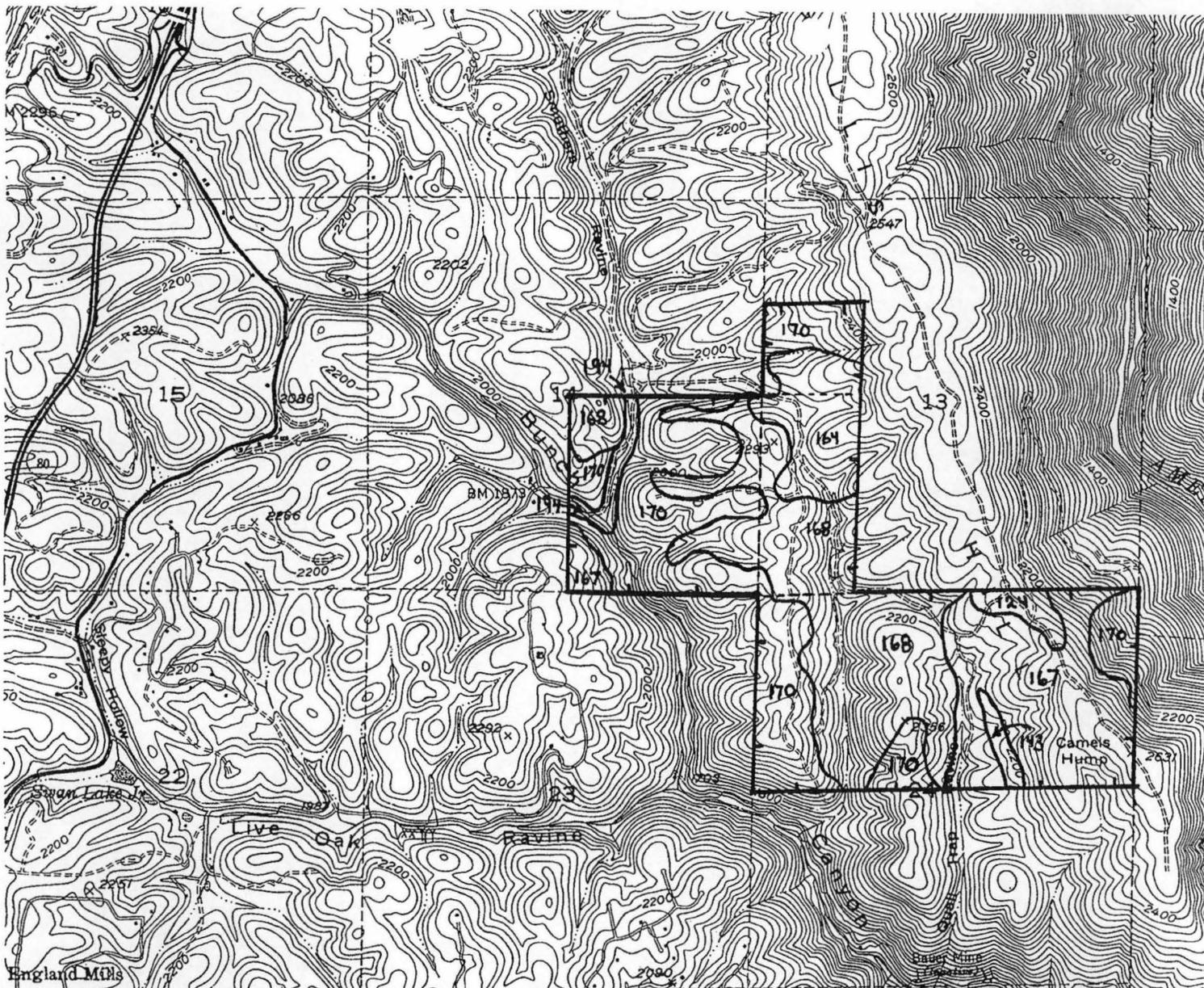
Property Map Showing Tentative Map Parcels



**BASQUIN/PARKER PROPERTY**  
 Portion Sections 13,14 & 24, T14N R9E, MDM & BM  
 Scale 1" = 2,000'; 40' contours  
 Colfax 7.5' USGS Topo. Quad. Map Base (1949/73)

**PLACER COUNTY ASSESSOR'S PARCELS**

Forest Slopes Management, Douglas Ferrier, RPF #1672

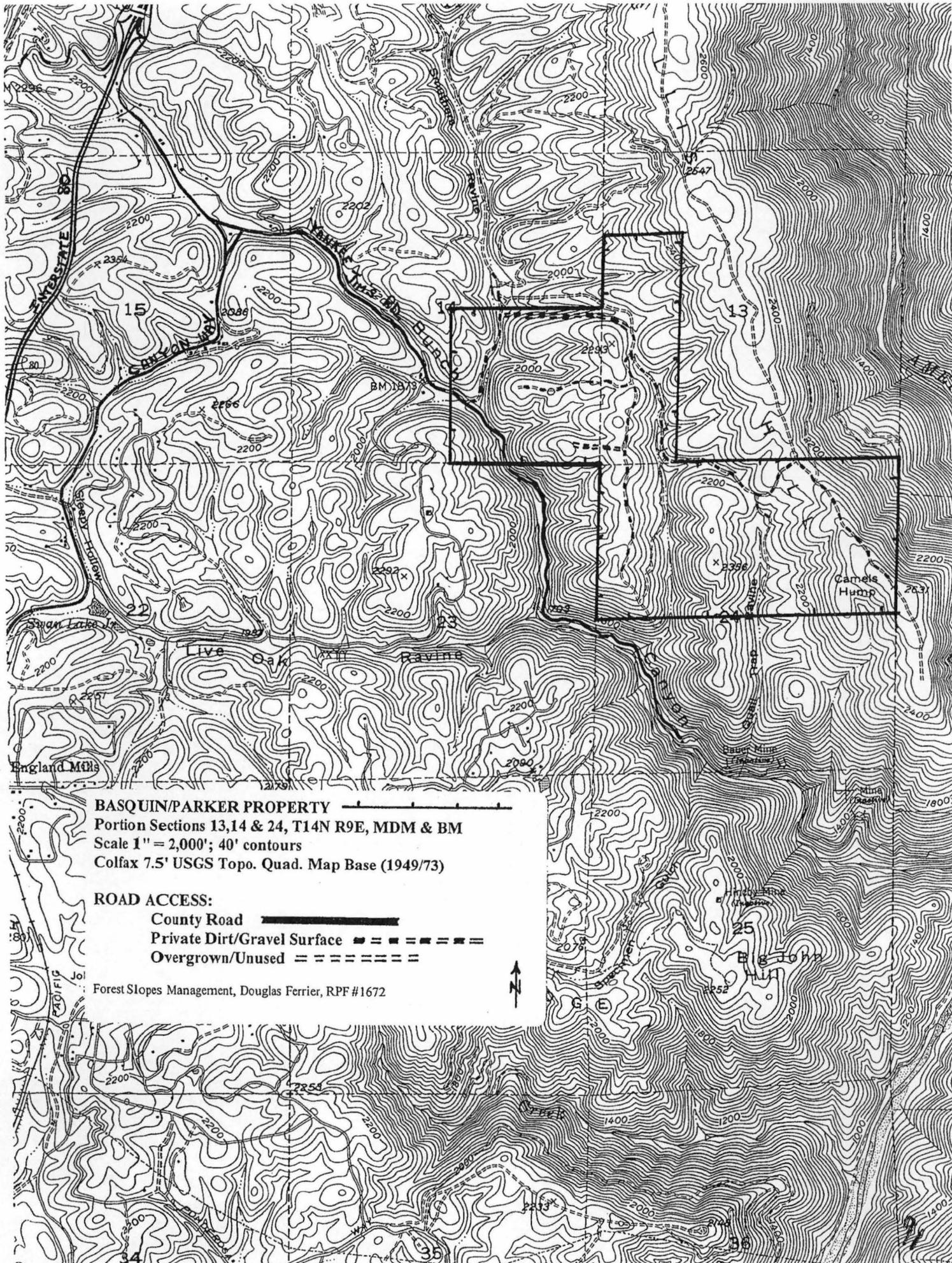


**BASQUIN/PARKER PROPERTY**  
 Portion Sections 13,14 & 24, T14N R9E, MDM & BM  
 Scale 1" = 2,000'; 40' contours  
 Colfax 7.5' USGS Topo. Quad. Map Base (1949/73)

**SOIL CONSERVATION SERVICE SOIL TYPES (1980)**

Forest Slopes Management, Douglas Ferrier, #1672

- 124: Boomer-Rock Outcrop Complex, 5-30% Slopes
- 143: Dubakella Very Stony Loam, 9-50% Slopes
- 164: Mariposa-Josephine Complex, 5-30% Slopes
- 167: Mariposa-Rock Outcrop Complex, 5-50% Slopes
- 168: Mariposa-Rock Outcrop Complex, 50-70% Slopes
- 170: Maymen-Rock Outcrop Complex, 50-75% Slopes

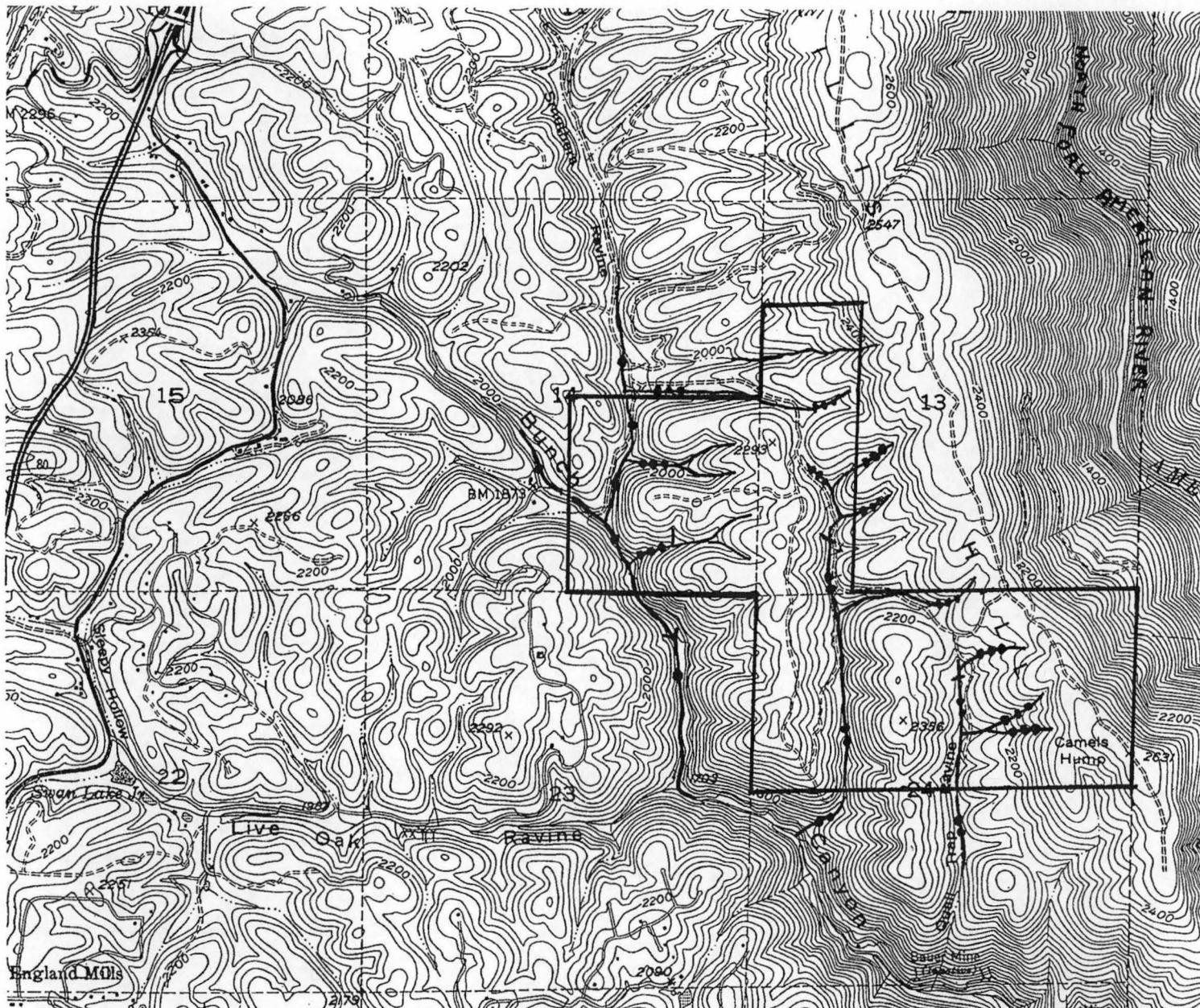


**BASQUIN/PARKER PROPERTY**  
 Portion Sections 13, 14 & 24, T14N R9E, MDM & BM  
 Scale 1" = 2,000'; 40' contours  
 Colfax 7.5' USGS Topo. Quad. Map Base (1949/73)

**ROAD ACCESS:**  
 County Road **—————**  
 Private Dirt/Gravel Surface **- - - - -**  
 Overgrown/Unused **=====**

Forest Slopes Management, Douglas Ferrier, RPF #1672





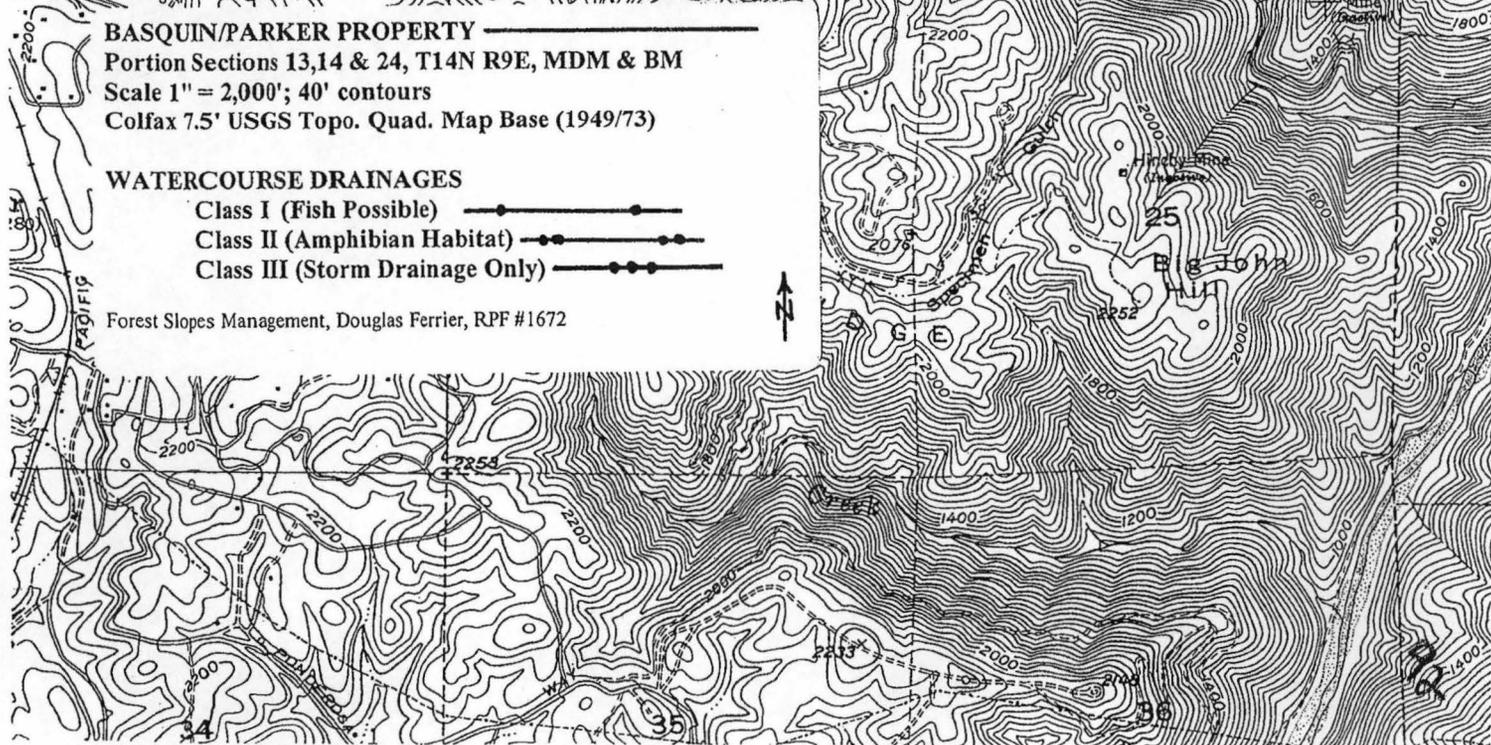
**BASQUIN/PARKER PROPERTY**

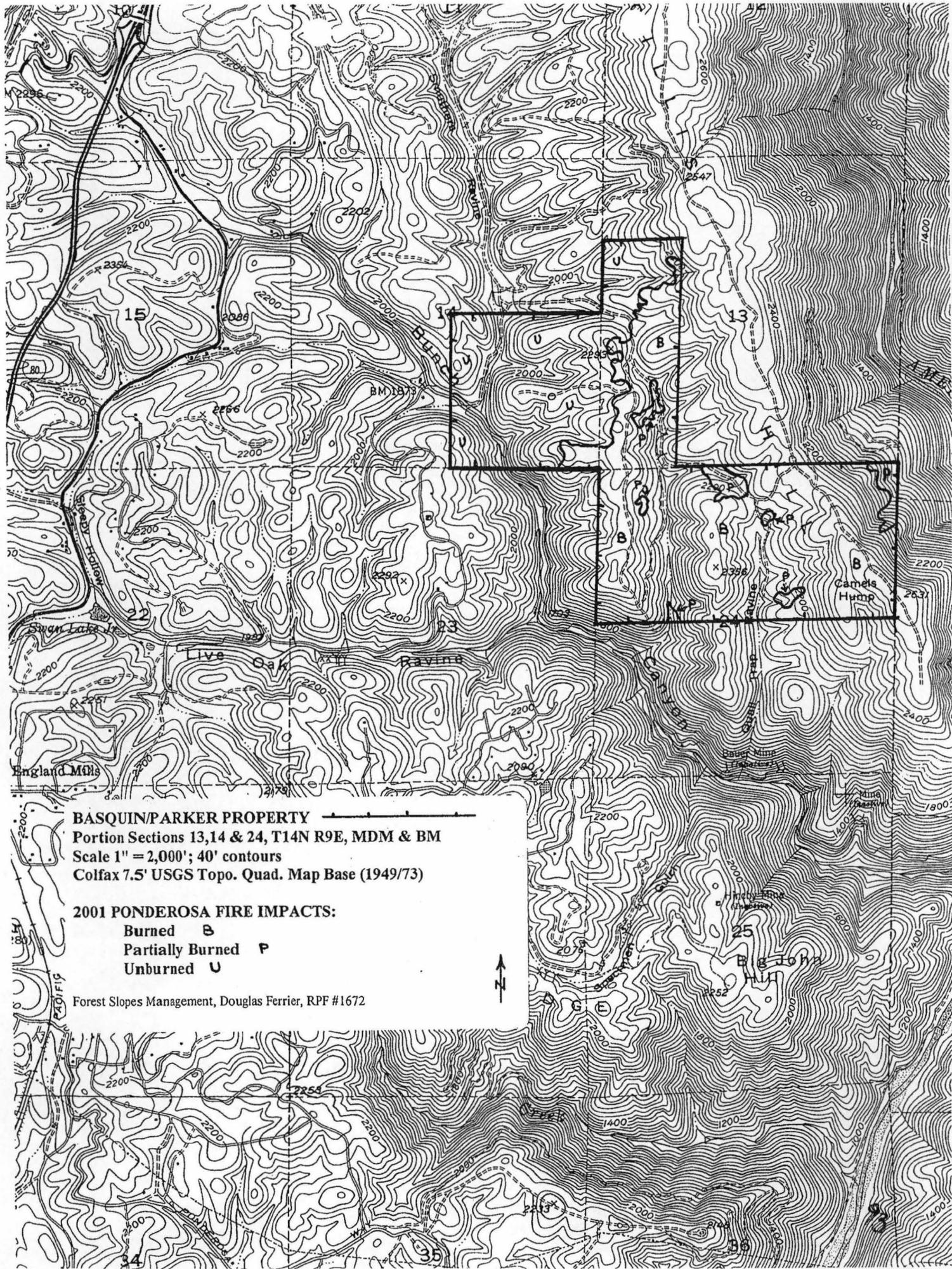
Portion Sections 13,14 & 24, T14N R9E, MDM & BM  
 Scale 1" = 2,000'; 40' contours  
 Colfax 7.5' USGS Topo. Quad. Map Base (1949/73)

**WATERCOURSE DRAINAGES**

- Class I (Fish Possible) ———●———●———●———●———●———
- Class II (Amphibian Habitat) ———●———●———●———●———●———
- Class III (Storm Drainage Only) ———●———●———●———●———●———

Forest Slopes Management, Douglas Ferrier, RPF #1672

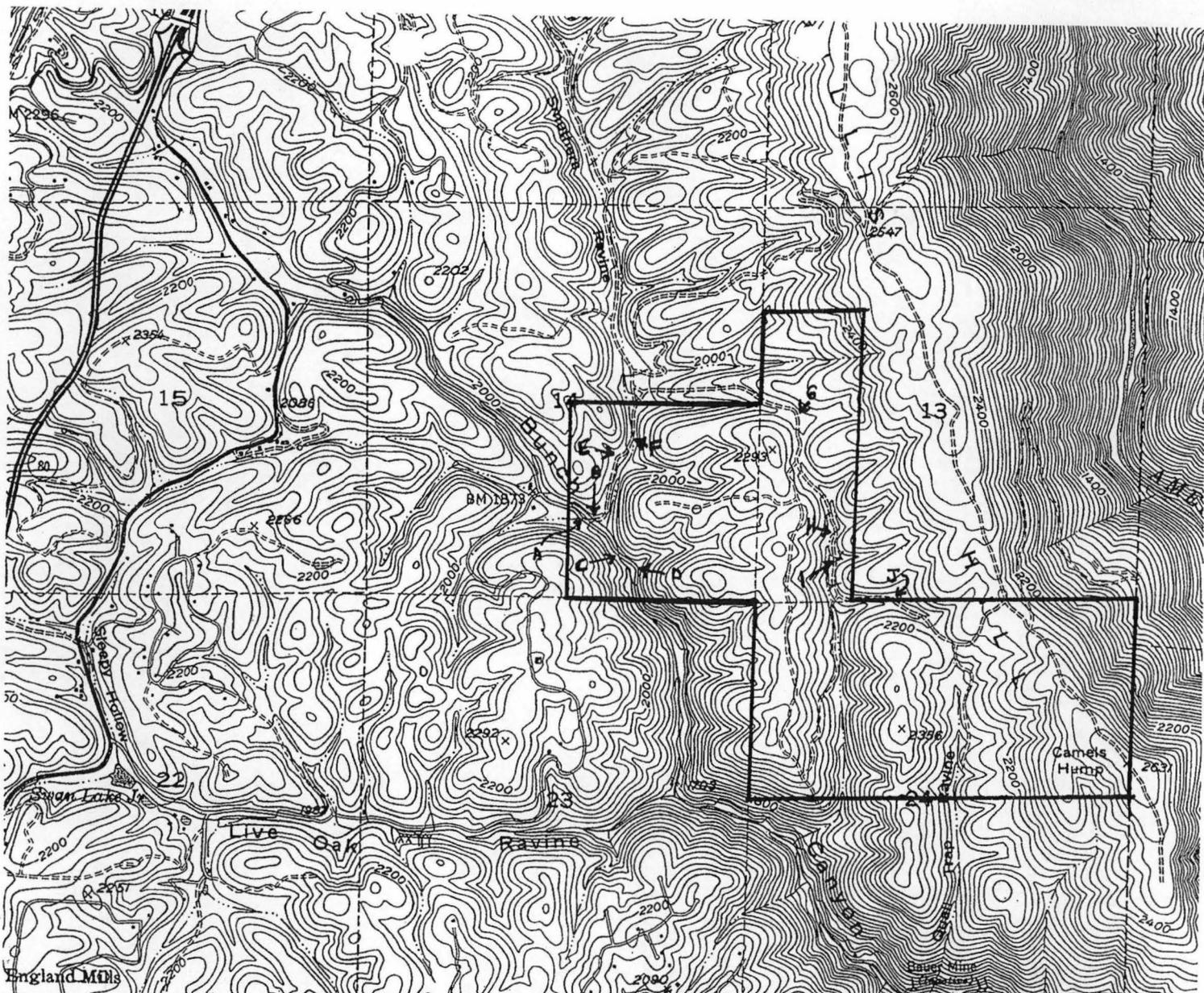




**BASQUIN/PARKER PROPERTY**  
Portion Sections 13, 14 & 24, T14N R9E, MDM & BM  
Scale 1" = 2,000'; 40' contours  
Colfax 7.5' USGS Topo. Quad. Map Base (1949/73)

**2001 PONDEROSA FIRE IMPACTS:**  
Burned B  
Partially Burned P  
Unburned U

Forest Slopes Management, Douglas Ferrier, RPF #1672



**BASQUIN/PARKER PROPERTY**

Portion Sections 13, 14 & 24, T14N R9E, MDM & BM

Scale 1" = 2,000'; 40' contours

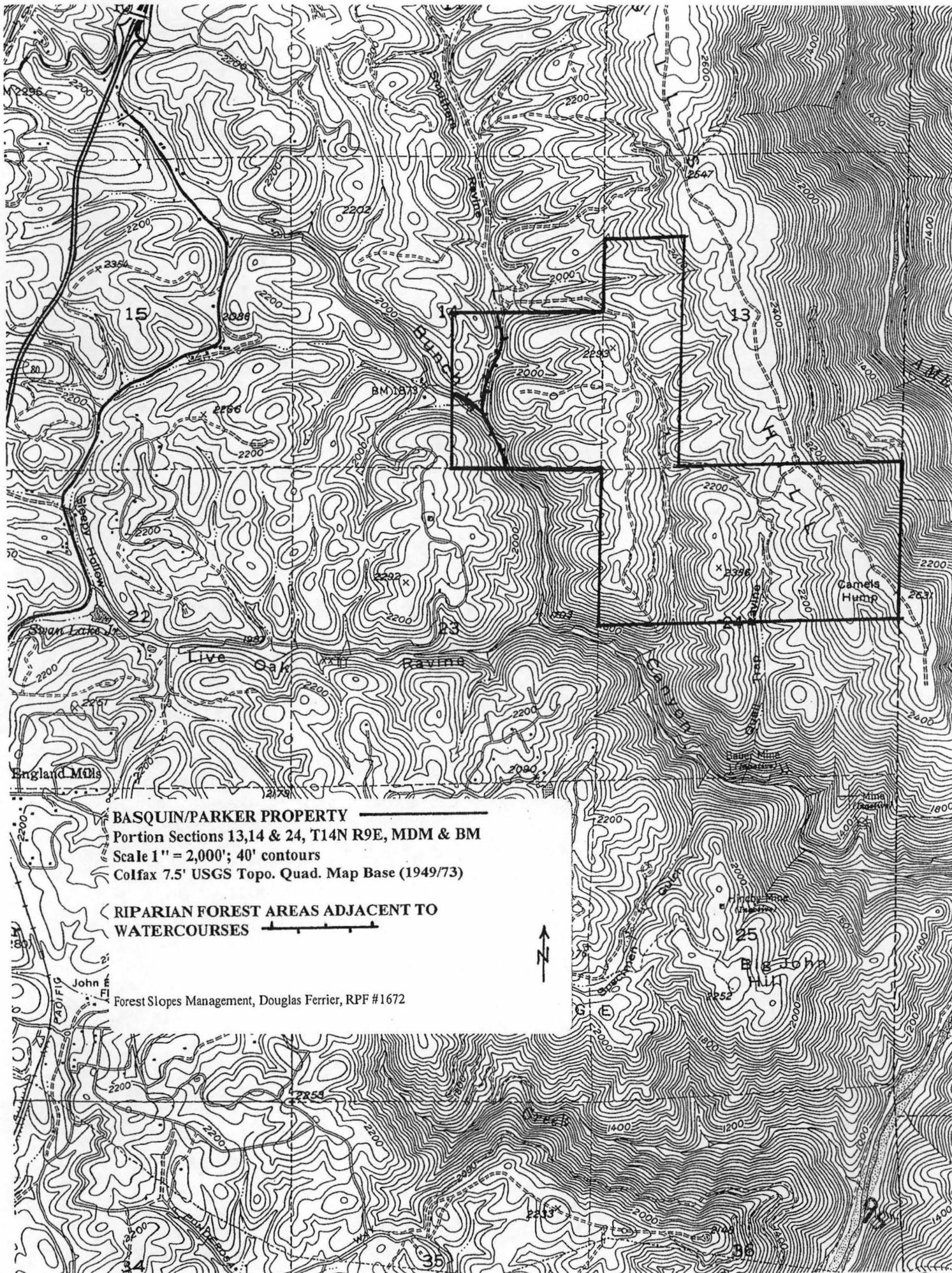
Cofax 7.5' USGS Topo. Quad. Map Base (1949/73)

**ROAD/WATERCOURSE CROSSINGS**

Forest Slopes Management, Douglas Ferrier, RPF #1672



- A: 28" x 20' Metal Culvert under County Road
- B: 30" x 16' 3 Cement pipes
- C: Cement Bridge under County Road
- D: 18" x 16' 2 Metal Culverts under County Road
- E: 18" x 20' Metal Culvert
- F: 24" x 20' 2 Metal Culverts
- G: 18" x 20' Under abandoned road
- H: 12" x 20' Metal Culvert
- I: 12" x 20' Metal Culvert
- J: 12" x 40' Metal Culvert

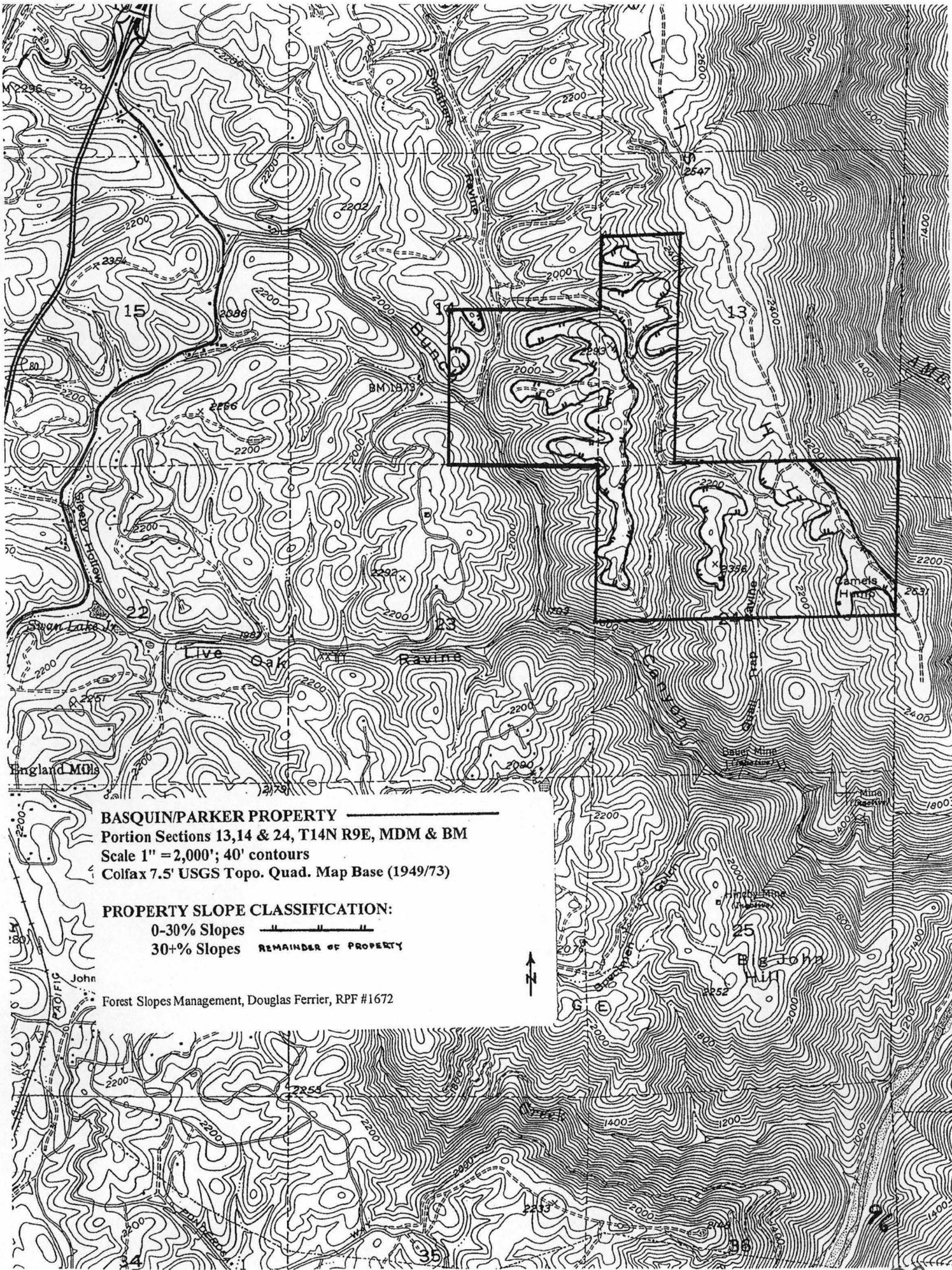


**BASQUIN/PARKER PROPERTY**  
 Portion Sections 13, 14 & 24, T14N R9E, MDM & BM  
 Scale 1" = 2,000'; 40' contours  
 Colfax 7.5' USGS Topo. Quad. Map Base (1949/73)

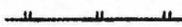
**RIPARIAN FOREST AREAS ADJACENT TO WATERCOURSES**

Forest Slopes Management, Douglas Ferrier, RPF #1672



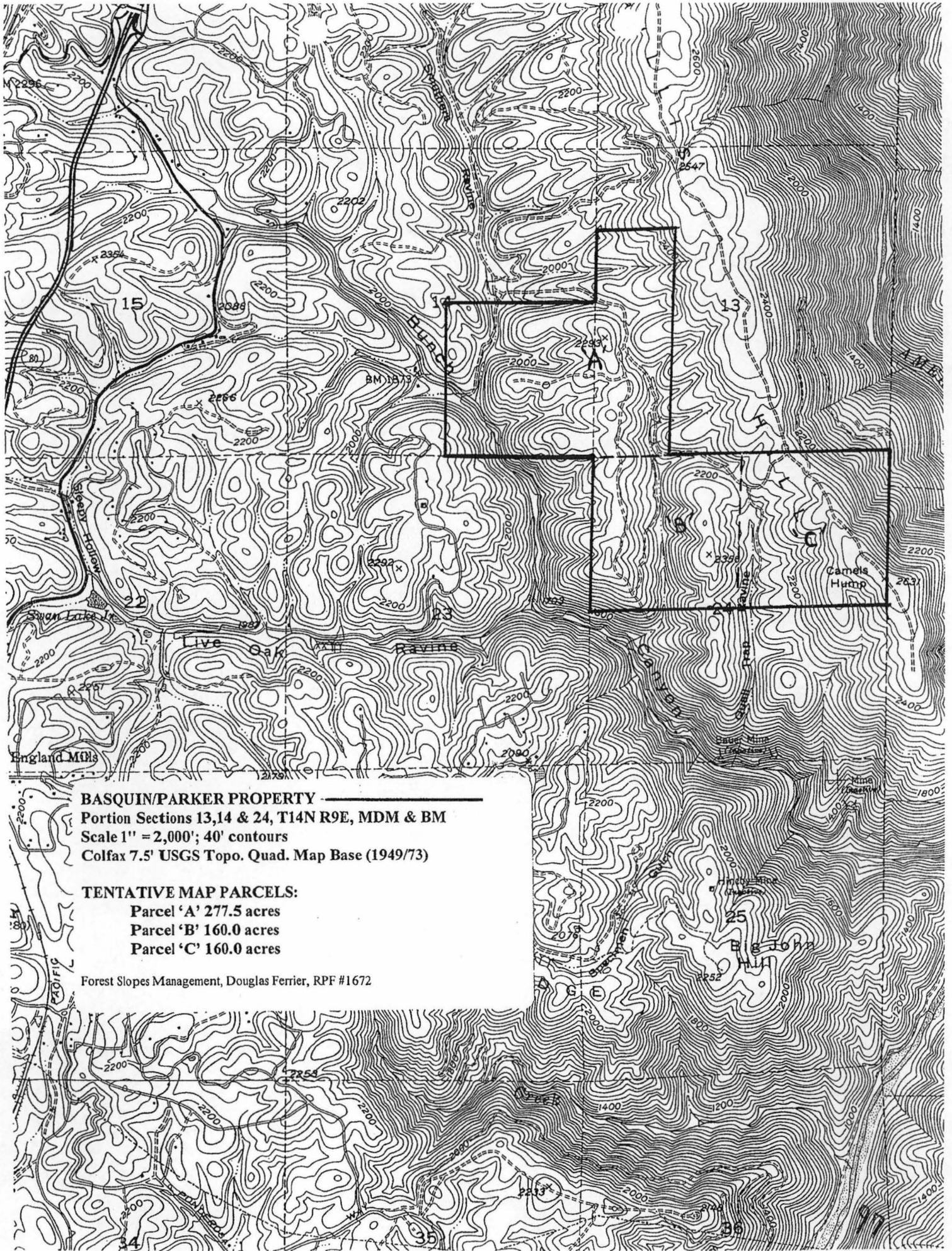


**BASQUIN/PARKER PROPERTY**  
 Portion Sections 13,14 & 24, T14N R9E, MDM & BM  
 Scale 1" = 2,000'; 40' contours  
 Colfax 7.5' USGS Topo. Quad. Map Base (1949/73)

**PROPERTY SLOPE CLASSIFICATION:**  
 0-30% Slopes   
 30+% Slopes **REMAINDER OF PROPERTY**

Forest Slopes Management, Douglas Ferrier, RPF #1672





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 9<sup>th</sup>, 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

**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 velorum 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:

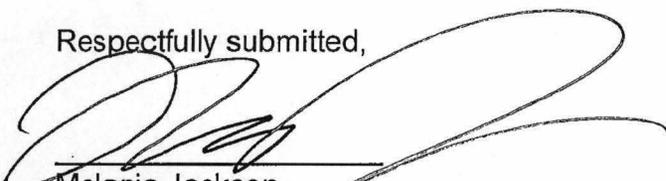
1. A Mitigated Negative Declaration (Modified) has been prepared for the Camel's Hump Caretaker's Residence project as required by law. With the incorporation of all mitigation measures, the project will not cause any significant adverse impacts. Mitigation measures include but are not limited to mitigation 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

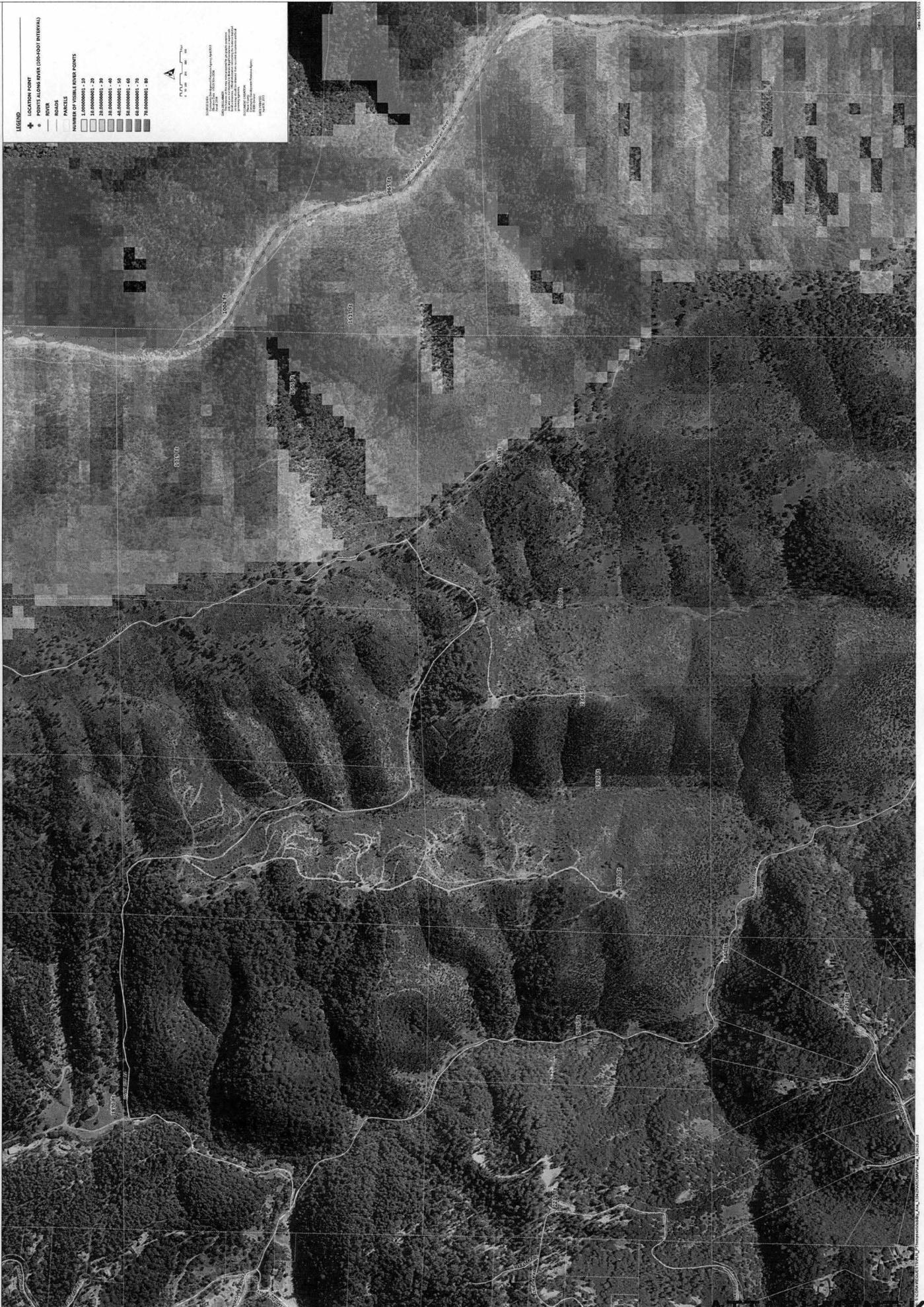
**ATTACHMENTS:**

- 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

# 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) 3<sup>rd</sup> 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 L**

129

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 a 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.



## DEPARTMENT OF FORESTRY AND FIRE PROTECTION

13760 Lincoln Way  
AUBURN, CA 95603  
(530) 889-0111  
Website: [www.fire.ca.gov](http://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](http://www.fire.ca.gov/php/rsrc-mgt_forestpractice.php)

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Reischman".

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.

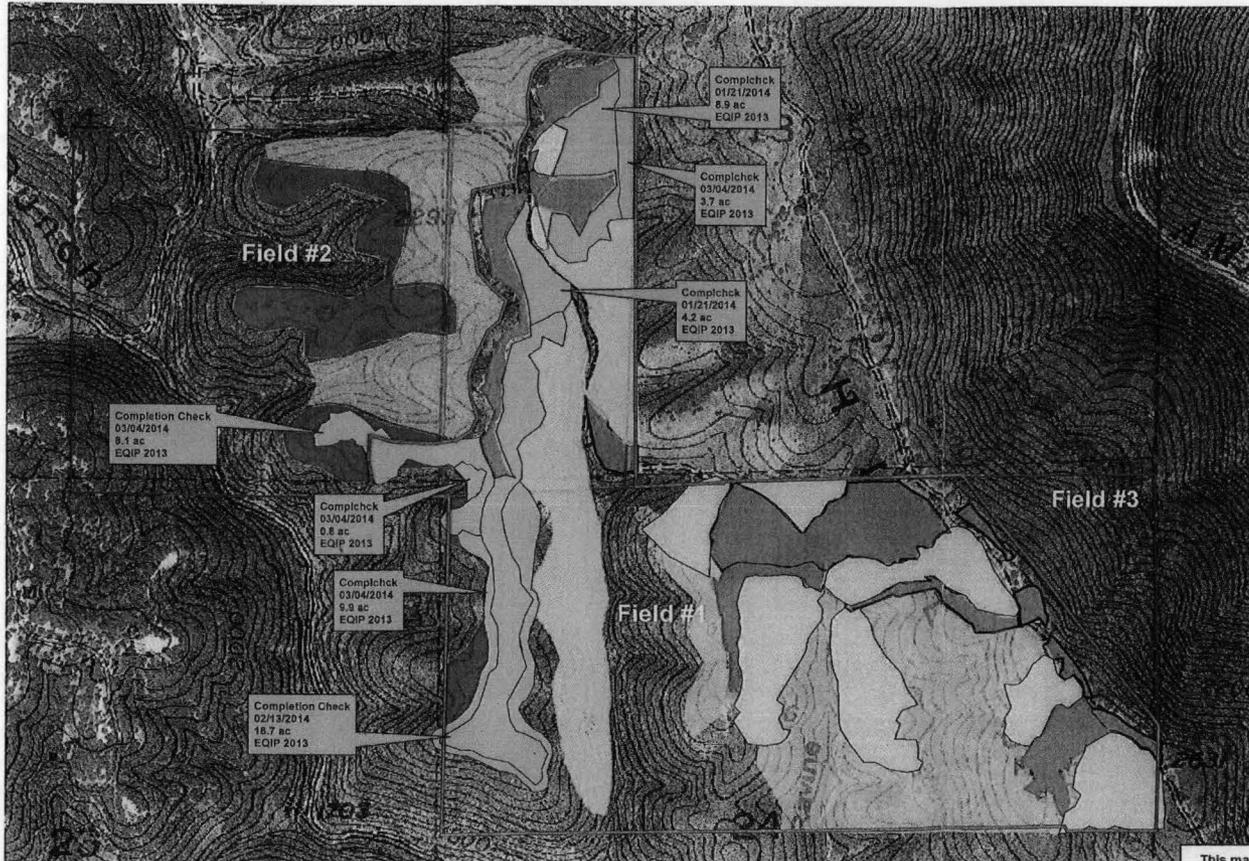
ATTACHMENT M

CORRESPONDENCE RECEIVED THROUGH 06-12-14



# Completion Check Map

## Fred Basquin Placer County EQIP 2013

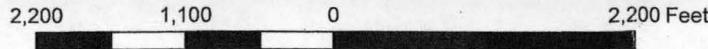


### Legend

- EQIP 2013 - Completed 50 ac *Actual 54.3 ac*
- EQIP 2012 - 60 ac completed
- EQIP 2011- completed 60 ac
- Treated Road- 3 ac (part of EQIP 2011)
- Potentially remaining treatable areas
- Potentially treatable ridgetops- 53 ac

Total acres completed as of 03/05/2014 for EQIP 2013: 50 ac (actual 54.3 ac)

Auburn Service Center  
Drawn by: CAR  
Date: March 5, 2014



This map is intended for planning purposes only and does not represent a legal survey.



**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

135 Ridgway Avenue  
Santa Rosa, California 95401  
(707) 576-2275  
www.fire.ca.gov



**DATE:** 6/04/14

**TO:** Fred Basquin  
22057 Porcupine Ridge Road  
Colfax, CA 95713

**RE:** Responsible Stewardship of your Property

**Dear Mr. Basquin,**

**I am writing this letter to acknowledge the positive and responsible stewardship you have taken in managing your land, on and adjacent to Gillis Hill. As you are aware a large portion of this ridge line, along with your other adjoining land was burned over during the Ponderosa Fire of 2001. This fire resulted in high mortality of both conifer and oak woodlands. Subsequently, large areas were converted to brush due to this fire and no reforestation was attempted after the fire and subsequent salvage logging operations. The accumulated forest fuels from the high tree mortality rate along with the fact that the brush was allowed to generate after the fire passage created an increase in fuel loading. A subsequent fire on the same piece of ground would have further devastating affects and would likely result in the mortality of what conifers and oaks did survive.**

**After I met with you in early 2010, and discussed my concerns and offered you advice; you readily went to work. The fuels management work you have done to protect the lands and all their natural and cultural resource values; and to help protect the newly established conifers and oak woodlands is very impressive. In a recent visit to your property you have completed additional fuels treatment on Pick Handle Ridge, further increasing our ability to safe guard the community of Colfax and vital infrastructure.**

**Your recent reforestation of planting over 50,000 trees along with plans to plant an additional 20,000 trees is remarkable. These trees will reestablish a strong and healthy forest that will serve all the stated goals of combatting climate change, providing cleaner air and water; and providing forests for wildlife diversity. It needs to be further stated that given the current drought California is now in, that the work you have done increases water production**

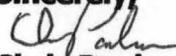
**from your property adding to the health and vigor of the North Fork of the American River, and all the rely on this vital water shed.**

**The Gillis Hill ridge is approximately five miles in length and is the number one ridge of strategic importance for protecting the community of Colfax and the surrounding area, Interstate-80 and the Union Pacific Rail Road lines along with multiple natural and cultural resources. This ridge has been identified as the top priority fuel break project for the Placer Sierra Fire Safe Council Community Wildfire Protection Plan (CWPP). While the Placer Sierra Fire Safe Council has attempted to seek grant funding to establish a fuel break along this ridge and as to date have been unsuccessful; your willingness as a cooperative landowner has accomplished much of what our grant writing requests have failed to achieve. The seriousness in which you have maintained access by improving the roads and reducing fuel loading on your property testifies to willingness to protect both your lands and the surrounding communities.**

**In July of 2012, the Robber's Fire was ignited and again posed a significant threat to the City of Colfax and the surrounding communities. Gillis Hill ridge was again quickly identified as a top priority to protect these assets and fire fighting resources were quickly assigned to establish contingency lines in the event the fire jumped the North Fork of the American River. Because of the work you have done, we were quickly able to access and construct a fire control line down into Yankee Jims Bridge area. Additionally, your land and the positive treatments you took became vital in supporting fire fighting operations as it served as providing a critical emergency communications site as well as an observation point over a large portion of the fire that provided for fire fighter safety. Confidence was very high that if the fire had burned onto Gillis Hill and jumped the planned contingency line we would be able to quickly control it in the areas where you had provided fuels treatment.**

**Again, let me state my personal and professional gratitude for being a responsible land owner and contributing to forest health and protecting the surrounding communities that lie so close to your property. Your personal reverence for the ecosystem makes you a true practicing conservationist, and a legitimate and honest environmentalist. I cannot emphasize enough the fact that if all private land owners were as dedicated to forest stewardship of their properties as you have demonstrated, what significant benefit we would all gain from such an endeavor.**

**Sincerely,**



**Chris Paulus  
Battalion Chief  
Colfax  
Nevada-Yuba-Placer Unit**

**Cc: Brad Harris  
Matthew Reischman  
Scott Lindgren**

