

**AMADOR COUNTY BOARD OF SUPERVISORS
COUNTY ADMINISTRATION CENTER
810 Court Street
Jackson, CA 95642**

BOARD MEMBERS

Richard M. Forster, District II
Chairman

Brian Oneto, District V
Louis D. Boitano, District IV

John Plasse, District I
Theodore F. Novelli, District III

Please Note: All Board of Supervisors meetings are tape-recorded.

Anyone who wishes to address the Board must speak from the podium and should print their name on the Board Meeting Speaker list, which is located on the podium. The Clerk will collect the list at the end of the meeting.

Public hearing items will commence no sooner than the times listed on the agenda. Closed Session agenda items may be heard before or after scheduled public hearings, dependent upon progression of the agenda.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the Clerk of the Board staff, at (209) 223-6470 or (209) 257-0619 (fax). Requests must be made as early as possible and at least one-full business day before the start of the meeting.

Pursuant to Government Code 54957.5, all materials relating to an agenda item for an open session of a regular meeting of the Board of Supervisors which are provided to a majority or all of the members of the Board by Board members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, at and after the time of such distribution, in the office of the Clerk of the Board of Supervisors, 810 Court Street, Jackson, California 95642, Monday through Thursday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the Board or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials that are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

REGULAR MEETING AGENDA

DATE: Tuesday, March 26, 2013
TIME: 8:30 a.m.
LOCATION: County Administration Center, 810 Court Street, Jackson, CA
Board of Supervisors Chambers

CLOSED SESSION may be called for labor negotiations (pursuant to Government Code §54957.6), personnel matters (pursuant to Government Code §54957), real estate negotiations/acquisitions (pursuant to Government Code §54956.8), and/or pending or potential litigation (pursuant to Government Code §54956.9). Following Closed Session the Board will announce any action taken in Open Session.

1. **Conference with Real Property Negotiators:**
 - a. APN: 005-020-015-000 (OpQ Propane) (Terms & Conditions) County Negotiators: Charles T. Iley, County Administrative Officer and Jon Hopkins, General Services Director
 - b. APN: 020-196-001-000 (Amador Historical Society) County Negotiators: Charles T. Iley, County Administrative Officer and Jon Hopkins, General Services Director
2. **Conference with Labor Negotiators:** Pursuant to Government Code Section 54957.6. County Negotiator: Greg Gillott, County Counsel, Chuck Iley, County Administrative Officer, Diane Blanc, Human Resource Director and Diana Doughtie, IEDA. Employee Organization: All Units
3. **Conference with County Counsel - Existing Litigation [Government Code 54956.9(a)]:**
 - a. County of Amador v. Kenneth L. Salazar, Secretary of the Interior; et al: In the United States District Court for the District of Columbia, Case No. 1:05-CV-00658 (RWR)
 - b. County of Amador v. Department of the Interior, Ken Salazar, Secretary of the Interior; et al, In the United States District Court for the Eastern District of California. Case No. 2:12-CV-01710-JAM-CKD
4. **Conference with County Counsel – Potential Litigation [Government Code 54956.9(b)]:**
 - a. Buena Vista Rancheria [Government Code 54956.9 (b)]
5. **Confidential Minutes:** Review and approval of the confidential minutes of March 12, 2013.

****9:00 A.M.****

PLEDGE OF ALLEGIANCE

AGENDA: Approval of agenda for this date; any and all off-agenda items must be approved by the Board (pursuant to §54954.2 of the Government Code.)

PUBLIC MATTERS NOT ON THE AGENDA: Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of the Amador County Board of Supervisors; however, any matter that requires action may be referred to staff and/or Committee for a report and recommendation for possible action at a subsequent Board meeting. Please note - there is a **three (3) minute limit per person.**

CONSENT AGENDA: Items listed on the consent agenda (see attached) are considered routine and may be enacted by one motion. Any item may be removed for discussion and possible action, and made a part of the regular agenda at the request of a Board member(s).

REGULAR AGENDA:

6. **USFS Eldorado National Forest Meadow Corrective Action Planning Grant Application:** Discussion and possible action relative to approval of the Chairman's signature on a letter of support regarding the subject application.
7. **Draft Supplemental Environmental Impact Statement (DSEIS):** Discussion and possible action relative to approval of the Chairman's signature on a letter outlining the Board's comments regarding the DSEIS for the Travel Management Project.
8. **Regional Council of Rural Counties (RCRC):** Discussion and possible action relative to a report by Chairman Forster regarding a recent RCRC Board of Director's meeting.
9. **Minutes:** Review and approval of the March 12, 2013 Board of Supervisors meeting minutes.

****10:30 A.M.****

PUBLIC HEARINGS

10. **Planning Department:** Discussion and possible action relative to a public hearing to to consider and take action on the recommendation of the Planning Commission to conditionally approve a variance request from Amador County Code §19.24.040 -"R1" District Regulations which requires a 25' front building setback to allow construction of an attached garage, covered entry and a portion of the dwelling to within 5' of the front property line.
11. **Surveying Department:** Discussion and possible action relative to a public hearing to consider a proposed vacation of public easements within the setback area of Lot 36, for light, air, snow storage, parking bays, graded slopes, drainage ditches, underground wires and conduits contained within the easterly 20 foot (20') wide portion of the "25' setback utility and parking easement for Basil J. Sanborn and Tracy Sanborn, co-trustees of the Basil J. and Tracy Sanborn Revocable Trust u/a/d March 29, 2005. The easement is located on the easterly side of Danburg Drive (Lot 36 of Kirkwood Meadows Unit No. 1) approximately 800 feet from the junction with Fremont Drive, in the Kirkwood area. Assessor's Parcel No. 26-172-007.

- 12 **Planning Department:** Discussion and possible action relative to a public hearing to consider and take action on the recommendation of the Planning Commission to conditionally approve a variance request from Amador County Code §17.28.060 (Easements to follow lot lines) for Tentative Parcel Map No. 2838 by Pardula Living Trust proposing the division of 12.06 acres into 2 parcels of approximately 6.08 and 5.89 acres in size.

ADJOURNMENT: Until Tuesday, April 9, 2013, at 8:30 a.m.

**Staff Contacts: Chuck Iley, County Administrative Officer
Jennifer Burns, Clerk of the Board
810 Court Street, Jackson, California 95642
Telephone (209) 223-6470
FAX# (209) 257-0619
www.co.amador.ca.us**

**AMADOR COUNTY
BOARD OF SUPERVISORS**

CONSENT AGENDA

March 26, 2013

NOTE: Items listed on the consent agenda are considered routine and may be enacted by one motion. Any item may be removed for discussion and possible action, and made a part of the regular agenda at the request of a Board member(s).

1. **BUDGET MATTERS** None

2. **TAX MATTERS** None

3. **RESOLUTIONS**

- A. **Surveying and Engineering:** Approval of a resolution issuing Certificates of Compliance to Christine Cooper, Trustee of the Eleanor M. Greilich 2011 Trust, and Christine Cooper and James E. Greilich, Co-Trustees of the George E. Greilich Testamentary Trust
- B. **Surveying and Engineering:** Approval of a resolution issuing five (5) Certificates of Compliance to Maurice John Plasse, II, Doreen L. Brenner, AKA Doreen L. Brenner Plasse, and J. & J. Goldsmiths, Inc., a California Corporation.
- C. **Treasurer/Tax Collector:** Approval of a resolution authorizing distribution of excess proceeds from March 7, 2012, Public Auction Sale.
- D. **General Services Administration:** Approval of a Resolution and Notice of Completion accepting the Airport Mold Remediation Project by PARC Specialty Contractors.

4. **AGREEMENTS**

- A. **Sheriff's Office:** Approval of an agreement between the County of Amador and Placer County Sheriff Deputy for the sale and transfer of a Law Enforcement Canine that is no longer needed in Amador County.
- B. **Sheriff's Office:** Approval of *2013 Eastbay Municipal Utility District (EBMUD) Watershed Entry Permit* that allows the Amador County Sheriff's Office to use their facilities for training such as Search and Rescue, Dive Team, Swift Water Rescue, ATV, etc.
- C. **Sheriff's Office:** Approval of a State Grant Agreement wherein the Amador County Sheriff's Office is reimbursed for conducting Off-Highway Vehicle patrol/enforcement within Amador County.

5. **ORDINANCES** None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS**

A. **Airport Advisory Committee:** Approval of the following appointment to the subject Board:

- *Mr. A. Gary Dorall* as Regular Member for a term that coincides with the term of the Supervisorial District 3, which the appointee represents.

B. **Juvenile Justice Commission:** Approval of the following appointment and re-appointments to the subject Board for a term of four (4) years.

- *Ms. Lori Halvorson*
- *Ms. Janet DeLeo*

7. **MISCELLANEOUS**

A. **General Services Administration:** Approval to dispense with the formal bid procedures and authorize the Purchasing Agent to issue a purchase order in the amount of \$24,121.57 to Jeff Holman Auto Center for the purchase of one used 2012 Ford Escape.

B. **General Services Administration:** Approval to fill the following positions' contingent upon the complete open position process:

- Full time Power Equipment Mechanic III for Motor Pool
- Part-time Power Equipment Mechanic I for Motor Pool
- Part-time Building Maintenance Worker I for Facilities

C. **Sheriff's Office:** Approval of the 2012 Annual Inmate Welfare Fund Report.

8. **GENERAL CORRESPONDENCE**

A. Memorandum from the *Building Department* relative to a recap of activity during February 2013, totaling \$ 19,648.49 and the *City of Sutter Creek* totaling \$930.80.

B. Auditor's check register dated March 8, 2013 totaling \$ 347,416.67.

C. Auditor's check register dated March 15, 2013 totaling \$ 303,064.32.

D. Letter of Commendation dated March 18, 2013 from Supervisor John Plasse complimenting the Public Works road crew for brushing and clearing the right of way on Clinton Road and the patching on French Bar Road.

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: March 21, 2013

From: Richard M. Forster, Chairman
(Department Head - please type)

Phone Ext. _____

- Regular Agenda
- Consent Agenda
- Blue Slip
- Closed Session

Meeting Date Requested:

March 26, 2013

Department Head Signature _____

Agenda Title: USFS Eldorado National Forest Meadow Corrective Action Planing Grant Application

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
Discussion and possible action relative to approval of the Chairman's signature on a letter of support regarding the subject application.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required? Yes No

Contract Attached: Yes No N/A
Resolution Attached: Yes No N/A
Ordinance Attached: Yes No N/A

Committee Review? N/A

Name _____

Committee Recommendation: _____

Comments: _____

Request Reviewed by:

Chairman _____

Counsel _____

Auditor EDJ

GSA Director Hop

CAO JA

Risk Management Yurt

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date 3-26-13 Time _____ Item # 6

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

Distributed on _____

A new ATF is required from _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.

Completed by _____

Department _____
For meeting _____
of _____

ATTEST: _____

Clerk or Deputy Board Clerk

Save



March 26, 2013

Kathy Hardy
Forest Supervisor
100 Forni Rd
Placerville, CA 95667

Re: USFS Eldorado National Forest Meadow Corrective Action Planning Grant Application

Dear Forest Supervisor Hardy;

We are writing in support of the Eldorado National Forest Meadow Correction Action Planning grant application. Sixty-five percent of the 4WD roads and 90% of the motorcycle trails above 6000 feet in the Eldorado National Forest travel through a meadow, reportedly causing changes to the hydrologic connectivity. Many of these roads and trails date back to the stage coach days. By court order, these roads and trails are closed and the Forest Service estimates they will likely remain closed for 2 to 10 years until corrective action can be completed.

Eleven of the eighteen closed roads and trails are in the USFS Amador Ranger District which encompasses all of Amador County. The largest OHV area and the greatest use are in the Silver Lake area, which is entirely closed by this court order. The Forest Service grant application proposes to begin planning corrective action on four of the five roads in that area and two roads just east of Amador County

Squaw Ridge Trail (16E26) has two meadows, one is at the western junction with 17E28 and the other is at the eastern end near the junction of 17E24, effectively blocking this 7.5 mile cross-country route from Bear River to Silver and Caples Lakes.

Carson Emigrant National Recreation Trail (17E24&17E79) is part of the historic Kit Carson trail over which thousands of gold enthusiasts traveled to seek their fortune as early as 1848. For a period, it was the main access to California from the East. 17E24 provides OHV access to Squaw Ridge and Bear River from Highway 88 at Tragedy Springs. It is 8.2 miles with four meadows; one meadow at Mud Lake near the western terminus accessed from Highway 88, two after the junction of 17E19 coming up from Silver Lake and the other on Squaw Ridge after the junction with 16E26. 17E79 is a connector trail between 17E24 and 17E19. 17E79 is open and in compliance, but access is blocked by the meadows on 17E24 and 17E19. Opening 17E24 and the Squaw Ridge Trail would restore most of the 4wd and motorcycle recreation around Silver Lake, but access would be from Tragedy Springs, not Silver Lake.

Allen's Camp Trail (17E19) is a 4 mile motorcycle trail from Silver Lake providing access to the Carson Emigrant Trail and Squaw Ridge. It has five meadows equally spaced between Silver Lake and 17E24, the connector to Squaw Ridge.

The Forest Service recently constructed a paved parking lot at the trailhead. Closure through these meadows prevent all motorized access south of Silver Lake ending all motorized recreation from Silver Lake Resort.

Stockton Camp (9N08) is a short 0.5 mile road off 17E19 to Stockton Municipal Organization Camp, which is used by hundreds of visitors each season. There is one meadow at beginning, but it will prevent access to the camp and camp visitors from accessing the Allen's Camp trailhead.

Amador County would also benefit from planning corrective actions on two other roads included in the grant proposal which are just east of Amador County.

Clover Valley/Deer Valley Trail (19E01) is a 7 mile historic trail from Highway 88 to Highway 4. It has been in use since 1857 and was used as an emigrant road, a wagon road from Carson Valley to Big Trees State Park and by the famous Snowshoe Thompson. Only one meadow near Highway 4 prevents this road from motorized use.

Twin Lake/Meadow Lake Road (9N01) is the only road between Twin Lakes and Meadow Lakes. Closure of this 2 mile road stops motorized access to Meadow Lakes, a PG&E day use area, and the Meadow Lakes trailhead. There is only one meadow in the middle.

The first four roads and trails listed (16E26, 17E24, 17E19, 9N08) provide recreational use and access to most of the four wheel drive and motorcycle trails as well as numerous camping sites and trail heads in Amador county. Access to the latter two (19E01 and 9N01) are general through Amador County. Support for maintenance of these roads are through local recreational organizations. Without access, maintenance will cease, extending the cost of meadow restoration to the road and the environment.

We fully support and encourage a grant to the USFS Eldorado National Forest to plan corrective actions that will restore the hydrologic connectivity to the meadows and restore recreational opportunities.

Sincerely,

Richard M. Forster
Chairman

CC: Rick Hopson Amador District Ranger rhopson@fs.fed.us
OHVMR Division ohvinfo@parks.ca.gov

AGENDA TRANSMITTAL FORM

To: Board of Supervisors
 Date: March 21, 2013

From: Richard M. Forster, Chairman
 (Department Head - please type)

Phone Ext. _____

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
<u>March 26, 2013</u>	

Department Head Signature _____

Agenda Title: Draft Supplemental Environmental Impact Statement (DSEIS)

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 Discussion and possible action relative to approval of the Chairman's signature on a letter outlining the Board's comments regarding the DSEIS for the Travel Management Project.

Recommendation/Requested Action: _____

Fiscal Impacts (attach budget transfer form if appropriate) _____
 Staffing Impacts _____

Is a 4/5ths vote required? Yes <input type="checkbox"/> No <input type="checkbox"/> Committee Review? Name _____ N/A <input type="checkbox"/> Committee Recommendation: _____	Contract Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Resolution Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Ordinance Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Comments: _____
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Request Reviewed by:

Chairman _____ Counsel _____
 Auditor FDL _____ GSA Director Hop _____
 CAO cb _____ Risk Management Ym _____

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date 3-26-13 Time _____ Item # 7

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____
 Noes: _____ Resolution _____ Ordinance _____
 Absent: _____ Comments: _____

Distributed on _____	A new ATF is required from _____ Department _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.
Completed by _____	For meeting of _____	ATTEST: _____ Clerk or Deputy Board Clerk

Save



March 26, 2013

Kathryn D. Hardy
Forest Supervisor
Eldorado National Forest
100 Forni Road
Placerville, CA 95667
Comments-pacificsouthwest-eldorado@fs.fed.us

Dear Forest Supervisor Hardy:

We appreciate the opportunity to comment on the Draft Supplemental Environmental Impact Statement (DSEIS) for the Travel Management Project. We also appreciate the open house that was held in Jackson on March 6. Of the four alternatives, Alternative 1 is the most preferable, but with reservations. We recommend a modified alternative within the range of Alternatives 1, 2 and 3.

The sole focus of the alternatives is to address compliance with Standard and Guidelines #100. The S&G has a dual focus to maintain and restore the hydrologic connectivity of the stream, meadows, etc. The goal is accomplished through two requirements. First, by identifying roads and trails that intercept, divert, or disrupt natural surface and subsurface water flow paths. The Forest Service is in full compliance with this requirement by identifying 18 out of the 42 roads that intercept, divert or disrupt water flow paths. Alternatives 1,2 & 3 each release the 24 roads that do not impact meadows and address the 18 roads that do impact meadows. Parts of Alternative 4 are outside the scope of this SEIS by designating all or parts of the 24 compliant roads closed; some permanently and others until mitigated for impacts not related to S&G #100. It also permanently closes many of the 18 roads that do impact meadows without considering potential correction measures. These road closures are outside the scope of this SEIS and must be removed from consideration in this Alternative.

The second requirement in S&G #100 is to implement corrective actions, where necessary, to restore connectivity. By admission in the SEIS, none of the Alternatives implement corrective actions, or even identify corrective actions. Therefore, under all alternatives, the Forest Service will remain non-compliant with S&G #100.

Alternative 1, 2 and 3 are all similar in on-the-ground results, except that Alternative 1 would allow motorized vehicle use while corrective measures are being developed, the other two would close the roads until corrective actions are implemented. Alternative 3 is identical to the no action Alternative 2 except that 3 specifies closure only until corrective actions are implemented but it is implied in Alternative 2 since there will be no reason to keep roads closed after compliance is met. Each of the alternatives are based on a supposition that motorized use cannot be authorized without compliance with S&G #100 and a hostage is needed to ensure corrective actions are implemented.

The S&G was adopted for all new activities. Driving on these roads is not a new activity. In most cases it is a very, very old activity. Some roads date back to the stage coach days. One is a section of the old Highway 88. Another is part of the main immigrant trail to California blazed by Kit Carson, constructed by Mormon pioneers in 1848 and used by thousands during the gold rush.

Another is the wagon road to Calaveras Big Trees. We question the need for an amendment to the LRMP given the historic nature and use of these roads.

The S&G requires implementation of corrective action where necessary. The key phrase is “where necessary”. The SEIS needs to conduct an analysis by meadow to determine if road closure is a necessary corrective action. The SEIS acknowledges in each of the alternatives that closure, by itself will not provide corrective action and that adverse impacts will continue after closure until corrective measures are implemented. In many cases, the road, not the use is the primary obstruction. For example, 11 meadows are affected by roads or trails that intercept and divert water from the meadow. Withholding motorized use will not correct water diversion. While motorized traffic may cause some impacts in some meadows, the burden of the analysis is to determine “necessity”. The scoping document used the term “substantial” to define necessity. The SEIS must assess whether motorized use contributes measurably to the adverse flow of water to specific meadows. If so, restrictions on motorized use may be appropriately considered. If not, there is no reason to curtail motorized use. For many roads, perhaps all roads, motorized use has little or no impact to the meadows.

The SEIS should also suggest some appropriate temporary mitigation measures it will consider on an individual meadow basis. For example, where use does impact water flow, consider mitigation measures that can be identified until corrective actions can be completed such as wet-road restrictions. As two commenters to the scoping document requested, there should be some discussion about how much vehicular use a road will receive when soils are saturated; the time when rutting or other damage to meadow roads is most likely to occur. Thirty-three of the thirty-four meadows are affected by run-off from the roads. Consider listing some standard control devices that can be employed for temporary relief, such as rip-rap, erosion matting, and water bars.

We urge the Forest Service to reconsider adjustments to these alternatives to enable compliance with S&G #100. We call your attention to the phrase “implement corrective actions”. It does not require completion, but implementation. It is expected that implementation will occur over a number of years. The Forest Service should consider actions on all elements of corrective actions as inclusive of implementation. For example, proceeding along a schedule of corrective action elements could be considered implementation. The schedule could include: pursue funding, develop partnerships, evaluate the impacts caused by motorized use, prioritize meadows, install appropriate temporary mitigation measures, conduct a NEPA analysis and complete corrective actions. The most important direction from this SEIS is to begin implementation of corrective actions, not withdraw public use.

We urge you to refine an alternative that falls within Alternatives 1, 2 and 3. Such an alternative would release the 24 roads that either do not affect meadows or are found in compliance with S&G #100. For the 18 roads not found in compliance, provide a preliminary assessment for the necessity of corrective actions, and where necessary, establish a plan for the development of corrective actions, the implementation of which will provide compliance with S&G #100. Include an evaluation of the necessity for temporary mitigation measures.

We thank you for the opportunity to comment and offer our assistance in developing appropriate corrective actions.

Sincerely,

Richard M. Forster, Chair
Amador County Board of Supervisors

CC: Rick Hopson Amador District Ranger rhopson@fs.fed.us
OHVMR Division ohvinfo@parks.ca.gov

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: March 21, 2013

From: Richard M. Forster, Chairman
(Department Head - please type)

Phone Ext. _____

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
<u>March 26, 2013</u>	

Department Head Signature _____

Agenda Title: Regional Council of Rural Counties

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 Discussion and possible action relative to a report regarding a recent RCRC Board of Director's meeting.

Recommendation/Requested Action: _____

Fiscal Impacts (attach budget transfer form if appropriate) _____
 Staffing Impacts _____

Is a 4/5ths vote required? Yes <input type="checkbox"/> No <input type="checkbox"/>	Contract Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Resolution Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Ordinance Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Comments: _____
Committee Review? N/A <input type="checkbox"/> Name _____ Committee Recommendation: _____	

Request Reviewed by:

Chairman _____ Counsel _____
 Auditor _____ GSA Director _____
 CAO _____ Risk Management _____

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date 3/26/13 Time _____ Item # 8

Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___

Ayes: _____ Resolution _____ Ordinance _____ Other: _____
 Noes: _____ Resolution _____ Ordinance _____
 Absent: _____ Comments: _____

Distributed on _____	A new ATF is required from _____ Department _____ For meeting _____ of _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors. ATTEST: _____ Clerk or Deputy Board Clerk
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Save

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: March 21, 2013

From: Jennifer Burns, Clerk of the Board
(Department Head - please type)

Phone Ext. _____

- Regular Agenda
- Consent Agenda
- Blue Slip
- Closed Session

Meeting Date Requested:

March 26, 2013

Department Head Signature _____

Agenda Title: Minutes

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
Discussion and possible action relative to approval of the March 12, 2013 Board of Supervisors Meeting Minutes.

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate) _____
Staffing Impacts _____

Is a 4/5ths vote required? Yes <input type="checkbox"/> No <input type="checkbox"/>	Contract Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Resolution Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Ordinance Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Comments: _____
Committee Review? Name _____ N/A <input type="checkbox"/> Committee Recommendation: _____	

Request Reviewed by:

Chairman _____	Counsel _____
Auditor <u>[Signature]</u>	GSA Director <u>[Signature]</u>
CAO _____	Risk Management <u>[Signature]</u>

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)

FOR CLERK USE ONLY

Meeting Date <u>3-26-13</u>	Time _____	Item # <u>9</u>
Board Action: Approved Yes ___ No ___ Unanimous Vote: Yes ___ No ___		
Ayes: _____	Resolution _____	Ordinance _____
Noes: _____	Resolution _____	Ordinance _____
Absent: _____	Comments: _____	

Distributed on _____ Completed by _____	A new ATF is required from _____ Department _____ For meeting _____ of _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors. ATTEST: _____ Clerk or Deputy Board Clerk
------------------------------------------------	---------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Save

AGENDA TRANSMITTAL FORM

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
03/26/13	

To: Board of Supervisors
 Date: March 20, 2013

From: Susan C. Grijalva Phone Ext. 380
 (Department Head - please type)

Department Head Signature *Susan C. Grijalva*

Agenda Title: PUBLIC HEARING - SANBORN VARIANCE REQUEST

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 Request by Basil and Tracy Sanborn for a variance from County Code Section 19.24.040, "R1" District Regulations which requires a 25' front building setback to allow construction of a garage, covered entry, and a portion of the dwelling to within 5 feet of the front property line.

Recommendation/Requested Action:
Approve or deny the variance request.

Fiscal Impacts (attach budget transfer form if appropriate) Is a 4/5ths vote required? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Committee Review? <u>N/A</u> <input type="checkbox"/> Name <u>Planning Commission on 2/12/13</u> Committee Recommendation: <u>Unanimous recommendation to approve the variance</u>	Staffing Impacts Contract Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Resolution Attached: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Ordinance Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Comments: _____ _____ _____
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Request Reviewed by:

Chairman _____	Counsel <u><i>CG</i></u>
Auditor <u><i>[Signature]</i></u>	GSA Director <u><i>Hog</i></u>
CAO _____	Risk Management <u><i>[Signature]</i></u>

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)
Planning Department

FOR CLERK USE ONLY

Meeting Date <u>3/26/13</u>	Time _____	Item # <u>10</u>
Board Action: Approved Yes ___ No ___	Unanimous Vote: Yes ___ No ___	
Ayes: _____	Resolution _____	Ordinance _____
Noes _____	Resolution _____	Ordinance _____
Absent: _____	Comments: _____	Other: _____

Distributed on _____	A new ATF is required from _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors. ATTEST: _____ Clerk or Deputy Board Clerk
Completed by _____	Department _____	
_____	For meeting of _____	

**STAFF REPORT TO: THE AMADOR COUNTY BOARD OF SUPERVISORS
FOR MEETING OF MARCH 26, 2013**

PUBLIC HEARING - REQUEST FOR A VARIANCE FROM COUNTY CODE SECTION 19.24.040, "R1" DISTRICT REGULATIONS WHICH REQUIRES A 25' FRONT BUILDING SETBACK TO ALLOW CONSTRUCTION OF A GARAGE, COVERED ENTRY, AND A PORTION OF THE DWELLING TO WITHIN 5 FEET OF THE FRONT PROPERTY LINE (APN 026-172-007-000).

APPLICANT: Basil and Tracy Sanborn

SUPERVISORIAL DISTRICT III

LOCATION: On the east side of Dangberg Dr. about 800' from the junction of Fremont Rd. and Dangberg Dr., being Lot 36 of Kirkwood Meadows Unit 1, in Kirkwood.

A. GENERAL PLAN DESIGNATION: S-P, Special Planning

B. PRESENT ZONING: "PD-R1," Planned Development-Single Family Residential

C. DESCRIPTION: The applicant is proposing to demolish the existing living room and deck and construct a new living room, bedroom and basement area along with constructing an addition consisting of a garage and entry. The garage and entry addition and a small portion of the dwelling addition/remodel are proposed to be located within the front building setback up to 5 feet from the property line. This requires a variance from County Code §19.24.040, "R1" District Regulations which requires a 25 foot front setback.

D. STAFF RECOMMENDATION: This request was reviewed by the Tri-County Technical Advisory Committee (TC-TAC) at their January 4, 2013 meeting and by the Amador County TAC on January 14, 2013. The TC-TAC recommended approval of the request subject to conditions (see attached minutes). County TAC also recommended approval subject to the conditions and findings of the TC-TAC.

E. PLANNING COMMISSION RECOMMENDATION: At the February 12, 2013 Planning Commission meeting (see attached minutes and staff report) the Planning Commission unanimously recommended approval of the variance request with the proposed findings and conditions to the Board of Supervisors:

Conditions:

1. Prior to issuance of any building permit the applicant must complete the abandonment of the public utility easement included within the 25' front setback;
2. Prior to issuance of the building permit the applicant must obtain approval from the Kirkwood Meadows Association Planning Committee (KMAPC) for said construction;
3. All necessary building permits shall be obtained from the Building Department for construction of the proposed structure.

Findings:

1. This variance does not constitute the granting of a special privilege inconsistent with the limitations to which other lots in the vicinity with like zoning are subject;
2. Due to the location of the existing dwelling and the slope of the lot, the strict application of the front building setback is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under identical zone classifications;
and

3. This variance will not have a significant adverse effect on the environment and is categorically exempt according to Section 15305, Class 5 (minor setback variance not resulting in the creation of any new parcel) of the State CEQA Guidelines and a Notice of Exemption will be filed with the County Recorder.

F. **Board Action:** Approve or deny the variance request.

Recording requested by:
BOARD OF SUPERVISORS
When recorded send to:
BOARD OF SUPERVISORS

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION APPROVING VARIANCE TO COUNTY CODE §19.24.040 ("PD-R1" REQUIRING A 25' FRONT BUILDING SETBACK) FOR BASIL AND TRACY SANBORN TO ALLOW CONSTRUCTION OF A GARAGE, COVERED ENTRY AND A PORTION OF THE EXISTING DWELLING ON APN 026-172-007-000.) RESOLUTION NO. 13-XXXX

BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that said Board does hereby approve a request for variance from County Code §19.24.040, which requires a 25' front setback to allow for construction of a garage, covered entry and a portion of the existing dwelling to within 5 feet of the front property line. (See Attachment "A").

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the ____ day of _____, 2013, by the following vote:

AYES:
NOES:
ABSENT:

CHAIRMAN, Board of Supervisors

ATTEST:

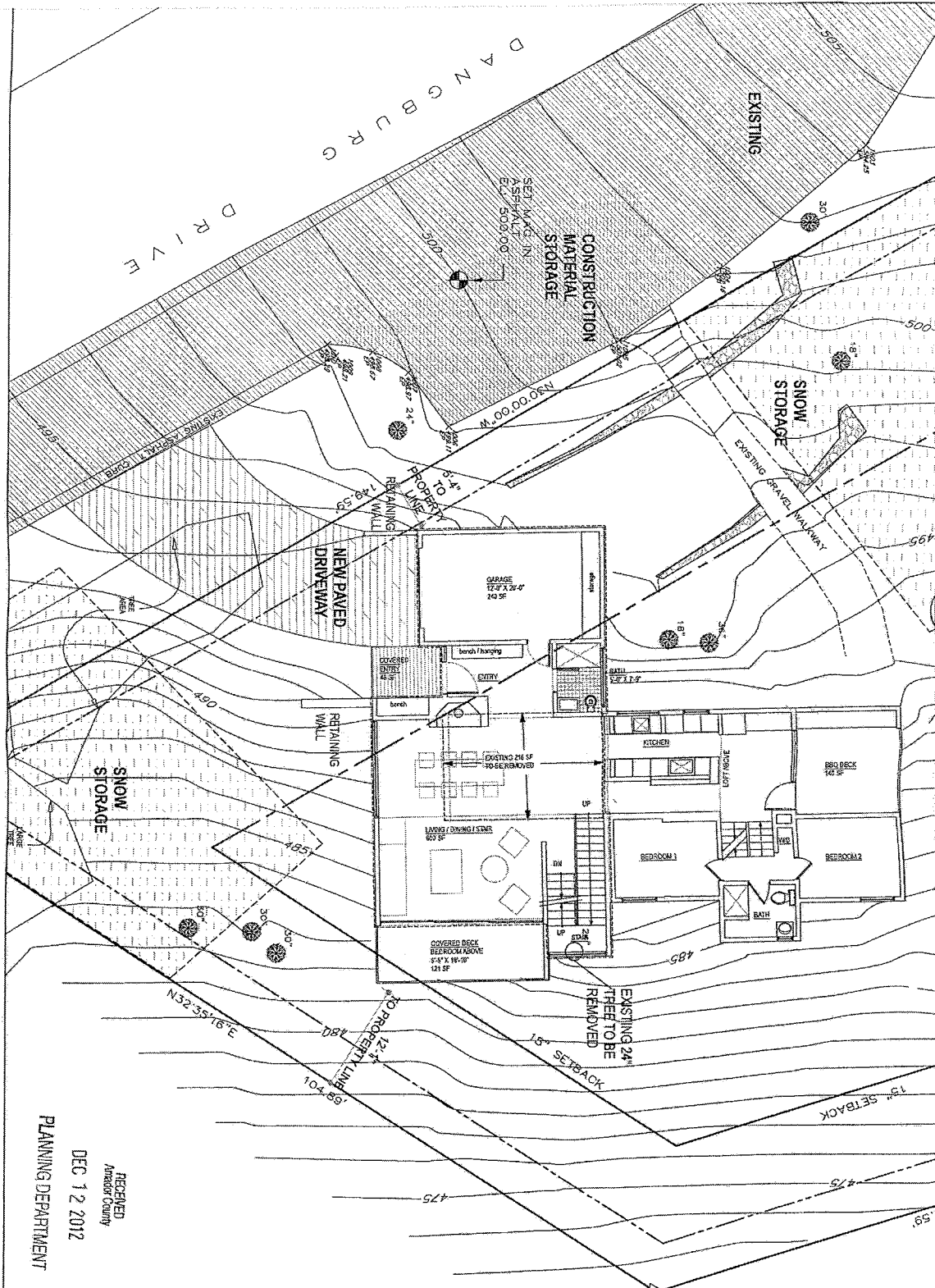
JENIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

By


(RESOLUTION NO. 13-XXX)

()

Attachment "A"



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 <p>1256 8th Avenue, No. 1, San Francisco, California, 94122 P. 415.682.8744 F. 415.681.8744 steve@justrichdesign.com</p>	<p>SITE PLAN</p>		<p>A01</p>
	<p>PROJECT: SANBORN RESIDENCE 33871 DANGBURG KIRKWOOD CA 94556</p>	<p>DATE: 08-10-12</p>	<p>SCALE: 1" = 10'-0"</p>

NOTICE OF EXEMPTION

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

 County Clerk - County of Amador
810 Court Street
Jackson, CA 95642

From: Amador County Planning Commission
810 Court Street
Jackson, CA 95642

Project Title: Sanborn Variance VP-12;12-1
Project Applicant/Address/Phone Number: Basil and Tracy Sanborn; 801 Laurels Grade, Carmel Valley CA 93924; 831-238-5072
Project Location - Specific: On the east side of Danberg Dr. about 800' from the junction of Fremont Rd. and Dangberg Dr., being Lot 36 of Kirkwood Meadows Unit 1, in Kirkwood.
Project Location - County: Amador **Project Location - City:** N/A
Description of Nature, Purpose and Beneficiaries of Project: Request for a variance from County Code Section 19.24.040, "R1" District Regulations which requires a 25' front building setback to allow construction of a garage, covered entry, and a portion of the dwelling to within 5 feet of the front property line (APN 026-172-007).
Name of Public Agency Approving Project: Amador County Board of Supervisors
Name of Person or Agency Carrying Out Project: Basil and Tracy Sanborn

Exempt Status: (check one)
 Ministerial (Sec. 21080(b)(1); 15268);
 Declared Emergency (Sec. 21080(b)(3); 15269(a));
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
 Categorical Exemption. State type and section number: Section 15305, Class 5
 Statutory Exemptions. State code number:

Reasons why project is exempt: FINDINGS: 1.This variance does not constitute the granting of a special privilege inconsistent with the limitations to which other lots in the vicinity with like zoning are subject; 2. Due to the location of the existing dwelling and the slope of the lot, the strict application of the front building setback is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under identical zone classifications; and 3. This variance will not have a significant adverse effect on the environment and is categorically exempt according to Section 15305, Class 5 (minor setback variance not resulting in the creation of any new parcel) of the State CEQA Guidelines and a Notice of Exemption will be filed with the County Recorder.

Lead Agency Contact Person: Susan C. Grijalva, Planning Director **Telephone:** 209-223-6380

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____
Title: Chairman, Board of Supervisors

 Signed by Lead Agency
 Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code
Date received for filing at OPR: _____

Revised 2011
File No. _____
Posted On _____
Posting Removed _____

**EXCERPT FROM FEBRUARY 12, 2013
PLANNING COMMISSION MINUTES**

Item 2 - Request for a Variance from County Code Section 19.24.040 which requires a 25' front building setback to allow construction of a garage, covered entry, and a portion of the dwelling to within 5' of the front property line.

Applicant: Basil and Tracy Sanborn

Supervisorial District III

Location: Lot 36, Kirkwood Meadows Unit 1, located on the east side of Dangberg Dr. about 800' from the junction of Fremont Rd. and Dangberg Dr. in Kirkwood.

Susan Grijalva, Planning Director summarized the staff report, which is hereby incorporated into these minutes as though set forth in full.

Chairman Byrne opened the public hearing.

Basil Sanborn, applicant, was available for questions.

Commissioner Lindstrom asked which approval came first, the County or Kirkwood Meadows Association (KMA). Mr. Sanborn stated KMA has slightly different setbacks from the County; he is requesting a County variance for the front setback and a KMA variance for the side setback.

Ms. Grijalva stated Condition No. 3 is to verify the KMA Planning Committee provides a clearance to the building plans for the colors and materials before the building permit is submitted to the Building Department.

MOTION: It was moved by Commissioner Lindstrom seconded by Commissioner Tober and unanimously carried to close the public hearing.

MOTION: It was moved by Commissioner Lindstrom, seconded by Commissioner Wardall and unanimously carried to recommend approval of the variance to the Board of Supervisors, with the conditions and findings contained in the staff report.

Note: Ms. Grijalva announced the Planning Commission had recommended approval of the variance to the Board of Supervisors. This item will be scheduled for a future Board of Supervisors meeting and notices will be mailed out.

FEBRUARY 12, 2013
PLANNING COMMISSION
PACKET

**STAFF REPORT TO: THE AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF FEBRUARY 12, 2013**

ITEM 2- REQUEST FOR A VARIANCE FROM COUNTY CODE SECTION 19.24.040, "R1" DISTRICT REGULATIONS WHICH REQUIRES A 25' FRONT BUILDING SETBACK TO ALLOW CONSTRUCTION OF A GARAGE, COVERED ENTRY, AND A PORTION OF THE DWELLING TO WITHIN 5 FEET OF THE FRONT PROPERTY LINE (APN 026-172-007-000).

APPLICANT: Basil and Tracy Sanborn
SUPERVISORIAL DISTRICT III

LOCATION: On the east side of Dangberg Dr about 800' from the junction of Fremont Rd. and Dangberg Dr., being Lot 36 of Kirkwood Meadows Unit 1, in Kirkwood.

A. GENERAL PLAN DESIGNATION: S-P, Special Planning

B. PRESENT ZONING: "PD-R1," Planned Development-Single Family Residential

C. DESCRIPTION: The applicant is proposing to demolish the existing living room and deck and construct a new living room, bedroom and basement area along with constructing an addition consisting of a garage and entry. The garage and entry addition and a small portion of the dwelling addition/remodel are proposed to be located within the front building setback up to 5 feet from the property line. This requires a variance from County Code §19.24.040, "R1" District Regulations which requires a 25 foot front setback.

D. STAFF RECOMMENDATION: This request was reviewed by the Tri-County Technical Advisory Committee (TC-TAC) at their January 4, 2013 meeting and by the Amador County TAC on January 14, 2013. The TC-TAC recommended approval of the request subject to conditions (see attached minutes). County TAC also recommended approval subject to the conditions and findings of the TC-TAC.

E. CONDITIONS AND FINDINGS: If the Planning Commission moves to recommend approval of the variance to the Board of Supervisors, the following conditions and findings are recommended for adoption:

Conditions:

1. Prior to issuance of any building permit the applicant must complete the abandonment of the public utility easement included within the 25' front setback;
3. Prior to issuance of the building permit the applicant must obtain approval from the Kirkwood Meadows Association Planning Committee (KMAPC) for said construction;
4. All necessary building permits shall be obtained from the Building Department for construction of the proposed structure.

Findings:

1. This variance does not constitute the granting of a special privilege inconsistent with the limitations to which other lots in the vicinity with like zoning are subject;
2. Due to the location of the existing dwelling and the slope of the lot, the strict application of the front building setback is found to deprive the subject property of

privileges enjoyed by other properties in the vicinity under identical zone classifications;
and

3. This variance will not have a significant adverse effect on the environment and is categorically exempt according to Section 15305, Class 5 (minor setback variance not resulting in the creation of any new parcel) of the State CEQA Guidelines and a Notice of Exemption will be filed with the County Recorder.

BASIL AND TRACY SANBORN
801 LAURELES GRADE
CARMEL VALLEY, CA 93924

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December 5, 2012

Susan Grijalva
Amador County Planning Department
810 Court Street
Jackson, CA 95642-2132

Variance Request : 33871 Dangberg Drive, Kirkwood CA

Dear Ms. Grijalva,

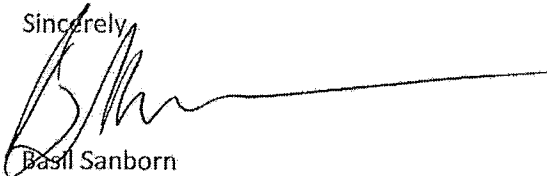
This letter presents our application for a variance related to an addition to our home in Kirkwood.

Our project consists of demolishing the existing living room and deck and constructing a new living room, bedroom and basement. Additionally, a proposed garage and entry encroaches on the 25' front yard setback. After conducting a thorough study of design options, the garage placement within the setback area appears to be the only feasible alternative given the existing home's placement on the lot and the existing floor plan. Further, alternate locations would cause undue impacts to existing utilities, existing off-street parking, and require additional grading and tree impacts. Kirkwood Meadows Association Planning Committee (KMAPC) and Kirkwood Meadows Public Utilities District (KMPUD) were enrolled in the design process and have no objections to the proposed addition. Preliminary project approval has been obtained in a unanimous vote from KMAPC at a public meeting. Neighbors from all three adjoining lots attended the public meeting and expressed support of the project. Snow storage areas have been identified on the plan and accepted by KMPUD.

The environmental information form and written project description is attached along with a 16 page plan set which has been presented and approved at the preliminary design review with KMAPC. The plans include photos of the site and a photo simulation of the proposed addition. Also enclosed is a check for [REDACTED].

Thank you for your consideration. If you have any questions or require further information, I may be reached at [REDACTED] or [REDACTED].

Sincerely,


Basil Sanborn

Sanborn Residence Project Information:

APN: 026-172-007

Lot # 36

Site Address: 33871 Dangberg Drive
Kirkwood, CA 94656

Applicant/Owner: Basil and Tracy Sanborn
801 Laureles Grade
Carmel Valley, CA 93924

Designer: Justrich Design
1256 8th Ave, No. 1
San Francisco, CA 94122

Survey: R.O. Andersen
1603 Esmeralda Avenue
Minden, NV

Lot Size: 11,587 sf

Existing residence: 1164 sf

Current Lot Coverage: 10.0%

Proposed Demolition: 216 sf living
240 sf deck

Proposed New Construction:

1698 sf additional living	(3 floors (basement, living, bedroom))
240 sf new garage	
334 sf new decks	
60 l.f. new paved driveway	

Proposed Lot Coverage: 17.4%

Tree removal: 1 - 24" fir

Source of Water/ Method of Sewer Disposal: Water - KMPUD / Public Sewer – KMPUD

Construction Start: June 2013

Additional Information: Variance required for new garage and entry. 5 foot front yard setback is requested instead of county minimum 25 feet. Preliminary local approvals (KMAPC and KMPUD) have been received.

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ENVIRONMENTAL INFORMATION FORM

PLANNING DEPARTMENT

(To be completed by applicant; use additional sheets as necessary.)
Attach plans, diagrams, etc. as appropriate.

GENERAL INFORMATION

Project Name: Sanborn Residence Addition 33871 Dangberg Drive

Date Filed: 12-5-12 File No. _____

Applicant/ Developer	<u>Basil & Tracy Sanborn</u>	Landowner	<u>Basil & Tracy Sanborn</u>
Address	_____	Address	<u>801 Laureles Grade</u> <u>Carmel Valley CA 93924</u>
Phone No.	_____	Phone No.	<u>[REDACTED]</u>

Assessor Parcel Number(s) 026-172-007

Existing Zoning District _____

Existing General Plan _____

List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state, and federal agencies: Kirkwood Meadows Association Planning Committee (KMAPC) - Preliminary approval obtained Aug 25, 2012.

WRITTEN PROJECT DESCRIPTION (Include the following information where applicable, as well as any other pertinent information to describe the proposed project):

1. Site Size
2. Square Footage of Existing/Proposed Structures
3. Number of Floors of Construction
4. Amount of Off-street Parking Provided (provide accurate detailed parking plan)
5. Source of Water
6. Method of Sewage Disposal
7. Attach Plans
8. Proposed Scheduling of Project Construction
9. If project to be developed in phases, describe anticipated incremental development.
10. Associated Projects
11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details.
12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected.
13. Commercial Projects: Indicate the type of business, number of employees, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.
14. Industrial Projects: Indicate type, estimated employment per shift, and loading facilities.
15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.
16. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required.

Environmental Information Form

ADDITIONAL INFORMATION Are the following items applicable to the project or its effects? Discuss below all items checked "yes" (attach additional sheets as necessary).

- YES NO
17. Change in existing features or any lakes or hills, or substantial alteration of ground contours.
18. Change in scenic views or vistas from existing residential areas, public lands, or roads.
19. Change in pattern, scale, or character of general area of project.
20. Significant amounts of solid waste or litter.
21. Change in dust, ash, smoke, fumes, or odors in the vicinity.
22. Change in lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns.
23. Substantial change in existing noise or vibration levels in the vicinity.
24. Site on filled land or has slopes of 10 percent or more.
25. Use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives.
26. Substantial change in demand for municipal services (police, fire, water, sewage, etc.).
27. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).
28. Does this project have a relationship to a larger project or series of projects?

ENVIRONMENTAL SETTING

- 29. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site (cannot be returned).
30. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity (cannot be returned).
31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photographs of any of these known features (cannot be returned).

Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date 12/5/12

(Signature) Basil Sanborn

ADDITIONAL ENVIRONMENTAL INFORMATION:

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PLANNING DEPARTMENT

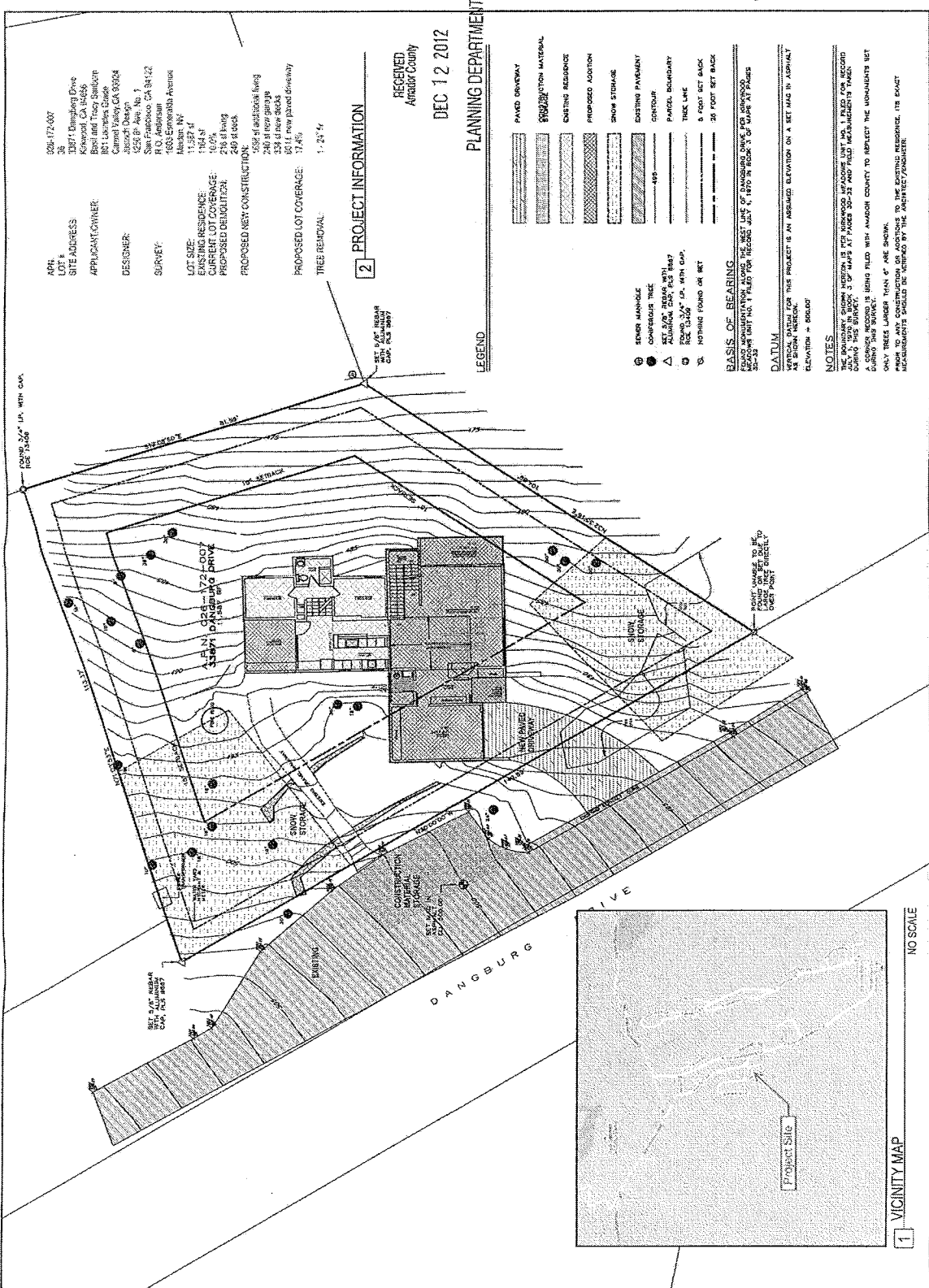
1-16. Written Project Description:

Addition to the Sanborn Residence at 33871 Dangberg Drive located in the Kirkwood Meadows Subdivision in Amador County, California. The existing 1164 sf, four bedroom, two bath residence was built in 1973 and is located on a moderately sloped lot, situated slightly below the street level. Utilities, including water and sewer are provided by Kirkwood Meadows Public Utilities District. The addition consists of replacing a 216 sf living room and a 240 sf deck with a three story, 1698 sf addition, 334 sf of decks, 240 sf new garage and 60 feet of new driveway. New off street parking will be provided in the new garage as well as the driveway. Due to siting of the existing building, a variance for front yard setback will be required for the garage and entry portion of the new construction. Aside from creating a less desirable floor plan, alternate locations considered would negatively impact existing off-street parking, existing utilities and require additional grading and tree removal. Snow storage areas have been identified on the project plans. One 24" fir will be removed for the project. Project Plans are attached.

29-31. Environmental Setting:

29 and 30. The site is a 11,587 square foot lot in the Kirkwood Meadows Subdivision. The lot is moderately sloped and contains a variety of evergreen trees of various sizes. Photographs of the site are included in the plans.

31. N/A



APPLICANT: 306-172-007
 33871 Damburg Drive
 Kirkwood, CA 94566
SITE ADDRESS: 33871 Damburg Drive
 Kirkwood, CA 94566
APPLICANT/OWNER: Brent and Tracy Seiber
 887 Lakeland Circle
 Campbell Valley, CA 95004
DESIGNER: 4256 8th Ave. No. 1
 San Francisco, CA 94112
SURVEY: R. O. Ambrosini
 1088 Embarcadero Avenue
 Berkeley, CA 94707
LOT SIZE: 1164.91
EXISTING RESIDENCE: 10.0%
CURRENT LOT COVERAGE: 218 sf being
PROPOSED DEMOLITION: 240 sf being
PROPOSED NEW CONSTRUCTION: 1084.91 sq. ft. including being
 246 sf new garage
 339 sf new decks
 80 sf new paved driveway
PROPOSED LOT COVERAGE: 37.8%
TREE REMOVAL: 1, 23' 4"

2 PROJECT INFORMATION

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LEGEND

- PAVED DRIVEWAY
- CONSTRUCTION MATERIAL
- EXISTING RESIDENCE
- PROPOSED ADDITION
- SNOW STORAGE
- EXISTING PAVEMENT
- CONTOUR
- PARCEL BOUNDARY
- TRAIL LINE
- 5 FOOT SET BACK
- 25 FOOT SET BACK
- SEWER MANHOLE
- COMPRESSOR TRUCK
- ALLIUM TREE (10' HGT)
- FROND 3/4" DIA. WITH CAP
- ROCK CHALK
- NOTHING FOUND OR SET

BASIS OF BEARING

BEARING INFORMATION ALONG THE WEST LINE OF DANGBURG DRIVE TO THE POINT OF BEGINNING OF THIS PROJECT IS AS ASSUMED DEVIATION ON A SET MADE IN USUAL PRACTICE IN 1998. THE BEARING OF THE WEST LINE OF DANGBURG DRIVE TO THE POINT OF BEGINNING OF THIS PROJECT IS ASSUMED TO BE 329° 55' 30". THE BEARING OF THE WEST LINE OF DANGBURG DRIVE TO THE POINT OF BEGINNING OF THIS PROJECT IS ASSUMED TO BE 329° 55' 30".

NOTES

ONLY TREES LARGER THAN 4" ARE SHOWN. PROPOSED REMOVAL OF TREES SHALL BE IN ACCORDANCE WITH THE COUNTY/STATE REGULATIONS. THE EXACT LOCATION OF THE PROPERTY BOUNDARY SHALL BE DETERMINED BY THE COUNTY/STATE REGULATIONS.

1 VICINITY MAP
NO SCALE


justichdesign
 1258 8th Avenue, No. 1, San Francisco, California, 94122
 P 415.682.8744 F 415.681.8744 steve@justichdesign.com

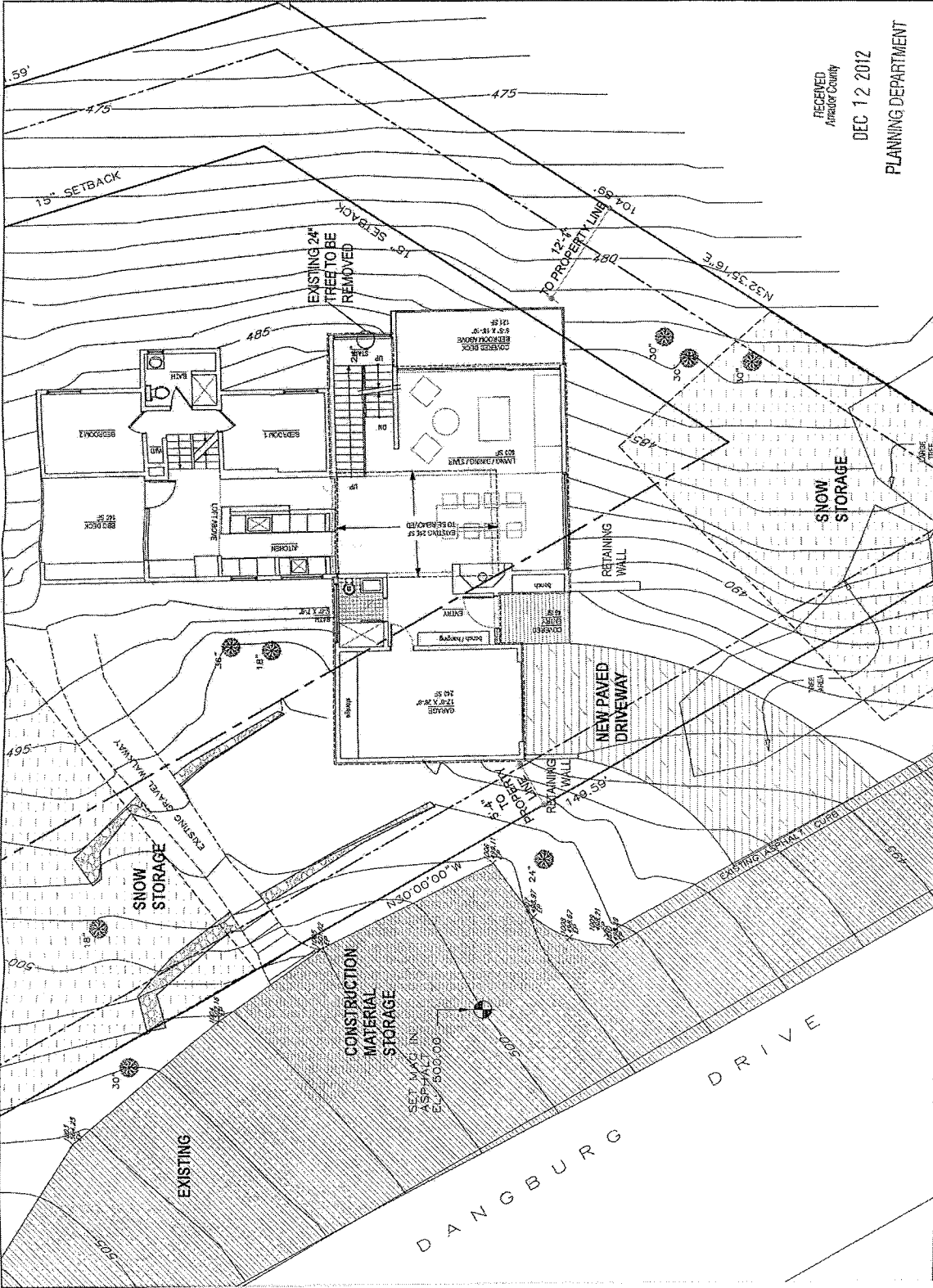
COVERSHEET

A00

PROJECT: SANBORN RESIDENCE
 33871 DANGBURG
 KIRKWOOD CA 94566

DATE: 08-10-12
 SCALE: 1" = 20'-0"

A01	SITE PLAN	PROJECT: SAMBORN RESIDENCE 33871 DANGBURG KIRKWOOD CA 94656	 justtrichdesign P 415.682.8744 F. 415.681.8744 steve@justtrichdesign.com 1256 8th Avenue, No. 1, San Francisco, California, 94122
		DATE: 08-10-12 SCALE: 1" = 10'-0"	



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EXCERPT FROM:

**MINUTES
TRI-COUNTY TECHNICAL ADVISORY COMMITTEE**

January 4, 2013

MEMBERS PRESENT:	Zach Wood	Alpine County
	Susan Grijalva	Amador County
	Pierre Rivas	El Dorado County

OTHERS PRESENT:	Michael Sharp	KMPUD
	Graham Simmons	Architect/contractor for Charos
	Basil Sanborn	Applicant/KMA property owner
	Allan Sapp	KMA property owner

The January 4, 2013 meeting was called to order by Chairman Zach Wood at 10:10 a.m.

Item 2 - Review and recommendation to the Amador County Planning Commission for a variance from Amador County Code Section 19.24.040 which requires a 25-foot front yard building setback to allow construction of a garage, covered entry, and a portion of the dwelling to within 5 feet of the front property line. *Note: This variance, if granted, will also require the abandonment of the 25-foot public utility easement located along the front lot line as noted on the subdivision map.* – Basil Sanborn

Susan Grijalva reviewed the proposed variance request.

Basil Sanborn stated he had the utilities located and none are affected by the proposed variance – there are some utilities in the road right-of-way but not on the property. He added those utilities located in the road right-of-way would not be affected by the construction of the driveway. He also indicated the adjacent neighbors did not have any objections to the proposal.

Michael Sharp, KMPUD, stated snow removal and storage have been reviewed and found to be adequate.

Graham Simmons, speaking as a member of the KMAPC, stated the preliminary plans were found to be acceptable.

It was moved by Susan Grijalva, seconded by Pierre Rivas and unanimously carried to recommend to the Amador County Planning Commission approval of this request for a variance to allow construction of a garage, covered entry, and a portion of the dwelling to within 5 feet of the front property line subject to the following conditions and findings:

Conditions:

1. Prior to issuance of a Building Permit for the proposed addition, the building plans must be approved by KMA and KMAPC.
2. Prior to issuance of the Building Permit the applicant must complete the abandonment of the public utility easement included within the 25-foot front setback lying under the proposed addition.
3. All necessary permits shall be obtained from the Building Department for the construction of the proposed addition and from the Transportation and Public Works Department for the driveway.

Findings:

1. That due to the location of the existing dwelling and the slope of the lot the strict application of the zoning ordinance deprives subject property of privileges enjoyed by other properties in the vicinity and under identical zoning; and
2. The granting of the proposed variance does not constitute the granting of a special privilege inconsistent with the limitations to which other lots in the vicinity with like zoning are subject.

Re: January 4, 2013 REVISED Tri-TAC Agenda Packet

Inbox|x



W4A4R8R0@aol.com

Jan 2 (12 days ago)

to keith, charosfam, agutt, rae.charos, agutt, bruceodelberg, dnld_klein, mikemire, pgdadx2, me, tasng, graham

Hi Susan -

1. The Charos project has not been approved by the KMA Board wrt the variance.
2. The Sanborn project has not even had final plans approved by the KMAPC (including the request for variance) let alone the KMA Board.

Hope that you had a great holiday season.

Judy

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Amador County

JAN - 3 2013

PLANNING DEPARTMENT

01-02-13

Amador County Survey Dept.
810 Court Street
Jackson, Ca. 95642


Dear Survey Department,

Volcano Communications Group may or may not have facilities in the easement that is proposed to be vacated for Basil and Tracy Sanborn. It's up to the owners to determine if we have facilities in their project. The easement is shown and delineated lying within Lot 36 of "Kirkwood Meadows Unit 1" and recorded in Book 3 of Subdivisions Maps at pages 30-32. Assessor's Parcel No 026-172-007. We can move our facilities at owner's expense if required, for the abandonment of the 25' public utility easement along the front lot line as noted on the subdivision map, to proceed.

If there are any questions, please call me.

Sincerely,


Jim Plank

Outside Plant Engineer
Phone: (209) 296-1461
FAX: (209) 296-1677
E-mail: 

AGENDA TRANSMITTAL FORM

- | | |
|-------------------------------------|----------------|
| <input checked="" type="checkbox"/> | Regular Agenda |
| <input type="checkbox"/> | Consent Agenda |
| <input type="checkbox"/> | Blue Slip |
| <input type="checkbox"/> | Closed Session |

To: Board of Supervisors

Date: February 28, 2013

From: George E. Allen Phone Ext. 371
(Department Head - please type)

Meeting Date Requested:
March 26, 2013

Department Head Signature *George E. Allen*

Agenda Title: Public Hearing for abandonment of various public easements for Basil & Tracy Sanborn

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 The subject agenda item is a Public Hearing for abandonment of various public easements. The property is located on the easterly side of Danburg Drive (Lot 36 of Kirkwood Meadows Unit No. 1) approximately 800 feet from the junction with Fremont Drive, in the Kirkwood area. APN 26-172-007

Recommendation/Requested Action:

Fiscal Impacts (attach budget transfer form if appropriate)	Staffing Impacts

Is a 4/5ths vote required? Yes <input type="checkbox"/> No <input type="checkbox"/>	Contract Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
----------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------

Committee Review? <u>N/A</u>	Resolution Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
------------------------------	------------------------------------------------------------------------------------------------------------

Name _____	Ordinance Attached: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Committee Recommendation: _____	Comments: _____

Request Reviewed by:

Chairman _____	Counsel <u>GB</u>
Auditor <u>EAZ</u>	GSA Director <u>Wep</u>
CAO <u>CA</u>	Risk Management <u>Jms</u>

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)
 Please transmit two copies of the resolution to Surveying; one set certified.

FOR CLERK USE ONLY

Meeting Date <u>3/26/13</u>	Time _____	Item # <u>11</u>
-----------------------------	------------	------------------

Board Action: Approved Yes <input type="checkbox"/> No <input type="checkbox"/> Unanimous Vote: Yes <input type="checkbox"/> No <input type="checkbox"/>			
Ayes: _____	Resolution _____	Ordinance _____	Other: _____
Noes _____	Resolution _____	Ordinance _____	
Absent: _____	Comments: _____		

Distributed on _____	A new ATF is required from _____	I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.
Completed by _____	Department _____	
	For meeting of _____	
		ATTEST: _____ Clerk or Deputy Board Clerk



SURVEYING DEPARTMENT

COUNTY ADMINISTRATION CENTER

810 Court Street
Jackson, CA 95642-2132
Telephone: (209) 223-6371

March 4, 2013

AFFIDAVIT OF POSTING

Subject: Abandonment of various Public Utility Easements – Basil & Tracy Sanborn

We have posted five (5) copies of the attached Public Hearing Notice along said abandonment.

Sincerely,

George E. Allen
County Surveyor

GEA/kg

OFFICE OF
BOARD OF SUPERVISORS

810 COURT STREET • JACKSON, CA 95642 • (209) 223-6470 • FAX (209) 257-0619



**AMADOR COUNTY
NOTICE OF PROPOSED VACATION**

The Board of Supervisors hereby gives Notice of its proposed vacation of public easements within the setback area of Lot 36, for light, air, snow storage, parking bays, graded slopes, drainage ditches, underground wires and conduits contained within the easterly 20 foot (20') wide portion of the "25' setback utility and parking easement" as shown on the final map for Lot 36 of Kirkwood Meadows Unit No. 1, recorded in the Amador County Recorder's Office in Book 3 of Subdivision Maps at pages 30 to 32, for Basil J. Sanborn and Tracy Sanborn, co-trustees of the Basil J. and Tracy Sanborn Revocable Trust u/a/d March 29, 2005. The easement is located on the easterly side of Danburg Drive (Lot 36 of Kirkwood Meadows Unit No. 1) approximately 800 feet from the junction with Fremont Drive, in the Kirkwood area. Assessor's Parcel No. 26-172-007.

A Resolution of Intention to vacate said public easements was adopted by the Board of Supervisors in Resolution No. 13-019.

A Public Hearing to consider said vacation will be held at the County Administration Center, 810 Court Street, Jackson, California on March 26, 2013, at 10:30 a.m., or as soon thereafter as the matter may be heard, at which time any and all interested persons may come and be heard thereon.

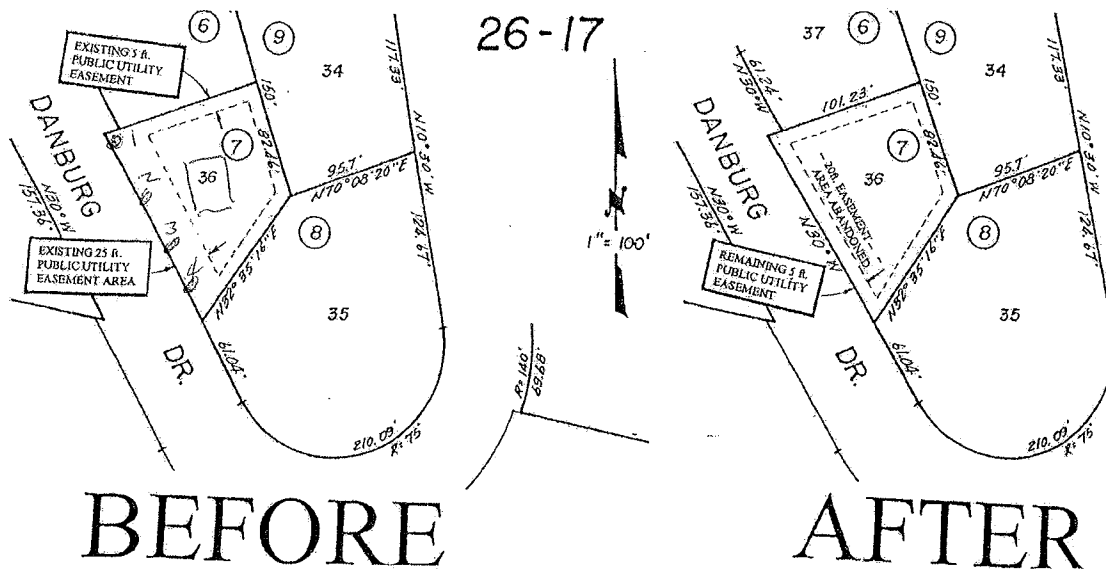
If you have any questions, or desire further information, please contact the Surveying Department at (209) 223-6371.

3-5-13

POSTED 4 NOTICES

AMADOR COUNTY BOARD OF SUPERVISORS

Handwritten signature



Requested by:
BOARD OF SUPERVISORS
Return to:
SURVEYING & ENGINEERING

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF

RESOLUTION APPROVING ABANDONMENT)
OF VARIOUS PUBLIC UTILITY EASEMENTS)
FOR BASIL J. SANBORN AND TRACY SANBORN,) RESOLUTION NO. 2013-xxxx
CO-TRUSTEES OF THE BASIL J. AND)
TRACY SANBORN REVOCABLE TRUST)
U/A/D MARCH 29, 2005)

BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that said Board does hereby approve the abandonment of various public utility easements for Basil J. Sanborn and Tracy Sanborn, Co-Trustees of the Basil J. and Tracy Sanborn Revocable Trust U/A/D March 29, 2005 as attached description in Exhibit "A".

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 26th day of March, 2013, by the following vote:

AYES: Richard M. Forster, Theodore F. Novelli,
Brian Oneto, John Plasse, and Louis D. Boitano

NOES: None

ABSENT: None

Chairman, Board of Supervisors

ATTEST:

JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County
California

EXHIBIT 'A'

**EASEMENT ABANDONMENT
(A portion of a 25' Setback, Utility & Parking Easement over Lot 36)
(A.P.N. 026-172-007)**

All that real property situate in the County of Amador, State of California, described as follows:

A portion of that certain twenty five-foot (25') building setback area easement for light, air, snow storage, parking bays, graded slopes, drainage ditches, underground wires and conduits as shown on the Final Map of Kirkwood Meadows Unit No.1 filed for record July 1, 1970 in the office of Recorder, Amador County in Book 3 of Subdivision Maps at Page 30, more particularly described as follows:

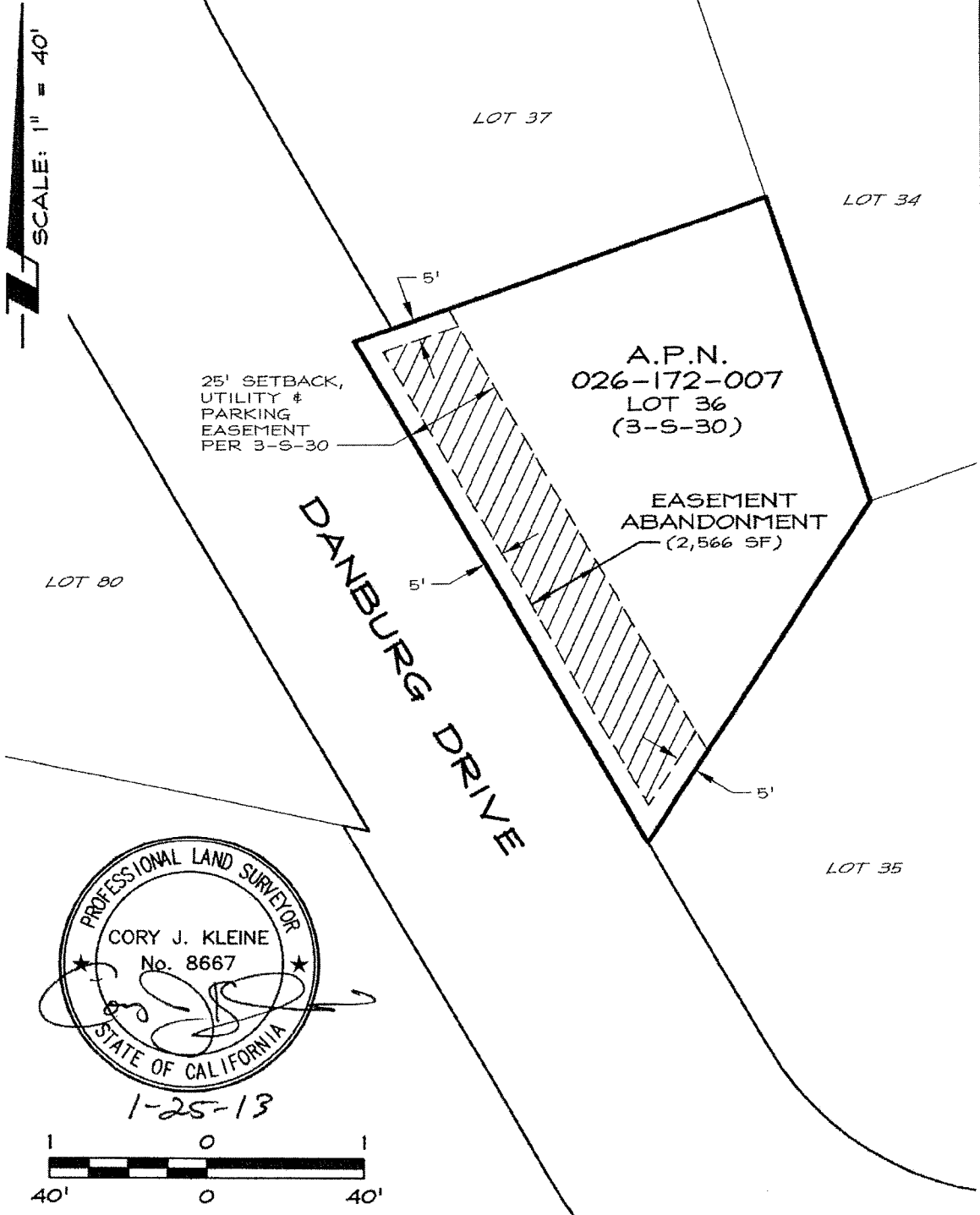
The westerly 25 feet of Lot 36 per said Final Map of Kirkwood Meadows Unit No.1, excepting therefrom the northerly, westerly and southerly 5 feet thereof.

The above-described area of abandonment contains 2,566 square feet, more or less.

Prepared By: Cory J. Kleine, PLS
R.O. ANDERSON ENGINEERING, INC.
P.O. Box 2229
Minden, Nevada 89423



Y:\Client Files\1852\1852-00\CAD\Survey\Exhibits\1852-00\EXH-ABANDONMENT.dwg 1/26/2013 2:43:40 PM Cory J. Kleine



ROAnderson
WWW.ROANDERSON.COM

NEVADA
1603 Emerald Ave
P.O. Box 2229
Minden, NV 89423
p 775.782.2322
f 775.782.7064

CALIFORNIA
595 Tahoe Keys Blvd
Suite A-2
South Lake Tahoe, CA 96150
p 530.600.1660
f 775.782.7064

EXHIBIT 'B'
EASEMENT ABANDONMENT
KIRKWOOD MEADOWS UNIT NO. 1
(BOOK 3 OF SUBDIVISION MAPS, PAGE 30)
AMADOR COUNTY, CA 01/25/13

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: March 20, 2013

From: Susan C. Grijalva

(Department Head - please type)

Phone Ext. 380

- Regular Agenda
- Consent Agenda
- Blue Slip
- Closed Session

Meeting Date Requested:

03/26/13

Department Head Signature *Susan C. Grijalva*

Agenda Title: Variance Request for Tentative Parcel Map #2838 - Pardula

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 Request for a Variance from Amador County Code Section 17.28.060 (Easements to follow lot lines) for proposed easements associated with Tentative Parcel Map No. 2838 by Pardula Living Trust.

Recommendation/Requested Action:
Approve or deny the variance request.

Fiscal Impacts (attach budget transfer form if appropriate)

Staffing Impacts

Is a 4/5ths vote required?

Yes

No

Committee Review?

N/A

Name Planning Commission on 2/12/13

Committee Recommendation:
4/5 recommendation to approve the variance

Contract Attached: Yes No N/A
 Resolution Attached: Yes No N/A
 Ordinance Attached: Yes No N/A
 Comments: _____

Request Reviewed by:

Chairman _____

Counsel GG

Auditor EDL

GSA Director Hop

CAO CR

Risk Management JM+

Distribution Instructions: (Inter-Departmental Only, the requesting Department is responsible for distribution outside County Departments)
Planning Department

FOR CLERK USE ONLY

Meeting Date

3-26-13

Time _____

Item #

12

Board Action: Approved Yes ___ No ___

Unanimous Vote: Yes ___ No ___

Ayes: _____

Resolution _____

Ordinance _____

Other: _____

Noes: _____

Resolution _____

Ordinance _____

Absent: _____

Comments: _____

Distributed on _____

A new ATF is required from _____

I hereby certify this is a true and correct copy of action(s) taken and entered into the official records of the Amador County Board of Supervisors.

Completed by _____

Department _____
 For meeting _____
 of _____

ATTEST: _____

Clerk or Deputy Board Clerk

**STAFF REPORT TO: AMADOR COUNTY BOARD OF SUPERVISORS
FOR MEETING OF MARCH 26, 2013**

PUBLIC HEARING: REQUEST FOR A VARIANCE FROM AMADOR COUNTY CODE SECTION 17.28.060 (EASEMENTS TO FOLLOW LOT LINES) FOR THE PROPOSED EASEMENTS FOR TENTATIVE PARCEL MAP NO. 2838 PROPOSING THE DIVISION OF 12.06 ACRES INTO TWO PARCELS OF APPROXIMATELY 6.08 AND 5.89 ACRES IN SIZE (APN 038-260-031-000).

APPLICANT: Pardula Living Trust

SUPERVISORIAL DISTRICT IV

LOCATION: At the southeast corner of the intersection of Spagnoli Mine Rd. and Mierkey Rd. about ½ mile east of Irishtown Rd. in the Pine Grove area.

- A. DESCRIPTION & BACKGROUND:** The Planning Commission heard this item at the September 11, 2012; December 11, 2012; and February 12, 2013 meetings (see staff reports attached). At the December meeting concerns were raised if the application had been withdrawn (see draft minutes and correspondence attached). The Planning Commission directed staff to send a letter stating the application will be deemed withdrawn if the applicant does not respond to the Planning Department by a specific date. On January 24, 2013, the Planning Department received a letter from James Buell, Cal State Engineering, stating the application has not been withdrawn and requested to be on the February 12, 2013 Planning Commission Agenda.
- B. PLANNING COMMISSION ACTION:** On February 12, 2013 the Planning Commission approved the tentative map project with the adoption of the Mitigated Negative Declaration and the Conditions of Approval and further recommended to the Board of Supervisors approval of a variance from County Code Section 17.28.060 (easements to follow lot lines), with the following findings:
1. The tentative map is consistent with the Amador County General Plan, Land Use Element at this location;
 2. This variance does not constitute the granting of a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located;
 3. The site is physically suitable for the type and density of the development proposed and has an approved Fire Management Plan;
 4. The proposed design is not likely to cause substantial environmental damage or serious health problems;
 5. The tentative map does not conflict with any easements of record acquired by the public at large; and
 6. A review of this map project was conducted by the Technical Advisory Committee through their own research and the Environmental Checklist and

found this map project will not have a significant adverse effect on the environment due to the mitigation measures incorporated into the tentative map and attached as conditions of approval.

C. BOARD OF SUPERVISORS ACTION: Approve or deny the variance request.

Recording requested by:
BOARD OF SUPERVISORS
When recorded send to:
BOARD OF SUPERVISORS

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION APPROVING VARIANCE FROM) RESOLUTION NO. 13-XXXX
COUNTY CODE §17.28.060 (EASEMENTS TO)
FOLLOW LOT LINES) FOR TENTATIVE PARCEL)
MAP #2838 BY PARDULA LIVING TRUST)

BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that said Board does hereby approve a request for a variance from County Code §17.28.060 which requires easements to follow lot lines for Tentative Parcel Map #2838 (See Attachment "A").

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the _____ day of _____, 2013, by the following vote:

AYES:
NOES:
ABSENT:

CHAIRMAN, Board of Supervisors

ATTEST:

JENIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

By

(RESOLUTION NO. 12-XXX)

()

Attachment "A"

CAL STATE ENGINEERING
 INCORPORATED
 427 BROADWAY
 AMADOR COUNTY, CALIFORNIA
 PHONE 520-333-4444
 FAX 520-333-4444

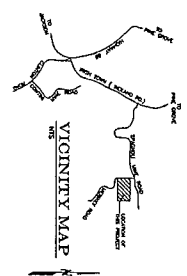
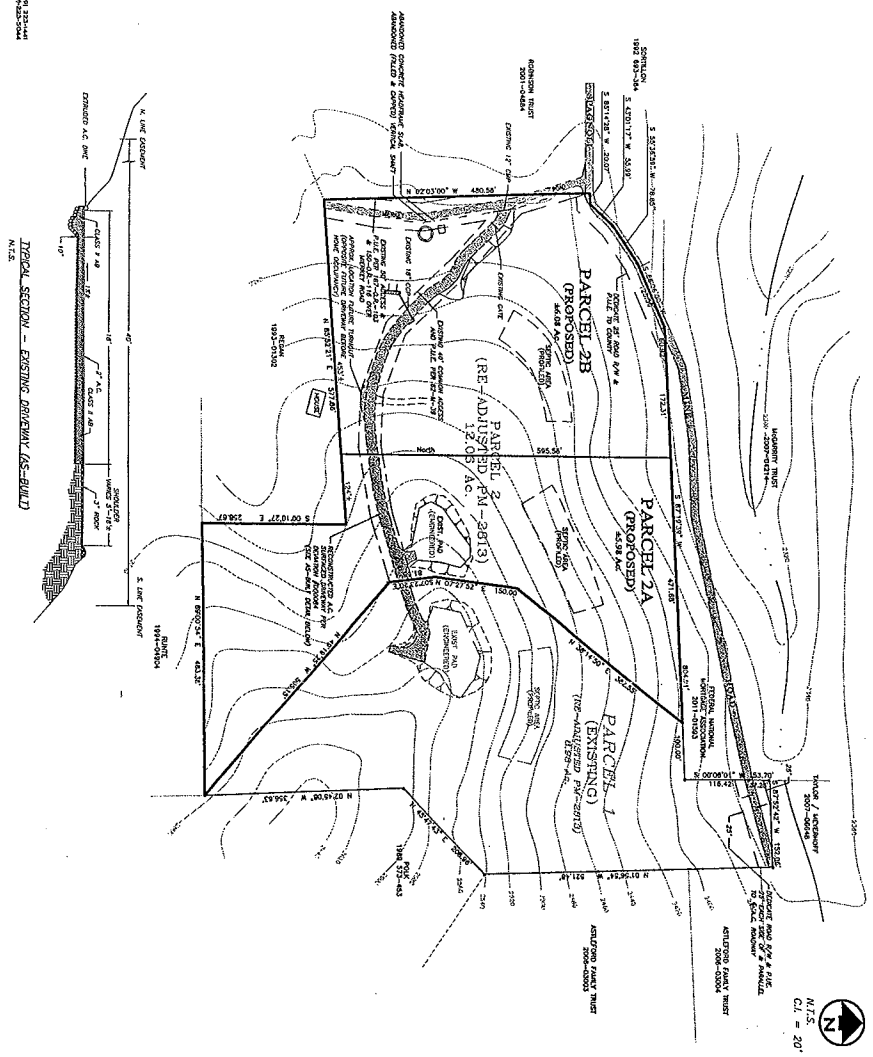
VESTING TENTATIVE PARCEL MAP No. 2833

for PARDULIA LIVING TRUST

BEING A PORTION OF THE SE 1/4 OF SECTION 4, & THE NW & NE 1/4 OF SECTION 9
 DATED APRIL 10, 1998
 1.61 N., R.12 E., M.D.B.M.
 AMADOR COUNTY, CALIFORNIA
 SEPTEMBER 2011
 REVISED APRIL 2012

OWNER & SUBDIVIDER:
 TRUSTEES OF THE PARDULIA LIVING TRUST
 5001 LINDEN DRIVE
 SUIA HILLS, CA 95725
 (916) 952-2820

PREPARED BY:
 CAL STATE ENGINEERING, INC.
 427 BROADWAY
 AMADOR COUNTY, CALIFORNIA
 (520) 333-4444



RECEIVED
 Amador County
 JUN 27 2012
 PLANNING DEPARTMENT

GENERAL NOTES

1. URBAN REFERENCE: U.S. NO. 2003-013411
2. URBAN REFERENCE: PLS 2011 02-1-33
3. TOTAL ACRES: 12.064 AC. (03-280-031)
4. TOTAL NUMBER OF PARCELS: 3
5. PROPOSED ZONING: R1-4
6. PROPOSED LAND USE: SINGLE-FAMILY RESIDENTIAL
7. PROPOSED ZONING: R1-4
8. PROPOSED ZONING: NO CHANGE
9. PROPOSED ZONING: NO CHANGE
10. PROPOSED ZONING: NO CHANGE
11. PROPOSED GENERAL PLAN DESIGNATION: R1-4
12. WATER SURVEY: ON-SITE DOMESTIC WELLS
13. PROPOSED UTILITIES: NO CHANGE
14. PROPOSED UTILITIES: NO CHANGE
15. POWER, PLUMBING GAS & ELECTRIC CO.
16. SCHOOL DISTRICT: AMADOR COUNTY UNIFIED SCHOOL DISTRICT
17. FIRE PROTECTION: AMADOR FIRE PROTECTION DISTRICT
18. FLOOD HAZARD: 20 FEET BASED ON USFS OUTLOOK
19. OVERLAP: 100% OVERLAP
20. OVERLAP: 100% OVERLAP
21. THE PURPOSE OF THIS SUBDIVISION IS THE CREATION OF RESIDENTIAL PROPERTY.
22. BUILDING SETBACKS ARE TO COMPLY WITH COUNTY ZONING CHAPTER 18.44 AND SET TO 25' FRONT YARD BUILDING SETBACKS & 30' SIDE & REAR BUILDING SETBACKS.
23. THIS PROPERTY IS NOT WITHIN 1000 FEET OF A HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITY AS SHOWN ON THE 1999 CALIFORNIA STATEMENT OF ENVIRONMENTAL EFFECTS FOR SECTION 05944. THIS PROPERTY MAY BE BEHIND A LOW LEVEL WASTEWATER FLOW PATH.

AGENTS CERTIFICATE:

I, THE AGENT FOR THE GIVING OF RECORD AND THEY CONSENT TO THE RECORDING OF THIS MAP IN COMPLIANCE WITH THE REQUIREMENTS OF TITLE 7 OF THE SUBDIVISION MAP ACT.

EFFE K. WORGAN DATE: _____
 REG. NO. 42830



Notice of Determination

Appendix D

TO: Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

County Clerk, County of Amador
810 Court St.
Jackson, CA 95642-2132

FROM: Amador County
Board of Supervisors
810 Court St.
Jackson, CA 95642-2132
Contact: Susan C. Grijalva
Phone: (209) 223-6380

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

STATE CLEARINGHOUSE NUMBER (if submitted to State Clearinghouse):

PROJECT TITLE: Tentative Parcel Map No. 2838 and Variance to County Code Sect. 17.28.060
Applicant: Todd and Manuela Pardula
Address: 15091 Esther Drive; San Jose, CA 95124
Phone: 650-967-9859

PROJECT LOCATION (include county): At the southeast corner of the intersection of Spagnoli Mine Road and Mierkey Road about 1/2 mile east of Irishtown Road in the Pine Grove area of Amador County.

PROJECT DESCRIPTION: Tentative Parcel Map No. 2838 proposing the division of 12.06 acres into two parcels of approximately 6.08 and 5.89 acres in size; and a request for a Variance to County Code Section 17.28.060 (easements to follow lot lines).

This is to advise that the Amador County Board of Supervisors [Lead Agency *or* Responsible Agency] approved the above described project on XXXX XX and has made the following determinations regarding the above described project:

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at: 810 Court St., Jackson, CA 95642.

Signature (Public Agency) _____ Title Chairman, Board of Supervisors

Date: XXXX XX

Date Received for Filing at O.P.R.: _____

Authority cited: Sections 21083, Public Resources Code.
Reference: Sections 21000-21174, Public Resources Code.

NEGATIVE DECLARATION
CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT: Tentative Parcel Map No.2838 by the Pardula Living Trust

LEAD AGENCY: Amador County Board of Supervisors

PROJECT DESCRIPTION: This is a proposal to divide 12.06 +/- acres of land into two (2) parcels measuring 6.08 +/- and 5.89 +/- acres in size, and a request for a variance to Amador County Code §17.28.060 for easements not following lot lines; located at the southeast corner of the intersection of Spagnoli Mine Rd. and Mierkey Rd. a ½ mile east of Irishtown Rd. in the Pine Grove area (APN 038-260-031-000).

PROJECT FINDING: This project will not have a significant adverse effect on the environment due to mitigation measures incorporated into the tentative map and attached as conditions.

STATEMENT OF REASONS: The Board of Supervisors notes the following:

1. The tentative map is consistent with the Amador County General Plan, Land Use Element at this location;
2. This variance does not constitute the granting of a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located;
3. The site is physically suitable for the type and density of the development proposed and has an approved Fire Management Plan;
4. The proposed design is not likely to cause substantial environmental damage or serious health problems;
5. The tentative map does not conflict with any easements of record acquired by the public at large; and
6. A review of this map project was conducted by the Technical Advisory Committee through their own research and the Environmental Checklist and found this map project will not have a significant adverse effect on the environment due to the mitigation measures incorporated into the tentative map and attached as conditions of approval.

Chairman, Board of Supervisors

Date

File No. _____

Posted On _____

Posting Removed _____

**EXCERPT FROM FEBRUARY 12, 2013
PLANNING COMMISSION
MINUTES**

Item 3 - Continued - Environmental Document Determination and Possible Project Decision for Tentative Parcel Map No. 2838 proposing the division of 12.06 acres into two parcels of approximately 6.08 and 5.89 acres in size; and a request for a variance to Amador County Code §17.28.060 (easements to follow lot lines) (APN 038-260-031-000).

Applicant: Pardula Living Trust

Supervisorial District IV

Location: At the southeast corner of the intersection of Spagnoli Mine Rd. and Mierkey Rd. about ½ mile east of Irishtown Rd. in the Pine Grove area.

Susan Grijalva, Planning Director, summarized the staff report, which is hereby incorporated into these minutes as though set forth in full.

Chairman Byrne opened the public hearing.

Jim Buell, representative for the Pardula Living Trust, reiterated his concerns from the previous meetings. He stated the dissipation ditch was damaged in the "big storm" and still needs to be repaired. Mr. Buell stated the existing substandard conditions do not allow for improvements to be made along Mierkey Road.

Commissioner Tober asked if Public Works had any comments to Mr. Buell's statements.

Roger Stuart, Public Works and Transportation, stated after the September 11, 2012 Planning Commissioner meeting, he reviewed the letter from the neighbors and provided a draft response to Mr. Buell. The response was based on County Code requirements. Mr. Stuart stated over the years the drainage has not been maintained as it should be. He understood the improvements will be costly. Mr. Stuart thought the applicant could request a variance to County Code to avoid improving Mierkey Road as required by the proposed Conditions of Approval but the applicant would still need to improve the drainage and maintain erosion control measures.

Commissioner Ryan asked Mr. Stuart if Mierkey Road was a public or private road. Mr. Stuart clarified it is a private road and does not meet County road standards.

Chairman Byrne asked if the Conditions require improvements to be made to Mierkey Road along the property line. Mr. Stuart stated that is what is being asked for in the Conditions.

Chairman Byrne recalled the main concern the neighbors raised was the amount of drainage and sediment coming off the property, not necessarily the erosion on the property itself.

Greg Gillott, County Counsel, stated a variance to the road conditions has not been advertised and the Commission cannot take any action on that matter. He stated the applicant would have to request the variance and a new public hearing would have to be advertised. Mr. Gillott reminded the Commission that to recommend approval of a variance there are findings that must be adopted.

Chairman Byrne did not see how the findings would apply here; it would just be expensive to meet the conditions.

Mr. Buell stated from an engineering point of view it would be an easy fix to correct the drainage.

Mr. Gillott stated the most technically correct procedure would be to have the applicant: 1) submit a variance request for the road conditions; 2) notify a new hearing on the two variances and decision for the tentative parcel map; 3) conduct the Planning Commission hearing; 4) conduct the Board of Supervisors hearing on the Planning Commission's recommendation.

Mr. Buell felt the simplest method would be for the Planning Commission to approve the map and the applicant could appeal the conditions.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Wardall and unanimously carried to close the public hearing.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Tober and unanimously carried to find the mitigated negative declaration is the appropriate environmental document.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Tober and carried to approve the tentative parcel map subject to the conditions and findings contained in the staff report and to recommend approval of the variance to the Board based on the findings contained in the staff report.

Ayes: Commissioners Ryan, Tober, Wardall, and Lindstrom

Noes: Chairman Byrne

NOTE: Susan Grijalva, Planning Director, announced the Planning Commission approved the parcel map. Anyone wishing to appeal the Commission's decision may do so by submitting a letter of appeal along with the appropriate appeal fee to the Clerk of the Board of Supervisors no later than 5:00 p.m. on Friday, February, 22, 2013. In addition, the Planning Commission recommended approval of the variance from County Code Section 17.28.060 Easements to Follow Lot Lines which will be scheduled for a future Board of Supervisor's meeting and notices will be mailed out.

FEBRUARY 12, 2013
PLANNING COMMISSION
STAFF REPORT

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF FEBRUARY 12, 2013**

ITEM 3 – CONTINUED: ENVIRONMENTAL DOCUMENT DETERMINATION AND POSSIBLE PROJECT DECISION FOR TENTATIVE PARCEL MAP NO. 2838 PROPOSING THE DIVISION OF 12.06 ACRES INTO TWO PARCELS OF APPROXIMATELY 6.08 AND 5.89 ACRES IN SIZE; AND A REQUEST FOR A VARIANCE TO AMADOR COUNTY CODE §17.28.060 (EASEMENTS TO FOLLOWING LOT LINES) (APN 038-260-031-000).

APPLICANT: Pardula Living Trust
SUPERVISORIAL DISTRICT IV

LOCATION: At the southeast corner of the intersection of Spagnoli Mine Rd. and Mierkey Rd. about ½ mile east of Irishtown Rd. in the Pine Grove area.

- A. DESCRIPTION & BACKGROUND:** The Planning Commission heard this item at the September 11, 2012 and December 11, 2012 meetings (see staff reports attached). At the December meeting concerns were raised if the application had been withdrawn (see draft minutes and correspondence attached). The Planning Commission directed staff to send a letter stating the application will be deemed withdrawn if the applicant does not respond to the Planning Department by a specific date. On January 24, 2013, the Planning Department received a letter from James Buell, Cal State Engineering, stating the application has not been withdrawn and requested to be on the February 12, 2013 Planning Commission Agenda.
- B. PLANNING COMMISSION ACTION:** The action of the Planning Commission should first include a decision on the adequacy of the environmental document, proposed for the Mitigated Negative Declaration. A decision on the tentative map with the proposed conditions (attached) can then be made. The Planning Commission's action on the variance is a recommendation to the Board of Supervisors.
- C. FINDINGS:** Section 66474 of the California Subdivision Map Act requires a County to deny approval of a tentative map if it makes any of the following findings:
- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
 - b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
 - c. That the site is not physically suitable for the type of development.
 - d. That the site is not physically suitable for the proposed density of development.
 - e. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

- f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence: If the Planning Commission approves this Tentative Map and recommends approval of the variance, the following findings are recommended for adoption. The above Findings a. through g. does not apply to this project in that:

1. The tentative map is consistent with the Amador County General Plan, Land Use Element at this location;
2. The site is physically suitable for the type and density of the development proposed;
3. The proposed design is not likely to cause substantial environmental damage or serious health problems due to conditions requiring road improvements, as well as proof of adequate water supply and sewage disposal;
4. This variance does not constitute the granting of a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated. Due to the topography in the area and existing driveway, the strict application that the easement should follow lot lines if found to deprive subject property of privilege enjoyed by other properties in the vicinity under identical zone district classification;
5. The tentative map does not conflict with any easements of record acquired by the public at large;
6. A review of this map project was conducted by the Technical Advisory Committee through their own research and the Environmental Checklist and found this map project will not have significant adverse effect on the environment due to the mitigation measures incorporated into the tentative map and attached as conditions.

**CONDITIONS OF APPROVAL
FOR
TENTATIVE PARCEL MAP NO. 2838
AND
MITIGATED NEGATIVE DECLARATION**

AMADOR COUNTY PLANNING COMMISSION

**Conditions of Approval
and Mitigation Monitoring Program**

PROJECT: Tentative Parcel Map No. 2838 by the Pardula Living Trust

DESCRIPTION: The division of 12.06 +/- acres of land into two (2) parcels measuring 6.08 +/- and 5.89 +/- acres in size, and a request for a variance to Amador County Code §17.28.060 for easements not following lot lines; located at the southeast corner of the intersection of Spagnoli Mine Rd. and Mierkey Rd. a ½ mil east of Irishtown Rd. in the Pine Grove area (APN 038-260-031-000).

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

PLANNING COMMISSION APPROVAL DATE: February 12, 2013

BOARD OF SUPERVISORS ACTION:

NOTICE OF INTENT (TO FILE A NEGATIVE DECLARATION): August 21, 2012 / November 20, 2012

NOTICE OF DETERMINATION DATE:

TENTATIVE PARCEL MAP EXPIRATION DATE:

EXTENSION OF EXPIRATION DATE:

IMPORTANT NOTES:

NOTE A: It is suggested the subdivider contact the Environmental Health, Public Works, and Planning Departments and any other agencies involved prior to commencing the following requirements. Improvement work shall not begin prior to the review of the plans and the issuance of a permit by the Public Works Department. The Inspector must have a minimum of 48 hours notice prior to the start of any construction.

NOTE B: An extension of time for completion of this tentative map is possible, provided said request for extension is submitted by the applicant, in writing, to the Planning Department prior to the expiration date of the tentative map.

NOTE C: Information concerning this map can be obtained through the Amador County Planning Department, 810 Court Street, Jackson, CA 95642 (209) 223-6380.

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FISH AND GAME FEES:

1. No permits shall be issued, fees paid, or activity commence, as they relate to this project, until such time as the developer has provided the Planning Department with the Department of Fish and Game Filing Fee for a Notice of Determination or a Certificate of Fee Exemption from Fish and Game. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.

PARCEL MAP RECORDATION REQUIREMENTS:

2. Prepare and submit Parcel Map. THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.
3. Submit Preliminary Title Report as evidence of ownership. A Parcel Map Guaranty must accompany the map at the time of recording. THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.
4. A Registered Civil Engineer or Licensed Land Surveyor must survey all parcels. Monuments are to be set, reset, or verified (if existing) according to County Standards. THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.
5. Pursuant to Section 66463.1 of the Government Code (Subdivision Map Act) multiple Parcel Map(s) may be filed prior to the expiration of the tentative map. Any multiple Parcel Map(s) so filed shall be reviewed prior to submittal to the Board of Supervisors for Parcel Map approval. The shape and size and development of any single unit or multiple units will be subject to Transportation and Public Works Department and Environmental Health Department review of traffic circulation and sewage disposal. MONITORED BY THE SURVEYOR'S OFFICE, TRANSPORTATION AND PUBLIC WORKS DEPARTMENT, AND ENVIRONMENTAL HEALTH DEPARTMENT.

SOILS:

6. Preliminary Soils Report:
_____ Submit Preliminary Soils Report by a Registered Civil Engineer required in Section 17.28.240 of the County Ordinance Code.
X Waived as defined in Section 66491 (a) of the Subdivision Map Act.
NO MONITORING NECESSARY.

EASEMENTS:

7. Prior to recordation of any Parcel Map, provide easements as required for utilities by County Code Section 17.28.030. THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.

TAXES:

8. All current and delinquent taxes must be paid. Security, in the form of a cash deposit, must be posted for estimated taxes, and special assessment collected as taxes, which are a lien against the subject property, but which are not yet payable. The Tax Collector shall draw upon this cash

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deposit to pay the taxes, and special assessments collected as taxes when they become payable. When all current and/or delinquent taxes have been paid, and any required security has been posted with the County Tax Collector, the Tax Collector will submit a letter to the County Surveyor's Office stating that this condition has been satisfied. (Note: Please refer to Amador County Code Sections 17.72.120, 17.72.130 and 17.72.140 {amended May 15, 2007}, and Government Code Sections 66492 and 66493). THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.

PUBLIC REPORT:

9. Complete the form for the Subdivision Public Report for recording--must be notarized. THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.

WATER SUPPLY:

10. Prior to recordation of any Parcel Map(s), the subdivider shall demonstrate compliance with Amador County Code Sections 14.12.066 by completing the following:
 - A. Prove adequate potable water supply as stated in Amador County Code Section 14.12.066 by submitting a yield report for a well located within the project boundary or on an adjoining parcel demonstrating a minimum capacity of 10 gallons per minute if by a 30-minute "air-flow" drill rig test or 5 gallons per minute if by a 24 hour minimum pump step draw-down test.
 - B. Submit results of bacteriological, general mineral, general physical and inorganic chemical analysis of water produced by the test well. Test results must show no detectible levels of coliform bacteria and demonstrate that the water produced does not exceed any of the maximum contaminant levels listed in Title 22, California Code of Regulations, Table 64431-A. Any constituents which exceed secondary drinking water standards as listed in Tables 64449-A and 64449-B of Title 22, California Code of Regulations, must be disclosed to future buyers. A record of water quality testing will be kept on file with the Environmental Health Department. ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS REQUIREMENT.

SEWAGE DISPOSAL:

11. Prior to recordation of any Parcel Map(s), the subdivider shall demonstrate compliance with Amador County Code Sections 14.12.170 or 14.12.180 by retaining the services of a qualified consultant to complete the following (MMVI(e)):
 - A. Perform percolation testing in the sewage disposal site for the proposed parcels.
 - B. Submit plot plans for the proposed parcels to the Environmental Health Department for review and approval locating the dimensioning the proposed sewage disposal sites. The plot plans shall show the designated disposal site polygon(s) including dimensions and at least one tie to a property corner pin, the locations of pertinent field testing, any existing or

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proposed wells within 200 feet of the disposal site, and any waterways within 100 feet of the disposal site. If the disposal site does not comply with the criteria for conventional sewage disposal pursuant to Section 14.12.170 of Amador County Code, the applicant shall demonstrate compliance with the requirements of 14.12.180 by including a conceptual disposal system design prepared by a qualified consultant which includes, at a minimum, a typical trench or bed cross section, a foot print or layout of the disposal system, topography in the disposal site, and required linear footage per bedroom.

THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THESE REQUIREMENTS.

HUMAN HEALTH

12. The subdivider shall retain the services of a registered civil engineer, registered geologist, or other qualified consultant to submit to the Environmental Health Department for review and approval a work plan for the investigation of the property to verify that no unacceptable chemical or physical hazards remain connected to the closed mine located on the property. Should any hazards be located on the site, a proposed remediation plan shall be submitted to the Environmental Health Department for review and approval. Any such hazards must be removed or remediated to the satisfaction of the Environmental Health Department prior to the recordation of any Parcel Map(s). **(MMVIII(b))** THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS REQUIREMENT.

ARCHAEOLOGICAL, CULTURAL, HISTORICAL MITIGATION:

13. Prior to recordation of any Parcel Map(s), the applicant shall provide a statement, for the review and approval of the Planning Department, that if historic, archaeological, and/or paleontological resources are encountered during site grading or other site work, all such work shall be halted immediately within the area of discovery and the developer shall immediately notify the Planning Department of the discovery. In such case, the developer shall, at their expense, retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the Planning Department for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken **(MMV(b))**.

Should any archaeological find be encountered during construction, work shall immediately cease within a ten-yard perimeter of the find, a qualified archaeologist consulted for an opinion and the Amador County Technical Advisory Committee notified for an assessment of the importance of the find and determination of any need to preserve the site or otherwise reduce impacts. If a find is encountered prior to the filing of the Parcel Map, the subdivider shall provide proof (from a qualified Archaeologist) that the above-mentioned mitigation measure has been completed or an acceptable alternative proposed.

THE PLANNING DEPARTMENT SHALL MONITOR THIS MITIGATION.

RECREATIONAL:

14. Pursuant to County Code Chapter 17.50 (Ordinance No. 1198- Amador County Recreation and Fees Ordinance) a dedication of land, payment of fees, or a combination of both for park and recreational purposes shall be provided by the developer prior to the recordation of the Parcel Map. This fee has been calculated to be \$166.51 per vacant parcel. THE RECREATION DEPARTMENT SHALL MONITOR THIS MITIGATION.

FIRE PROTECTION SERVICES:

15. To mitigate the impact on fire protection services, in accordance with Amador County Ordinance No. 1640, the developer shall participate in the annexation to the County's Community Facilities District No. 2006-1 (Fire Protection Services), including execution of a "waiver and consent" to the expedited election procedure, the successful completion of a landowner-vote election authorizing an annual special tax for fire protection services, to be levied on the subject property by means of the County's secured property tax roll, and payment of the County's cost in conducting the procedure (MMVIII(h)).
THE AMADOR FIRE PROTECTION DISTRICT SHALL MONITOR THIS MITIGATION.

DRAINAGE: (MMVI(b))

16. **A) Prior to recordation of the Final Map, submit a drainage study to the Transportation and Public Works Department for the entire project, prepared by a Registered Civil Engineer, conforming to the following criteria:**
 1. Said study shall consist of calculations for the 25-year storm event, a plan showing drainage areas, identify adequate positive storm drainage facilities on and off the subject property, and identify any potential off-site impacts, particularly to down-stream properties which may be caused by the projects improvements. The drainage study of the entire project area must be completed and approved prior to approval of the improvement plans related to this project. Said study shall identify any increases in runoff due to project construction and propose methods to either: (1) detain such increases on site, and/or (2) make improvements to off-site facilities to ensure safe conveyance of such increases.
 2. If the study indicates the need for drainage improvements, the subdivider shall submit engineered improvement plans, calculations, and cost estimate, prepared by a Registered Civil Engineer in conformance with County Ordinance Code 17.90.120.
 3. Provisions for ongoing maintenance of required drainage facilities shall be made and responsibility designated through maintenance agreement or owners association prior to approval of drainage improvement plans and erosion control plans.

4. Design of drainage improvements shall be in conformance with criteria found in County Ordinance Code 17.90.120, County Ordinance No. 1581 Amador County Guidelines For Grading And Erosion Control, High Sierra RC&D Council Erosion and Sediment Control Guidelines, and CalTrans Construction Site Best Management Practices (BMP) Manual, including rights-of-way, channels, swales and appurtenances as needed to provide adequate positive storm drainage facilities.

B) Suitable material of approved type and design shall be used to line steep channels to protect those channels along road drainage courses from erosion during storm events based upon flow velocities reported in the drainage study.

C) Erosion control / winterization plans are to be submitted and approved with subdivision improvement plans, to the Transportation and Public Works Department.

D) Prior to recordation of any Final Map(s), provide 10 foot setbacks from each side of centerline of drainage swales for non-County maintained storm drainage purposes (as required).

Prior to recordation of any Parcel Map, repair all on-site erosion damage, and clean and re-establish all on-site drainage ditches.

Prior to recordation of any Parcel Map, repair all on-site erosion damage, and clean and re-establish all roadside drainage ditches along Mierkey Road from the southwest property corner of Parcel 2B, through Parcel 2B and continuing to Spagnoli Mine Road.

Prior to recordation of any Parcel Map, provide evidence the on-site 15 inch diameter cross-culvert connection to the 12 inch diameter cross culvert is secure and watertight. Otherwise, the cross culvert(s) shall be replaced with an 18 inch diameter culvert.

PUBLIC WORKS FEES:

17. The developer shall pay the actual costs of Plan Checking, Inspection and Testing as provided in Section 17.40 of the County Ordinance prior to recordation of any Parcel Map(s). Five percent (5%) of a Licensed Civil Engineer's Estimate of the Improvement Costs shall be deposited with the Department of Transportation & Public Works (2.5% at the time of submission and 2.5% prior to inspection and testing).

DEDICATIONS AND EASEMENTS:

18. Provide an irrevocable offer of dedication for a 50 foot minimum right of way along the Common Access Road through Parcels 2A and 2B.(County Code 17.90.080 NOTE 3 and 17.92.020A)

Provide a 20 foot wide easement for the driveway accessing Mierkey Road from APN 038-260-026-000.

PRIVATE ACCESS IMPROVEMENTS:

- 19. Prior to recordation of any Final Map(s), install a standard stop bar and sign at the connection of the private access serving Parcels 2A and 2B in accordance with Public Works Agency Standard PW-14 Standard Stop Bar and Sign plan.**

PRIVATE ROAD IMPROVEMENTS: (MMXVI(e))

- 20. Prior to recordation of any Parcel Map, submit street and drainage improvement plans prepared by a Registered Civil Engineer for the following: Mierkey Road from the southwest property corner of Parcel 2B, through Parcel 2B(County Code 17.92.020A), and continuing to Spagnoli Mine Road(County Code 17.92.020B). Improvements shall be in accordance with County Code 12.08 and 17.90 local road standard, 50 foot right-of-way, full 26.5 foot wide aggregate base – 5 inches thick, full 20.0 foot wide Asphalt Concrete – 2 inches thick. All right-of-ways to be curvilinear.**

Construct street and drainage improvements* for Mierkey Road from the southwest property corner of Parcel 2B, through Parcel 2B(County Code 17.92.020A), and continuing to Spagnoli Mine Road(County Code 17.92.020B). Improvements shall be in accordance with County Code 12.08 and 17.90 local road standard, 50 foot right-of-way, full 26.5 foot wide aggregate base – 5 inches thick, full 20.0 foot wide Asphalt Concrete – 2 inches thick.

***As an alternative to construction of Mierkey Road improvements, if there is an existing road maintenance association for Mierkey Road, the equivalent costs of the above improvements may be provided to that maintenance association for road improvements to be determined by the association.**

Obtain permits from the County and other jurisdictions as required by the County Department of Transportation & Public Works Director for the construction of road improvements including any required appurtenances. Developer must provide County with Certificate of Workmen's Compensation Insurance.

Prior to recordation of any Final Map, Developer shall provide evidence that Parcels 2A and 2B are participants in a Private Road Maintenance Agreement/Association covering Mierkey Road.

Prior to recordation of any Final Map, Developer shall provide evidence that Parcels 2A and 2B are participants in a Private Road Maintenance Agreement/Association covering the Private Common Access Road from Mierkey Road through Parcels 2A and 2B.

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For all public improvements not completed prior to any final map, enter into a subdivision improvement agreement and submit any required accompanying bonds, fees, and related documents.

Chairman

(1) Applicant	(8) Fish and Game
(2) Preparer of Map	(9) CalFire
(3) Building Department	
(4) Environmental Health Department	
(5) Transportation & Public Works	
(6) Surveying Office	
(7) Amador Fire Protection District	

MITIGATED NEGATIVE DECLARATION/INITIAL ENVIRONMENTAL STUDY

Project Title: Tentative Parcel Map #2838 - Pardula Living Trust

Lead Agency Name and Address: Amador County Planning Department
810 Court Street
Jackson, CA 95642

Contact Person/Phone Number: Cara Agustin, Planner
(209) 223-6380

Project Location: At the southeast corner of the intersection of Spagnoli Mine Road and Mierkey Road a half mile east of Irishtown Road in the Pine Grove area (APN 038-260-031).

Project Sponsor's Name and Address: Todd and Manuela Pardula

General Plan Designation(s): A-T; Agricultural-Transition - 1 family per 5-10 acre maximum population density.

Zoning: "R1A," Single-Family Residential and Agricultural Zone District

Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.) The division of 12.06 +/- acres of land into two (2) parcels measuring 6.08 +/- and 5.89 +/- acres in size, and a request for a variance to Amador County Code Section 17.28.060 - for easements not following lot lines

Surrounding land uses and setting: Briefly describe the project's surroundings: This parcel is comprised of approximately 12.06 +/- of wooded land at an elevation of about 2,500 feet. The property is zoned "R1A," Single Family Residential and has a general plan designation of A-T, Agricultural Transition (one family per 5-10 acre population density. The Land uses surrounding the project site are "R1," Single-Family Residential or "R1A," Single-Family Residential and Agricultural with parcels ranging in size from 2 acres to 20 acres (majority of parcels being 3 -12 acres in size). There are no current buildings on site, however, proposed Parcel 2A has an existing graded building pad and paved encroachment. Proposed Parcel 2B however, has no improvements.

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) N/A

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

- | | | |
|--------------------------------------------------------------|-------------------------------------------------------------------|------------------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of the initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature – Name, Chairman

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole 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.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "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.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The 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," as described in (5) below, may be cross-referenced).
- 5) 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. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) 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, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," 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.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

I. AESTHETICS – Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) There are no known scenic vistas in the vicinity. The area is heavily wooded and consists of single family residential development with parcels ranging from 2 to 20 acres (majority of parcels being between 3-12 acres in size). The subject property is approximately 12.06 acres and is located on a steep hill side. Proposed Parcel 2A has an existing graded building pad and an existing paved encroachment. Proposed Parcel 2B however, does not have any improvements. Project implementation would not have a substantial adverse effect on a scenic vista. Future development would consist of single family residences and ancillary structures allowed by the zoning and general plan designations. Therefore, the impact is **less than significant**.
- b) Pursuant to Public Resources Code §21083.4 an Oak Woodland Study was conducted by a Registered Professional Forester. The study indicates the project area does exceed 10% qualified oak canopy cover and is located in a regional area that is at the upper elevation range of typical oak woodland. The RPF (see Letter dated April 30, 2012 RPF #1718) concluded that because of the nature of the development, and that proposed Parcel 2A is equipped with an existing building pad, and that proposed Parcel 2B future development would have minimal impacts to oaks, the proposed project would have a **less than significant impact** on oak woodlands. It should be noted that Cal Fire permits may be necessary at time of grading.
- c) The Tentative Parcel Map would result in roughly two 6 acre residential parcels. The surrounding parcels are residential and range between sizes of 2 acres and 20 acres with an average parcel size of 5 acres. The impact to the visual character of the area is considered **less than significant**.
- d) The project will result in the ability to place a single family residence and second family dwelling on each parcel with expected ancillary structures associated with residential development. Although there will be some potential for increases to outdoor lighting from additional single family residences, this increase is not anticipated to be substantial. The impact to light and glare is **less than significant**.

Mitigation: None required.

Source: Amador County Planning Department; Ronald P. Monk Consulting RPF#1718 Oak Woodland Assessment.

<p>II. AGRICULTURE AND FOREST RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the CA Dept. of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. – Would the project:</p>	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC §12220(g)), timberland (as defined in PRC §4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) The project will not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project site is located in an area designated as "Other Land" on the Important Farmlands Map of Amador County 2010. The impact to important farmland is **no impact**.
- b) The project will result in the division of 12.06 acres into two parcels of approximately 6 acres each. The property is not within a Williamson Act contact and there are no contracted lands surrounding the parcels. Therefore, the proposed project will not conflict with existing zoning for agricultural use or a Williamson Act Contract. **No impact** will result.

- c) The project site is located within the "R1-A," Single Family Residential and Agricultural zone district and proposes residential uses and therefore is not in conflict with forest or timberland zoning. The project does not propose a zone change that would convert existing forest or timberland zoning. There is **no impact** to Timberland zoning for Forest Lands.
- d) The project is located in an area already developed with rural residential uses. Any future development of the project site would be consistent with these uses. Proposed Parcel 2A has an existing graded building pad and paved encroachment. Proposed Parcel 2B is unimproved and would require grading and minimal tree removal for residential construction. Additionally, the project site has an approved Fire Management Plan (see attached). Therefore, there is **a less than significant impact** to forest lands.
- e) The project site is considered forest land as defined by PRC §12220 (g). Proposed Parcel 2A has an existing graded building pad and paved encroachment. Additionally, the project site is located within an area already developed with rural residential uses. Proposed Parcel 2B will require minimal tree removal to accommodate future residential construction. The project also has an approved Fire Management Plan (see attached). The creation of one additional rural residential parcel will not create the conversion of forest land. Any impacts are considered **less than significant** in nature.

Mitigation: None required.

Source: Amador County Planning Department; Important Farmlands Map of Amador County 2010.

III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is on-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) Amador County does not have an air quality plan. There is **no impact**.
- b) The Tentative Parcel Map will not cause a violation of an air quality standard or contribute substantially to an existing air quality violation. Conditions to control fugitive dust emissions may be imposed at the time any building permits are issued. Outdoor fires ignited on the property

must comply with the rules and regulations of this District. All air contaminants that may be generated by activities on this property must comply with the Rules and Regulations of the Amador Air District. There is **no impact**.

- c) Amador County is a Non-attainment area for the State of California's 1-Hour Ozone Standard (0.09 ppm) and the US EPA's 8-Hour Ozone Standard (0.08 ppm). Construction activities and fires occurring on this property would be of short duration. No net cumulative increase in ozone precursor emissions is expected from this action. All air contaminants generated by activities on this property must comply with the Rules and Regulations of the Amador Air District. There is **no impact**.
- d) Substantial air pollutant concentrations will not be generated by construction activities on this property related to this project. This project will not expose sensitive receptors to substantial pollutant concentrations. There is **no impact**.
- e) Substantial quantities of objectionable odor should not be generated by the current activities on the property, or by the uses allowed under this Tentative Parcel Map. All air contaminants generated by activities on this property must comply with the Rules and Regulations of the Air District. There is **no impact**.

Mitigation: None required.

Source: Amador Air District.

IV. BIOLOGICAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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, policies, or regulations, or by the CA Dept. of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the CA Dept. of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

preservation policy or ordinance?				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) A review of Figure BR-2 from the Biological Working Paper for the Amador County General Plan Update (attached) shows there are no known candidate, sensitive, or special status species located within the project vicinity. Additionally, due to the nature of the project any impacts to candidate, sensitive, and special status species is considered **less than significant** due to the nature of the project.
- b) There are no streams located on-site therefore there is no riparian habitat. Thus, the project will have **no impact** to riparian habitat or other sensitive natural communities.
- c) There are no federally protected wetlands located on this project site or in close proximity of this project. There is **no impact**.
- d) The project would result in two 6 acres parcels where there was one 12 acre parcel. The project has the potential to construct a single family residence on each parcel with an option of a second family dwelling unit on each of the 6 acres. Two 6 acre residential parcels will not significantly impact the movement of native resident or migratory wildlife or their corridors and nursery sites. The impact is **less than significant**.
- e) Amador County does not have any local policies or ordinances protecting biological resources. There is **no impact**.
- f) Amador County does not have an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans. There is **no impact**.

Mitigation: None required.

Source: Amador County General Plan and Municipal Codes; Planning Department; and Amador County General Plan Update Biological Working Paper.

V. CULTURAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

interred outside of formal cemeteries?				
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Discussion:

- a) A review of Figure CR-1 of the Cultural Working Paper for the Amador County General Plan Update (attached) indicates no occurrence of historic resources on the project site. It is anticipated implementation of the project would not affect historic resources. However, implementation of MMV(b), outlined below, would reduce any potential impacts to unknown resources to less than significant. Therefore, the impact is **less than significant with mitigation incorporated.**

- b) A review of Figure CR-1 of the Cultural Working Paper for the Amador County General Plan Update (attached) indicates no occurrence of archaeological resources on the project site, however, there are known resources in the surrounding area. In the event, during grading or other site work, a resource is encountered the developer shall immediately stop work and notify the Planning Department of the discovery and follow the steps outlined in mitigation measure MMV(b). Therefore, the impact to archaeological resources is **less than significant with mitigation incorporated.**

- c) There is no known unique paleontological resource associated with this project site. However, implementation of MMV(b) will reduce any potential impacts to unknown resources, located on the project site, to less than significant. Therefore, the impact is **less than significant with mitigation incorporated.**

- d) This site is not a known burial site or formal cemetery. In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code §7050.5 dictates all work shall stop in the vicinity of the find and the Amador County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission who shall notify, pursuant to PRC § 5097.98, the person believed to be the most likely descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. Additional work shall not take place within the immediate vicinity of the find until the identified appropriate actions have been implemented. Therefore, with implementation of state law no mitigation measures are required and the impact is **less than significant.**

Mitigation: MMV(b)- Prior to recordation of any Parcel Map(s), the applicant shall provide a statement, for the review and approval of the Planning Department, that if historic, archaeological, and/or paleontological resources are encountered during site grading or other site work, all such work shall be halted immediately within the area of discovery and the developer shall immediately notify the Planning Department of the discovery. In such case, the developer shall, at their expense, retain the services of a qualified archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist shall be required to submit to the Planning Department for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken (COA 13).

Source: Planning Department; Amador County General Plan Update.

VI. GEOLOGY AND SOILS – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential				

substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) According to the Amador County General Plan Safety and Seismic Safety Element (1979) property in Amador County located below 6000' elevation is designated as an Earthquake Intensity Damage Zone I, minor to moderate which does not require special considerations in accordance with the Uniform Building Code (UBC) or the Amador County General Plan, Safety Element. Pursuant to Section 622 of the Public Resources Code (Chapter 7.5 Earthquake Fault Zoning); Alquist-Priolo Earthquakes Fault Zoning Act, the State Geologist has determined there are no sufficiently active, or well defined faults or areas subject to strong ground shaking, liquefaction, landslides, or other ground failure in Amador County as to constitute a potential hazard to structures from surface faulting or creep. Additionally, Attachment G of the Safety and Seismic Safety Element (1979) rates the area of the County where the project is located as a 2 (one being the least and six being the most) on the Relative Amounts of Landslides map. This rating is considered low for landslide potential. The impact is considered **less than significant**.
- b) **The project site is composed of 90% (StE) Sites-Mariposa complex, 16 to 51 percent slopes and 10% (SsE) Sites Very Rocky Loam, 51 to 85 percent slopes, both are well drained; permeability is moderate; runoff is rapid to very rapid and the erosion hazard is severe to very severe. Standard grading and erosion control techniques during and after grading activities would minimize the potential for erosion. Grading Permits are reviewed and approved by the County in accordance with Ordinance 1619 (County Code 15.40), and conditions/requirements applied to minimize potential erosion. The anticipated impact is less than significant with mitigation incorporated.**

- c) As indicated above, the State Geologist has determined there are no sufficiently active, or well defined faults or areas subject to strong ground shaking, liquefaction, landslides, or other ground failure in Amador County as to constitute a potential hazard to structures from surface faulting or creep. Additionally, Attachment I of the Safety and Seismic Safety Element (1979) rates the project area as being outside of the "Known and Potential Subsidence Areas." Therefore, the impact is **less than significant**.

- d) The project is located in an area with a rating of "low to moderate" on the Expansive Soils Map of the Amador County General Plan, Safety Seismic Safety Element (Attachment F). Therefore, the impact is **less than significant**.

- e) Field testing on the project site indicates high probability that resultant parcels contain adequate areas with soil conditions compatible with approved on site sewage disposal system designs approved for land divisions. Additional percolation testing and any necessary design work must be completed prior to recordation of the final map (see MM VI(e) below). Impacts are considered **less than significant with mitigation incorporated**.

Mitigation:

MMVI(b) - The subdivider shall obtain the services of a Registered Civil Engineer to prepare a drainage study for the project area identifying on- and off-site improvements required to mitigate impacts related to development of the project, and shall address the improvements/maintenance of facilities that were installed with the development of APN's 038-026-028 and -029 for Boundary Line Adjustment #2007-02. Ongoing maintenance of drainage improvements and erosion control measures shall be identified and provided for prior to recordation of the final map. (COA #16)

MMVI(e) – The subdivider shall retain the services of a qualified consultant to perform percolation testing, perform any necessary engineering, and demonstrate that disposal sites compliant with Amador County Code Sections 14.12.170 or 14.12.180 exist to serve resultant parcels prior to recordation of any final map. (COA 11)

Source: Amador County General Plan, Safety and Seismic Safety Element (1979); Soil Survey- Amador County; Amador County Planning Department, Department of Transportation & Public Works, and the Environmental Health Department.

GREENHOUSE GAS EMISSIONS – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) The project will result in the division of 12 acres into two parcels of approximately 6 acres in size. The project site is in an area designated in the General Plan for parcels as small as 5 acres in size. The project site is surrounded by parcels ranging in size from 2 acres up to 20 acres in size.

Greenhouse gas emissions include Carbon Dioxide (CO₂), Methane (CH₄), and Nitrous Oxide (N₂O). There are currently no adopted thresholds for determining the significance of greenhouse gas emissions in California. The most common form of greenhouse gas emissions from a project such as this would be from CO₂ emissions as a result of vehicles traveling to and from the site. The project has the potential to increase vehicle trips associated with the additional potential for residential development at the site. While this project will result in one (1) additional parcel the project is residential in nature and is not expected to contribute significantly to greenhouse gas levels within Amador County. This type of project is not expected to contribute to substantial individual or cumulative impact to greenhouse gas emissions. The potential increase in greenhouse gas emissions as a result of this project is anticipated to have a **less than significant** impact on the environment.

- b) Amador County does not currently have any adopted thresholds of significance, plans, or policies regarding greenhouse gases. New structures that may be built in the future will be required to meet the State Title 24 Building Energy Efficiency Standards and would therefore be consistent with the AB 32 Scoping Plan. Based on these facts, there will be a **less than significant impact** resulting from this project, to any plans and/or policies regulating Greenhouse Gas Emissions.

Mitigation: None required.

Source: Amador County General Plan; Amador County Municipal Codes; AB 32 Scoping Plan.

VII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

emergency evacuation plan?				
h) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) The application is for a land division for residential uses and therefore does not represent a significant increase in hazard to the public in the sense of introducing hazardous materials to the area. There is a **less than significant impact**.
- b) An abandoned concrete mine head-frame slab had a filled and capped vertical shaft exist within the project. Past mining activity may pose some risk for remnant hazardous excavations or other mining related hazards. Mitigation consists of survey of the property by a qualified consultant and correction of any hazardous excavations or wastes prior to map recordation (see MMVIII(b) below). Therefore, impacts are considered **less than significant with mitigation incorporated**.
- c) No known schools are within one quarter mile. The project is not likely to emit hazardous substances. **No impact**.
- d) The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, there is **no impact**.
- e) The project site is not located within two miles of any public airport or public use airport and would not result in a safety hazard for people residing or working in the project area. There is **no impact**.
- f) The project is not located within the vicinity of a private airstrip. **No impact** will result.
- g) Amador County does not have an adopted emergency response plan or emergency evacuation plan; therefore, there is **no impact**.
- h) According to the California Department of Forestry and Fire Protection the project is located in the State Responsibility Area for wildland fire protection and is within the High Fire Hazard Severity Zone. The project site also has an approved Fire Management Plan (see attached). All new residential development within Amador County must comply with Amador County Code Chapter 15.30 – Fire and Life Safety which will provide for appropriate access to allow for emergency service access to the newly created parcel(s). Additionally, any new home construction will be required to annex into the Amador Fire Protection District's community facilities district (CFD), which will serve to provide proportional funding for fire protection services in order to mitigate increased impacts associated with the proposed land division (see MMVIII(h) below). Therefore, all impacts associated with this section are considered to be **less than significant with mitigation incorporated**.

Mitigation:

MMVIII(b) – A qualified consultant shall evaluate the project for hazards related to the closed mine. Should hazards be encountered, a proposed remediation plan shall be submitted to the Environmental Health Department for review and approval. Any such hazards must be remediated

to the satisfaction of the Environmental Health Department prior to recordation of any parcel map(s) (COA 12).

MMVIII(h) - To mitigate the impact on fire protection services, in accordance with Amador County Ordinance No. 1640, the developer shall participate in the annexation to the County's Community Facilities District No. 2006-1 (Fire Protection Services), including execution of a "waiver and consent" to the expedited election procedure, the successful completion of a landowner-vote election authorizing an annual special tax for fire protection services, to be levied on the subject property by means of the County's secured property tax roll, and payment of the County's cost in conducting the procedure (COA 15).

Source: Amador County Environmental Health Department, and Planning Department; Amador County Code Chapter 15.30.

VIII. HYDROLOGY AND WATER QUALITY – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate or 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) The land division will rely on site sewage disposal systems which would not be subject to water quality standards or waste discharge requirements issued by the Regional Water Quality Control Board. **No impact.**
- b) The project proposes to use groundwater. The land division, due to the limited scope and moderate resultant parcel size, will not place a substantial burden on groundwater or be likely to significantly affect recharge. The project is not located in an area of the county recognized to pose substantial challenges in terms of groundwater availability. The developer is required by ordinance to demonstrate groundwater availability and quality prior to recordation of any parcel map(s) (COA 10). Impacts are considered **less than significant** in nature.
- c) **The Tentative Parcel map will not substantially alter the existing drainage patterns. There will be no stream alteration as a result of the proposed project. Construction of a single family residence on a five acre parcel is not considered to create a significant amount of storm water runoff adversely impacting drainage systems. Both on-site and off-site roadside drainage ditches are adequately sized to accommodate storm water runoff from one additional residence when properly constructed and maintained. Therefore the proposed project is anticipated to have a less than significant impact involving substantial erosion or siltation on-or-off site (see MM VI (b)).**
- d) On-site drainage patterns would not be substantially altered resulting in increased rate of surface water runoff resulting in flooding on- or off-site. The proposed project will have **a less than significant impact** involving substantial flooding on- or off-site.
- e) The project is not anticipated to contribute substantial runoff water which would exceed the capacity of the existing roadside drainage systems. The proposed project will have a **less than significant impact** involving substantial additional sources of polluted runoff.
- f) The project includes no features that may reasonably be expected to substantially degrade water quality therefore there will be **no impact.**
- g) The project site is located in Zone X (see map attached) and is outside of the 100 year flood plain as identified in the FEMA Flood Insurance Rate Maps dated 5/20/2010. Therefore, based on the information provided it is determined that there will be **no impact.**
- h) See answer above. **No impact.**
- i) There is no known dam or levee that could affect the project site. Therefore, based on the information provided it is determined that the project will have **no impact.**
- j) The project site is not located in an area affected by seiche, tsunami, or mudflow; therefore it is determined that the project will have **no impact.**

Mitigation:

Per discussion above in VIII (c), see MM VI (b)

Source: Department of Transportation & Public Works; and the Environmental Health Department.

IX. LAND USE AND PLANNING – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) The project will result in the division of approximately 12 acres into two parcels roughly 6 acres in size. The project site is an area designated in the General Plan for parcels as small as 5 acres in size with rural residential uses. The project site is surrounded by parcels ranging in size from 2 to 20 acres with 5 acres as the average parcel size. Due to the size of the resulting parcels and the connection of existing roadways the project will not result in any physical barriers that will divide the existing community. Therefore, there is **no impact**.

- b) The General Plan designation for the area is A-T, Agricultural Transitional (one family per 5 acre population density). The Tentative Parcel Map will result in the division of 12 acres into two parcels of approximately 6 acres in size and is consistent with the A-T designation. The zoning is currently "R1A," Single Family Residential and Agricultural District. The proposed project is consistent with the zoning and general plan. There is **no impact**.

- c) Amador County does not have an adopted habitat conservation plan or natural community conservation plan; therefore, there is **no impact**.

Mitigation: None required.

Source: Amador County Planning Department; Amador County Zoning; Amador County General Plan.

X. MINERAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a) / b) Evidence of past mining on the property is present. An abandoned capped mine vertical shaft and a concrete mine head-frame slab exist on the property. Additionally, the Assessor Maps note the property as Union Quartz Mine. The property is zoned for residential development. The project proposes to divide 12 acres into two 6 acre single family residential parcels. Therefore, any impacts to mineral resources are considered **less than significant**.

Mitigation: None required.

Source: Amador County Planning Department.

XI. NOISE – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) The project will result in the division of a 12 acre parcel into two 6 acre parcels. Both parcels would have the ability to build a single family dwelling as well as a second family dwelling unit and other structures associated with residential development. These are anticipated densities and uses in the current general plan and zoning designations and will not result in the exposure of persons to or generation of noise levels in excess standards established in the County's general plan. Amador County does not have an adopted noise ordinance. The impact **is less than significant**.
- b) The project is residential in nature and will not cause the generation of excessive groundborne vibrations and noise levels. There is **no impact**.
- c) The project will result in the division of 12 acres into two 6 acre parcels each with the ability to construct a single family dwelling and a second family dwelling unit as well as ancillary structures

associated with residential development. These are anticipated densities and uses in the zoning and general plan designations and will not result in the exposure of persons to a substantial permanent increase in ambient noise levels; however, noise in the area would be greater with the project than without. Therefore, impacts are considered **less than significant**.

- d) Although no construction is proposed with the project, there is the ability for each resulting parcel to have a single family dwelling and second family dwelling as well as other structures associated with residential uses. Therefore, noise levels may increase temporarily during times of construction; however, this increase is anticipated and considered to be **a less than significant** impact.
- e) /f) The project is not located near a public airport, public use airport, or private airstrip. Therefore, there is **no impact**.

Mitigation: None required.

Source: Amador County Planning Department; Amador County General Plan.

XII. POPULATION AND HOUSING – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) The project does not propose to build new roads, or to induce substantial population growth. The project will have the ability to construct a single family dwelling and second family dwelling unit, and ancillary residential structures. An existing access road already exists for the use of the proposed project. Therefore, there is **no impact**.
- b) /c) Due to the nature of the project proposing the division of 12 acres into two 6 acre parcels with the ability to construct a single family dwelling and second family dwelling unit, and ancillary residential structures will not displace substantial numbers of existing housing, necessitating the construction or replacement of housing elsewhere. **No impact** will result.

Mitigation: None required.

Source: Amador County Planning Department.

XIII. PUBLIC SERVICES – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse				

physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:				
• Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) The Amador Fire Protection District has reviewed this project and has determined that no new or altered fire facilities are required. In addition, in order to mitigate the impact on fire protection services a condition (COA 15), pursuant to County Code Chapter 17.14, will be placed on the map requiring the developer to participate in the annexation to the County's Community Facilities District 2006-1. Therefore, the impact is **less than significant**.
- b) The project does not propose an increase in the potential population density of the area. Additionally, the County Facility Fee is collected at the time any single family dwelling is constructed, to help offset the impacts new single family dwellings have on police facilities. Therefore, the impact is **less than significant**.
- c) With implementation of the project there is the potential for a slight increase in the number of students attending a school within the Amador County Unified School District. Impacts on schools are mitigated by the payment of mandatory school impact fees at the time a single family dwelling is constructed. Therefore, the impact is **less than significant**.
- d) No new or altered parks are required as a result of this project. The County requires any new land division to pay recreation fees upon recordation of the map, pursuant to Chapter 17.50 of Amador County Code (COA 14). Additionally, impacts to recreational facilities are mitigated by the payment of the County's Recreation Impact Fee collected at the time any single family dwelling is constructed. The impact is anticipated to be **less than significant**.
- e) The project is consistent with the general plan and therefore the slight increase in population density that may occur as a result of the project is not anticipated to have a significant impact on public facilities. Impact fees, not outlined above, may apply at the time of construction. The impact is considered to be **less than significant**.

Mitigation: None required.

Source: Amador County Code; Amador Fire Protection District.

XIV. RECREATION – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				
d) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a) / b) The project is consistent with the general plan and therefore the slight increase in population density that may occur as a result of the project is not anticipated to have a significant impact on recreation facilities. No new or altered parks are required as a result of this project. The County requires any new land division to pay recreation fees upon recordation of the map, pursuant to Chapter 17.50 of Amador County Code (COA 14). Additionally, impacts to recreational facilities are mitigated by the payment of the County's Recreation Impact Fee collected at the time any single family dwelling is constructed. The impact is anticipated to be **less than significant**.

Mitigation: None required.

Source: Amador County Code; Amador County General Plan.

XV. TRANSPORTATION / TRAFFIC – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

- a) The effectiveness of the county circulation element is measure by a projects impact to the Level Of Service (LOS) criteria adopted for roadways within Amador County. The project's impacts to LOS are discussed under section b). There is **no impact**.
- b) The LOS Standard criteria as established in the Regional Transportation Plan is the established congestion management program in effect for the County of Amador. **While creation of one additional parcel allowed by current zoning would add potentially 10 Average Daily Trips to Mierkey Road, Spagnoli Mine Road, and Irishtown Road, Level Of Service on these three roads would not fall below a LOS of C as a result, triggering the Significance Criteria requiring a Traffic Impact Study. There is a less than significant impact.**
- c) There are no nearby airports or established air traffic patterns. **No impact.**
- d) The proposed project will not result in increased hazards to existing roads, or incompatible uses. There is **no impact**.
- e) **County Code Sections 17.92.020A and 17.92.020B require Mierkey Road be improved to local road standard from the southwest property corner of Parcel 2B northward to its connection with Spagnoli Mine Road.[See MM XVI e]] The property owner applied for a County Code 15.30 Deviation from Standard for the grade of the on-site access road. The Deviation was approved on November 17, 2006. Less Than Significant Impact With Mitigation Incorporated.**
- f) Due to the limited nature of this project, the project does not conflict with the adopted policies and programs for public transit, bicycle, or pedestrian facilities. **No impact.**

Mitigation: MM XVI e) – County Code 17.92.020 A requires in part: If there is an existing road or road easement through the property, then the entire road shall be improved from property line to property line of the subdivision. County Code 17.92.020 B requires: for property leading from the subdivision to a county road or state highway, the access road shall be improved for the same length and to the same standards as required for the roads within the parcel map or subdivision. These codes apply to Mierkey Road from the southwest property corner of Parcel 2B, through Parcel 2B and continuing to Spagnoli Mine Road. Improvements shall be in accordance with County Code 12.08 and 17.90 local road standard. As an alternative to construction of Mierkey Road improvements, if there is an existing road maintenance association for Mierkey Road, the equivalent costs of the above improvements may be provided to that maintenance association for road improvements to be determined by the association. (COA #20)

Source: Department of Transportation & Public Works.

XVI. UTILITIES AND SERVICE SYSTEMS – Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) Resultant parcels from this project will rely on on-site sewage disposal systems and will, therefore, not be subject to nor will they be served by a wastewater provider that is subject to regulation by the Regional Water Quality Control Board. **No impact.**
- b) The project will result in the construction of individual wells and on-site sewage systems. Due to the limited scope of these structures no significant environmental impacts are anticipated. Any impacts will be **less than significant.**
- c) **Construction of a single family residence on a five acre parcel is not considered to create a significant amount of storm water runoff adversely impacting drainage systems. Both on-site and off-site roadside ditches are adequately sized to accommodate storm water runoff from one additional residence when properly constructed and maintained. (See MM VI (b)).**
- d) Parcels resulting from the project will be served by individual wells. The project is not located in an area of the county recognized as challenging in terms of well yield. Any impacts will be **less than significant.**
- e) The project will not be served by a wastewater treatment provider. **No impact.**
- f) The proposed project needs would be met under currently provided services, there will be **no impact.**
- g) The project is unlikely to significantly increase the potential for generation of problematic waste streams or volumes. Any impacts will be **less than significant.**

Mitigation: (see MM VI (b)).

Source: Amador County Environmental Health Department; Department of Transportation & Public Works.

XVII.MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively are 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Discussion:

a) Based on the analysis contained in this Initial Study, impacts to Aesthetics; Biological Resources; Greenhouse Gas Emissions; Land Use & Planning; Population & Housing; Agriculture & Forestry; Mineral Resources; Public Services; Utilities & Service Systems; Air Quality; Hydrology & Water Quality; Noise; and Recreation would result in a less than significant impact on the environment.

- Impacts to Cultural Resources would be significant unless mitigated. Mitigation Measure MM V(b) is required of the project;
- Impacts to Geology & Soils would be significant unless mitigated. Mitigation Measure **MM VI (b)** and MM VI (e) is required of the project;
- Impacts to Hazards & Hazardous Materials would be significant unless mitigated. Mitigation Measures MM VIII(b) and MM VIII(h) is required of the project; and
- **Impacts to Transportation & Traffic would be significant unless mitigated. Mitigation Measure MM XVI (e) is required of the project.**

Implementation of the Mitigation Measures identified above would result in a less than significant impact to Cultural Resources, Hazards & Hazardous Materials, Geology & Soils, and Transportation & Traffic. Therefore, the impacts are considered **less than significant with mitigation incorporated.**

- b) Based on the analysis in this Initial Study Checklist, the project is consistent with the County's General Plan land use projections. The land use and density has been considered in the overall County growth. The analysis demonstrated that the project is in compliance with all applicable state and local regulations. In addition, the project would not produce impacts that considered with the effects of other past, present, and probable future projects, would be cumulatively considerable because potential adverse environmental impacts were determined to be less than significant with the implementation of mitigation measures identified in the checklist. Any impacts are considered **less than significant**.
- c) As discussed in this Initial Study Checklist, the project would not expose persons to adverse impacts related to air quality, seismic or geologic hazards, greenhouse gas emissions, hazards or hazardous materials, hydrology or water quality, land use and planning, noise, population and housing, or transportation and traffic hazards, and the provision of utility services to people.

These impacts were identified to have no impact, a less than significant impact, or a less than significant impact with mitigation incorporated. Therefore, the project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. Any impacts are considered **less than significant**.

Source: Sections I-XVIII of this Initial Study.

REFERENCES

Amador County Air Pollution Control District Rules and Regulations; California Department of Conservation; California Geologic Survey: Alquist-Priolo Earthquake Fault Zones; California Department of Conservation- Division of Farmland Mapping and Monitoring; Amador County General Plan; Amador County GIS; Amador County Zoning Map; Amador County Multi-Hazard Mitigation Plan; and Commenting Department and agencies.

ATTACHMENTS

Amador County General Plan Safety and Seismic Safety Element – Attachment A-M
USGS Map of the area- Attachment N
FEMA Flood Insurance Rate Map 2010- Attachment O
Figure BR-2: Special-Status Species Occurrences Recorded in CNDDDB – Attachment P
Figure CR-1: All Known Cultural Resources – Attachment Q
Application Material
Department/Agency Comments

NOTE: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal. Appl. 4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th at 1109; *San Franciscans Upholding the Downtown Plan v. city and County of San Francisco* (2002) 102 Cal. App. 4th 656.