

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: May 8, 2013

From: Chuck Iley, CAO
(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:

05/14/13

Department Head Signature _____

Agenda Title: Presentation by Sheriff Ryan and Chief Probation Officer Bonini on AB 109 impacts and developments

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

Recommendation/Requested Action:

None - For Information Only

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

Comments:

Committee Review?

N/A

Name _____

Committee Recommendation:

Request Reviewed by:

Chairman _____

Counsel GG

Auditor EJL

GSA Director Hop

CAO _____

Risk Management _____

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

FOR CLERK USE ONLY

Meeting Date

5/14/13

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.

Department

Completed by

For meeting

ATTEST: _____

of

Clerk or Deputy Board Clerk

Save

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: May 8, 2013

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

Phone Ext. x470

| | |
|-------------------------------------|----------------|
| <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>May 14, 2013</u> | |

Department Head Signature _____

Agenda Title: USDA Forest Service Proposed Planning Directives

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 to the USDA Forest Service outlining the Board's comments on the subject Planning Directives.

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 <u>GG</u> |
| Auditor <u>ELL</u> | GSA Director <u>Hap</u> |
| CAO _____ | Risk Management _____ |

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

FOR CLERK USE ONLY

| | | |
|---------------------------------------|--------------------------------|-----------------|
| Meeting Date <u>5-14-13</u> | Time _____ | Item # <u>7</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 _____ 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 |

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May 7, 2013

USDA Forest Service
Planning Directives Comments
P.O. Box 40088
Portland, OR 97240

<https://cara.ecosystem-management.org/Public/CommentInput?Project=30641>

Amador County is pleased to provide the following comments on the proposed Planning Directives.

Chapter Zero Code

Under sec 05 Definitions, the wilderness definition is expanded to include roadless, primitive use areas, and other areas with or without official designations. Expansion of this definition bypasses the process to designate future wilderness, roadless areas or special use areas and is in conflict with sec. 22.22 Identification of Designated Areas in this planning directive. The definition is also inconsistent with Chapter 60 that provides for wilderness evaluation. Chapter 60 repeats numerous times that not all lands included in the inventory of potential lands are required to be carried forward in a NEPA analysis for potential recommendation as wilderness. Under this definition, regardless of the outcome of the evaluation, certain undeveloped lands will be under the same management constraints as though they were designated by Congress. Areas not designated or recommended for wilderness should not be included in the management requirements for wilderness. We urge you to redefine Wilderness consistent with applicable law.

Chapter 10, The Assessment

Directives for the assessments fail to identify how management of planning areas is dependent on local businesses and community assistance. Changes in local businesses or the availability of community assistance may prevent the planned management of federal lands. For example, closures of local mills have changed the economic capacity of the Forest Service to manage some federal lands. Likewise, the desires of a local community to expend forest related businesses could expand the management opportunities on federal lands, but might require a supportive management commitment from the Forest Service. Closures of local schools would affect the ability of the Forest Service to attract employees of young families. A reduction in ecosystem services could reduce associated local organizations with volunteer programs that assist in facility maintenance on federal lands. Any anticipated changes in the businesses or community assistance could trigger an assessment but most certainly should be included in a current assessment. The connection between the community and federal land management dependency is missing in the assessment directives and throughout the planning rule directives.

Chapter 20 – Land Management Plan

The general steps fail to direct the responsible official to work in coordination and cooperation with the various government entities. The directives focus almost exclusively on public involvement. When government entities are included, they are invited to participate with the same authority as the general public. The directives need to provide Government entities with the opportunities legally afforded in government to government planning.

Section 23.22p directs the responsible official to review and consider other government plans, planning efforts and their land use policies. However, only Indian treaties are included in the list of considerations when designing plan components. All current plans, planning efforts and land use policies by other government entities must be included in the list of considerations when designing plan components.

Section 23.22q recognizes four considerations under the new planning rule that are not specifically addressed in the directives. Among the four is the requirement to consider “Reasonably foreseeable risks to ecological, social, and economic sustainability.” It then refers to Exhibit 01 that lists “each of these topics” that is covered under an earlier section. However, the table includes only “Reasonably foreseeable risks to ecological sustainability.” Risks to ecological sustainability is only one element of the requirement and is not a substitute for social and economic sustainability. Directives for reasonably foreseeable risks to social and economic sustainability must also be provided.

Chapter 30 Monitoring

Two sections, 31.2 and 31.3 single out the Forest Service responsibility to engage public and Tribal members. Missing is the responsibility to engage other governments. 36 CFR 219.4 establishes an equal responsibility to engage state, county and local governments. Please add a section for State, county and local government.

Chapter 41 Adaptive Management Framework

Section 43.1 acknowledges the planning rule distinguishes the unique participation opportunities of States, counties, local governments, and Indian Tribes, but provides no directives for the responsible official to engage them except through common public engagement forums. The directives should provide suggestions for timing and engagement opportunities unique to governments. For example, considerations for “tak[ing] into account the discrete and diverse roles, jurisdictions, responsibilities and skills” and “early and throughout the planning process” might include:

- Meet periodically with states, counties, local governments and Indian Tribes or Alaska Native Corporations to determine interests, resources and methods of engagement.
- Meet prior to scoping to help “determine the scope, methods, forum and timing of” opportunities for public participation and to encourage, where appropriate, the governments to seek cooperating agency status.
- Meet after public issues and management concerns have been identified.
- Meet prior to recommending the preferred alternative.
- Meet following receipt of public comments
- Meet prior to developing the final decision

Chapter 60 Forest Vegetation Resource Planning

There is an inconsistency between the calculation of the long-term sustained-yield capacity and the quantity of timber that may be sold. The quantity of timber that may be sold is limited to less than that calculated for the long-term sustained-yield capacity. Per 60.5 Definitions, the quantity of timber sold includes timber sold from all lands, both suitable and non-suitable lands, for any purpose. Section 64.61 limits the long-term sustained-yield capacity calculation to only lands suitable for timber

production. Under these directives, any harvest on non-suitable lands would be subtracted from the allowable harvest from suitable lands. The Directives should require the Forest Service to track timber harvest on non-suitable lands separately and compare only the harvest on suitable lands to the long-term sustained-yield capacity.

Chapter 90 References

This chapter consists of reference material, including the Forest and Rangeland Renewable Resource Planning Act of 1974, the Wilderness Acts and selected texts from the Wild and Scenic Rivers Act. Notably missing is the Organic Act by which the Forests were established and subsequent forest legislation is based. Also referenced in the directives but omitted from the reference section is the Multiply-use Sustained Yield Act of 1960. Other pertinent Acts omitted are the National Forest Roads and Trails Act of 1964, the National Forest Management Act of 1976, and the Forest and Rangeland Renewable Resource Planning Act Congressional Statement of Policy as passed in the 1981 Appropriations Act. Inclusion of these Acts would help forest managers understand Congressional intent in planning the management of National Forests.

Thank you for the opportunity to comment. If any clarification is needed, please do not hesitate to contact us.

Sincerely,

Richard Forster
Chair, Amador Board of Supervisors

AGENDA TRANSMITTAL FORM

To: **Board of Supervisors**

Date: May 8, 2013

From: Aaron Brusatori,
(Department Head - please type)

Phone Ext. 248

Department Head Signature *Aaron Brusatori*

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

Meeting Date Requested:

05/14/13

Agenda Title: Alternative Selection - Fiddletown Road at Shenandoah Road

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 Dokken Engineering on behalf of ACTC is working to prepare a HSIP (Highway Safety Improvement Project) grant to cover a portion of the costs associated with improving the intersection of Fiddletown Road at Shenandoah Road. The Staff Report prepared by Dokken Engineering includes two options for the geometric configuration of the intersection, cost estimates and a brief summary of the project history with respect to the HSIP funding.

Recommendation/Requested Action:
Provide direction as to the preferred geometric option and direction to move forward with the HSIP grant application with Plymouth.

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? Name N/A

Committee Recommendation:

Comments:

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 _____ Time _____ Item # _____

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 |
| Completed by _____ | | |



AMADOR COUNTY TRANSPORTATION AND PUBLIC WORKS

MEMORANDUM

TO: BOARD OF SUPERVISORS
FROM: PUBLIC WORKS DEPARTMENT
SUBJECT: FIDDLETOWN ROAD / SHENANDOAH ROAD INTERSECTION IMPROVEMENTS
DATE: MAY 8, 2013

Amador County Transportation Commission (ACTC) has directed their Consultant Engineer to develop conceptual design alternatives for the reconstruction/reconfiguration of the Fiddletown Rd / Shenandoah Rd intersection. The proposed design alternatives are intended to alleviate current traffic safety issues at this intersection and provide a base alternative for utilization in the upcoming HSIP funding grant application. After several iterations, ACTC, the City of Plymouth, Amador County DOT and the Consultant have identified three preliminary alternatives (Options) for discussion:

No current options require the acquisition of Right-of-Way.

Option 3: No-Build

Under this option, no improvements would be made to either Shenandoah Rd or Fiddletown Rd. At the existing intersection, the existing westbound Fiddletown Rd “yield” movement will continue to pose a conflict with north/eastbound vehicles on Shenandoah Rd. Additional sub-standard geometric roadway features will continue.

Option 1: Realignment and Profile Adjustment with a “T” Intersection

This option proposes to shift the Shenandoah Rd alignment northwest relative to the current alignment and raise the profile of the roadway. This will create a “crest” near the middle of the horizontal curve. At the “crest” of the proposed Shenandoah Rd alignment, a new leg of Fiddletown Rd will be constructed to intersect Shenandoah Rd. Shenandoah Rd will remain a free flow through movement, while Fiddletown Rd is proposed to be stop controlled at the intersection. Shenandoah Rd will remain a two-lane road (one lane in each direction) with no dedicated right or left turn pockets at the intersection.

From Plymouth, the existing eastbound lane from Shenandoah Rd to Fiddletown Rd will remain operational creating a bypass of the new intersection for vehicles headed east to Fiddletown. A “yield” sign is proposed near the convergence of the new leg of Fiddletown Rd and the existing eastbound movement. The existing Fiddletown Rd connection (westbound to northbound) and yield on to Shenandoah Rd will be eliminated.

Option 2: Realignment, Similar to Existing with added Merge Lane

Option 2 proposes to shift the Shenandoah Rd alignment northwest relative to the current alignment. Unlike option 1, option 2 would not significantly raise the profile of Shenandoah Rd. The severely

skewed intersection of the two roadways will remain on the west, similar to the existing condition (No-Build Option). Reconfigured turn, through and merge lanes are proposed west of the Shenandoah/Fiddletown Rd merge/yield area. A new minor leg for turn movements onto Fiddletown Rd will be constructed to replace the existing north/south connection between Shenandoah/Fiddletown Rd on the east side of the project area. Shenandoah Rd will remain a free flow through movement, while the rest of the legs from Fiddletown Rd are proposed to be stop controlled.

Amador County DOT Analysis of Proposal

Three options have been proposed for this conceptual stage of the project, two of which include shifting the Shenandoah Rd alignment northwest and creating a new intersection configuration with Fiddletown Rd.

The “No-Build” Option is not an adequate future condition due to the collision history.

Option 2 is not preferred by DOT staff for the following reasons:

- The current conflict point between Shenandoah Rd and Fiddletown Rd on the west side of the project area is too similar to the existing condition at this location. The potential for wrong-way moves heading eastbound on Shenandoah Rd is perceived as too great of a safety concern and not enough of an improvement.
- The stop sign is not viewed as an improvement because driver sight distance is still impaired with the westbound approach angle limiting visibility of vehicles travelling on Shenandoah Rd.
- The short leg of the new Fiddletown Rd/Shenandoah Rd connection on the east has minimal storage lengths between stop controls.
- Merge, drop, and through/left lane(s), as shown, are not an optimal configuration. The through lane from west bound Shenandoah Road is forced to merge right with stop controlled slower traffic from Fiddletown Road.

Option 1 is preferred by DOT staff for the following reasons:

- Horizontal and vertical sight distances are improved by raising profile and eliminating obstructions.
- Opportunity for wrong-way eastbound moves from Shenandoah Rd are eliminated.
- Conventional “T” intersection with minor stop control for Fiddletown Rd is desirable for improved sight distance.

Drawbacks for Option 1:

- Amador DOT does not favor the “yield” at the intersection of the new Fiddletown Rd leg and the Shenandoah Rd eastbound through movement. This presents a point of conflict for a vehicle climbing the grade from the new intersection that stops due to approaching vehicles and then has poor sight distance looking west for traffic.
- Fiddletown Rd vertical grade approaching the intersection with Shenandoah Rd is not ideal. Preferred design slopes would be flatter approaching the intersection.
- Eastbound approach has a single through-left lane.

Suggestions for Option 1:

- Investigate ROW acquisition of lands to the north to translate intersection to the north and reduce slope.
- Addition of a left turn pocket would improve the through movements on westbound Shenandoah Rd.
- Addition of a center receiving lane for west bound traffic from Fiddletown Road.
- Eliminate the through leg from east bound Shenandoah Road to Fiddletown Road.

**STAFF REPORT**

DATE: MAY 6, 2013

TO: PLYMOUTH CITY COUNCIL AND THE
AMADOR COUNTY BOARD OF SUPERVISORS *Rebecca Neilon*

FROM: REBECCA NEILON, DOKKEN ENGINEERING

RE: FIDDLETOWN ROAD / SHENANDOAH ROAD INTERSECTION

ACTION REQUESTED

Both the Plymouth City Council and Amador County Board of Supervisors are being asked to select a preferred alternative for the intersection of Fiddletown Road and Shenandoah Road. The Alternatives are:

1. Option 1: Realignment and Profile Adjustment with a "T" Intersection
2. Option 2: Realignment, Similar to Existing with an Added Merge Lane
3. Option 3: Do Nothing

PROJECT HISTORY

At a recent Caltrans Local Assistance Meeting it was announced that a call for Highway Safety Improvement Projects (HSIP) would be made in the late spring and interested agencies should begin identifying candidate projects. After the meeting the representatives from Amador's local agencies brainstormed who was eligible to apply and potential projects.

The City of Sutter Creek and the Amador County Department of Transportation are ineligible to apply for this cycle of HSIP projects because they have current HSIP projects that have not met the programs delivery milestones. The City of Plymouth is eligible to apply, but does not have the required match funds which are 20% of the Project Total.

The Amador County Department of Transportation has several eligible HSIP projects, one of which is the Fiddletown Rd./Shenandoah Rd. Intersection. The City of Plymouth has jurisdiction to the centerline of Fiddletown Road and the County has jurisdiction over the remainder of this project site. Dokken met with both agencies who expressed interested in a pursuing a project that would be funded by the County, but administered by the City in



order to capture HSIP funds this year. Two options were developed out of these multi agency conversations and are presented to you today for your consideration.

PROJECT SCHEDULE

The HSIP applications are due at the end of July and projects that receive funding will be notified in the Fall of 2013.

If a consensus is reached on a preferred alternative Dokken Engineering will prepare the grant application. Coordination efforts to date have been funded by the Amador County Transportation Commission (ACTC). If the project is awarded funding, the City and County will competitively select a design team to complete the environmental document and Project Design.

PROJECT COST ESTIMATE

Please see attached cost estimates. The maximum HSIP grant application is \$1,500,000 where 80%, or \$1,200,000 will be provided by the federal government and 20% or \$300,000 is required as a local match by the local government. The two build alternatives are estimated to cost:

1. Option 1 = \$1,540,000
2. Option 2 = \$1,670,000
3. Option 3 = \$0

Any costs over \$1.5 million will be 100% finance by the local agency.

Fiddletown / Shenandoah Road Intersection Option 1

PROJECT SCOPE:

Realign the Fiddletown Road to "T" into Shenandoah Road. Increase the horizontal curve of Shenandoah Road at this intersection and raise the profile to minimize the slope of Fiddletown coming into Shenandoah.

PROJECT ESTIMATE:

| ITEM | QUANTITY | UNIT COST | ITEM COST |
|---|------------------------------------|--------------------|--------------------|
| PRELIMINARY ENGINEERING | | | |
| Environmental Document & PS&E | 20% of Construction Items Subtotal | | \$228,019 |
| CONSTRUCTION MATERIALS | | | |
| Roadwork (Overlay Existing) | 11,187 SF | \$6 SF | \$67,122 |
| Roadwork (New Roadway) | 46,066 SF | \$10 SF | \$460,660 |
| Roadway (Obliterate remnant old road) | 8,441 SF | \$2 SF | \$16,882 |
| Curb and Gutter | 0 LF | \$35 LF | \$0 |
| Retaining Walls | 0 SF | \$50 SF | \$0 |
| Signals | 0 EA | \$250,000 EA | \$0 |
| Lighting (Cobra Head) | 0 EA | \$4,000 EA | \$0 |
| Supplemental Drainage | 0 LF | \$0 LF | \$0 |
| Supplemental Structures | 0 LS | \$0 LS | \$0 |
| Supplemental Earthwork (Import) | 12,300 CY | \$22 CY | \$270,600 |
| Supplemental Earthwork (Excavation) | 450 CY | \$65 CY | \$29,250 |
| Supplemental Erosion Control | 0 LS | \$0 LS | \$0 |
| Landscaping | 0 SF | \$2 SF | \$0 |
| <i>subtotal</i> | | | \$844,514 |
| Minor Items | 15% | | \$126,677 |
| Mobilization | 10% | | \$84,451 |
| Contingency | 10% | | \$84,451 |
| <i>Construction Items subtotal</i> | | | \$1,140,094 |
| RIGHT OF WAY | | | |
| Residential Temporary Construction Easement | 0.00 Acre | \$30,000 Acre | \$0 |
| Residential Fee Take | 0.00 Acre | \$300,000 Acre | \$0 |
| Commercial Temporary Construction Easement | 0.00 Acre | \$100,000 Acre | \$0 |
| Commercial Fee Take | 0.00 Acre | \$1,000,000 Acre | \$0 |
| Utility Relocations | 0.00 LS | \$60,000 LS | \$0 |
| <i>Subtotal</i> | | | \$0 |
| ADMINISTRATION | | | |
| Construction Administration | 15% | | \$171,014 |
| | | | \$0 |
| <i>Subtotal</i> | | | \$171,014 |
| TOTAL PROJECT COST | | \$1,540,000 | |

**Fiddletown / Shenandoah Road
Intersection
Option 2**

PROJECT SCOPE:

Convert westbound turn lane (From Shenandoah to Shenandoah at Fiddletown intersection). Convert it to a merge lane for eastbound traffic. Formalize the roadway and intersection controls for vehicles turning westbound to Fiddletown from Shenandoah. Realign Shenandoah curve to improve sight distance.

PROJECT ESTIMATE:

| ITEM | QUANTITY | | UNIT COST | | ITEM COST |
|---|------------------------------------|------|------------------------------------|------|--------------------|
| PRELIMINARY ENGINEERING | | | | | |
| Environmental Document & PS&E | 20% of Construction Items Subtotal | | | | \$246,723 |
| CONSTRUCTION MATERIALS | | | | | |
| Roadwork (Overlay Existing) | 66,552 | SF | \$6 | SF | \$399,312 |
| Roadwork New Section) | 47,617 | SF | \$10 | SF | \$476,170 |
| Roadwork (Obliterate remnant old road) | 19,154 | SF | \$2 | SF | \$38,308 |
| Curb and Gutter | 0 | LF | \$35 | LF | \$0 |
| Retaining Walls | 0 | SF | \$50 | SF | \$0 |
| Signals | 0 | EA | \$250,000 | EA | \$0 |
| Lighting (Cobra Head) | 0 | EA | \$4,000 | EA | \$0 |
| Supplemental Drainage | 0 | LF | \$0 | LF | \$0 |
| Supplemental Structures | 0 | LS | \$0 | LS | \$0 |
| Supplemental Earthwork | 0 | LS | \$0 | LS | \$0 |
| Supplemental Erosion Control | 0 | LS | \$0 | LS | \$0 |
| Landscaping | 0 | SF | \$2 | SF | \$0 |
| | | | <i>subtotal</i> | | \$913,790 |
| Minor Items | | 15% | | | \$137,069 |
| Mobilization | | 10% | | | \$91,379 |
| Contingency | | 10% | | | \$91,379 |
| | | | <i>Construction Items subtotal</i> | | \$1,233,617 |
| RIGHT OF WAY | | | | | |
| Residential Temporary Construction Easement | 0.00 | Acre | \$30,000 | Acre | \$0 |
| Residential Fee Take | 0.00 | Acre | \$300,000 | Acre | \$0 |
| Commercial Temporary Construction Easement | 0.00 | Acre | \$100,000 | Acre | \$0 |
| Commercial Fee Take | 0.00 | Acre | \$1,000,000 | Acre | \$0 |
| Utility Relocations | 0.00 | LS | \$60,000 | LS | \$0 |
| | | | <i>Subtotal</i> | | \$0 |
| ADMINISTRATION | | | | | |
| Construction Administration | | 15% | | | \$185,042 |
| | | | | | \$0 |
| | | | <i>Subtotal</i> | | \$185,042 |
| TOTAL PROJECT COST | | | \$1,670,000 | | |

AGENDA TRANSMITTAL FORM

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|-------------------------------------|----------------|
| <input checked="" type="checkbox"/> | Regular Agenda |
| <input type="checkbox"/> | Consent Agenda |
| <input type="checkbox"/> | Blue Slip |
| <input type="checkbox"/> | Closed Session |
| Meeting Date Requested: | |
| May 14, 2013 | |

To: Board of Supervisors

Date: May 7, 2013

From: Susan C. Grijalva Phone Ext. X 380

(Department Head - please type)

Department Head Signature *Susan C. Grijalva*

Agenda Title: Planning Department - Grant Application for strategic energy plan development.

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

The Sierra Business Council recently released a Request for Applications for energy planning program assistance. The County previously utilized PG&E grant funds for the preparation of a greenhouse gas emission inventory to provide information needed in preparing the EIR for the County's General Plan Update and Implementation Programs. This round of grants can provide up to 75% of the funds needed for the preparation of a strategic energy plan for the County which will be used in the General Plan's Implementation Programs. The County would be required to provide 25% in matching or in-kind funds. Applications are due on May 31, 2013 and the project must be completed by the end of 2014.

Recommendation/Requested Action:
Authorize staff to submit an application for these PG&E funds and authorize the Chairman to sign the application.

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 GG
 Auditor EGJ GSA Director Hof
 CAO _____ Risk Management _____

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

FOR CLERK USE ONLY

Meeting Date 5.14.13 Time _____ Item # 9

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

Ayes: _____ Resolution _____ Ordinance _____ Other: _____
 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

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: May 8, 2013

From: Chuck Iley, CAO
(Department Head - please type)

Phone Ext. _____

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

Meeting Date Requested:
05/14/13

Department Head Signature _____

Agenda Title: Review of Health Realignment Budgets

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)

The Public Health and Environmental Health budgets were not reviewed during the budget workshop because of outstanding issues regarding next year's funding levels. This item gives the Board the opportunity to direct staff to go in a different direction prior to the presentation of the budget for approval.

Recommendation/Requested Action:

Direction to staff

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 GB

Auditor EJL

GSA Director Hoy

CAO _____

Risk Management _____

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

FOR CLERK USE ONLY

Meeting Date 5-14-13 Time _____ Item # 10

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

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

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

COUNTY OF AMADOR
STATE OF CALIFORNIA
BUDGET UNIT FINANCING USES DETAIL
FISCAL YEAR 2012-2013

HEALTH DEPARTMENT 4000
Function: Health & Sanitation
Activity: Health

| FINANCING USES CLASSIFICATION | ACTUAL 2011-2012 | ADOPTED 2012-2013 | TOTAL | | CAO REVISIONS 2013-2014 | CAO RECOMMENDED 2013-2014 |
|-----------------------------------|---------------------|----------------------|------------------------|------------------|-------------------------------|---------------------------------|
| | | | REQUESTED 2013-2014 | CAO 2013-2014 | | |
| SALARIES AND WAGES | 690,549.51 | 732,361.00 | 788,714.06 | 0.00 | 788,714.06 | |
| RETIREMENT - EMPLOYER'S SHARE | 129,171.09 | 121,997.00 | 152,689.61 | 0.00 | 152,689.61 | |
| FCAMEDICARE - EMPLOYER'S SHARE | 52,284.06 | 54,219.00 | 58,649.76 | 0.00 | 58,649.76 | |
| EMPLOYEE GROUP INSURANCE | 95,781.18 | 84,218.00 | 85,769.14 | 0.00 | 85,769.14 | |
| RETIREMENT HEALTH SAVINGS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | |
| WORKER'S COMPENSATION INSURANCE | 5,680.15 | 9,420.00 | 5,680.15 | 0.00 | 5,680.15 | |
| TOTAL SALARIES/EMPLOYEE BENEFITS | 973,465.99 | 1,002,215.00 | 1,091,502.71 | 0.00 | 1,091,502.71 | |
| SERVICES AND SUPPLIES | 6,902.19 | 10,000.00 | 7,268.00 | 0.00 | 7,268.00 | |
| COMMUNICATIONS | 41.51 | 100.00 | 100.00 | 0.00 | 100.00 | |
| MAINTENANCE - EQUIPMENT | 9,565.26 | 7,100.00 | 10,700.00 | 0.00 | 10,700.00 | |
| MAINTENANCE - PROGRAM | 396.15 | 500.00 | 400.00 | 0.00 | 400.00 | |
| MAINTENANCE - BLDGS/IMPROVEMENTS | 23,642.35 | 25,000.00 | 23,000.00 | 0.00 | 23,000.00 | |
| MEDICAL, DENTAL AND LAB SUPPLIES | 5,174.21 | 7,000.00 | 6,000.00 | 0.00 | 6,000.00 | |
| ADULT VACCINE | 5,522.66 | 5,260.00 | 5,675.00 | 0.00 | 5,675.00 | |
| MEMBERSHIPS | 12,107.78 | 13,000.00 | 12,000.00 | 0.00 | 12,000.00 | |
| OFFICE EXPENSES | 25,399.04 | 21,559.00 | 21,559.00 | 0.00 | 21,559.00 | |
| G.S.A. DEPT. COST ALLOCATION | 106,513.17 | 102,211.00 | 77,120.00 | 0.00 | 77,120.00 | |
| PROFESSIONAL/SPECIALIZED SERVICES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | |
| STATE OF CALIFORNIA | 161.75 | 500.00 | 0.00 | 0.00 | 0.00 | |
| PUBLICATIONS AND LEGAL NOTICES | 1,386.13 | 500.00 | 300.00 | 0.00 | 300.00 | |
| EDUCATIONAL MATERIALS & PUB. | 5,297.49 | 5,698.00 | 4,248.68 | 0.00 | 4,248.68 | |
| COPIER POOL | 241,797.72 | 245,936.00 | 245,936.00 | 0.00 | 245,936.00 | |
| RENTS, LEASES-BUILDINGS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | |
| MINOR EQUIPMENT | 14,751.07 | 28,603.00 | 22,911.00 | 0.00 | 22,911.00 | |
| SPECIAL DEPARTMENTAL EXPENSE | 1,297.41 | 1,360.00 | 1,100.00 | 0.00 | 1,100.00 | |
| STAFF TRAINING | 6,146.99 | 6,500.00 | 6,000.00 | 0.00 | 6,000.00 | |
| G.S.A. AND IN-COUNTY TRAVEL | 18,307.11 | 20,500.00 | 21,000.00 | 0.00 | 21,000.00 | |
| UTILITIES | 484,409.99 | 501,307.00 | 465,317.68 | 0.00 | 465,317.68 | |
| TOTAL SERVICES AND SUPPLIES | 14,246.00 | 40,000.00 | 30,000.00 | 0.00 | 30,000.00 | |
| OTHER CHARGES | 28,684.87 | 98,798.00 | 21,888.00 | 0.00 | 21,888.00 | |
| SUPPORT AND CARE OF PERSONS | 122,867.09 | 146,678.00 | 97,199.00 | 0.00 | 97,199.00 | |
| EMERGENCY PREPAREDNESS GRANTS | 5,703.20 | 15,000.00 | 3,236.00 | 0.00 | 3,236.00 | |
| HOSPITAL PREPAREDNESS GRANTS | 171,501.16 | 300,476.00 | 152,323.00 | 0.00 | 152,323.00 | |
| TOBACCO REDUCTION GRANTS | | | | | | |
| TOTAL OTHER CHARGES | | | | | | |
| FIXED ASSETS | 0.00 | 0.00 | 900.00 | 0.00 | 900.00 | |
| EQUIPMENT | 0.00 | 0.00 | 900.00 | 0.00 | 900.00 | |
| TOTAL FIXED ASSETS | | | | | | |
| TOTAL - HEALTH DEPARTMENT | 1,629,377.14 | 1,803,998.00 | 1,710,043.39 | 0.00 | 1,710,043.39 | |
| A87 - COUNTYWIDE COST ALLOC PLAN | 89,335.00 | 41,014.00 | 41,014.00 | 0.00 | 41,014.00 | |
| GRAND TOTAL - HEALTH DEPARTMENT | 1,718,712.14 | 1,845,012.00 | 1,751,057.39 | 0.00 | 1,751,057.39 | |

State Controller
County Budget Act

| Dept Nk Dept | Name | Unit | Job Title | Pay Rate | Step | LOE | Base Hrs | LOE Hrs | Gross | Total | Retire | OASDI | Other Earnings | Health-3.5 | Total |
|--------------|----------------|------|---------------------|----------|------|------|----------|---------|-----------|-----------|-----------|----------|----------------|------------|-------------|
| 4000 Health | Barala, J. | FT | Admin Tech | 27.27525 | | 1 | 2088 | 2088 | \$56,951 | \$56,951 | \$10,336 | \$4,357 | | \$7,823 | \$79,467 |
| 4000 Health | Cell Phones | Cell | 4 @ \$75 plus 3.75 | 303.75 | | 12 | 1 | 12 | \$3,645 | \$3,645 | \$2,733 | \$279 | \$2,898 | \$0 | \$3,924 |
| 4000 Health | Edmunds, P | PT | St Finance Asst | 21.25 | | 1 | 752 | 752 | \$15,980 | \$15,980 | \$24,339 | \$1,444 | \$1,152 | \$0 | \$23,056 |
| 4000 Health | Evensen, D | FT | Health Educator | 33.92 | | 1 | 2088 | 2088 | \$70,825 | \$70,825 | \$1,079 | \$5,506 | \$1,152 | \$7,609 | \$109,431 |
| 5106 Health | Foley, J | Mgt | H&H Services Dir | 60.95 | | 0.05 | 2088 | 104.4 | \$6,363 | \$6,363 | \$1,079 | \$510 | \$304 | \$91 | \$8,347 |
| 4000 Health | Jackson, D | FT | Outreach Technician | 23.4725 | | 1 | 2088 | 2088 | \$49,011 | \$49,011 | \$16,833 | \$3,749 | \$0 | \$16,101 | \$85,693 |
| 4000 Health | Jagoda, L. | FT | PH Nurse Supervisor | 42.67 | | 0.25 | 2088 | 523 | \$22,300 | \$22,300 | \$4,028 | \$1,706 | \$0 | \$5,564 | \$33,594 |
| 4000 Health | Joyner, N. | FT | Outreach Technician | 24.06 | | 1 | 2088 | 2088 | \$50,237 | \$50,237 | \$8,711 | \$3,843 | \$0 | \$16,101 | \$79,295 |
| 4000 Health | Juarez, C | FT | Admin Asst 2/Trans | 23 | | 1 | 2088 | 2088 | \$48,024 | \$48,024 | \$8,711 | \$4,138 | \$6,073 | \$33 | \$66,979 |
| 4000 Health | Liest, D. | PT | Nurse Practitioner | 42.67 | | 1 | 192 | 192 | \$8,193 | \$8,193 | \$1,459 | \$627 | \$0 | \$0 | \$10,279 |
| 4000 Health | Lindsey, M | PT | PH Nurse 2 | 36.21 | | 0.8 | 2088 | 1670.4 | \$60,485 | \$60,485 | \$10,979 | \$5,008 | \$4,983 | \$0 | \$81,456 |
| 4000 Health | Myers, C | PT | PH Nurse 2 | 36.21 | | 0.8 | 2088 | 1670.4 | \$60,485 | \$60,485 | \$10,979 | \$5,008 | \$4,983 | \$0 | \$81,456 |
| 4000 Health | Sandman, H | PT | Admin Tech | 25.33 | | 1 | 835 | 835 | \$21,151 | \$21,151 | \$10,979 | \$5,008 | \$900 | \$0 | \$22,051 |
| 4000 Health | Stanford, D. | PT | Admin Tech | 26.61 | | 1 | 2088 | 2088 | \$55,562 | \$55,562 | \$10,083 | \$4,250 | \$0 | \$16,315 | \$86,210 |
| 4000 Health | Stone, M | PT | Health Educator | 33.92 | | 0.9 | 2088 | 1879.2 | \$63,742 | \$63,742 | \$11,572 | \$4,938 | \$810 | \$16,101 | \$81,063 |
| 4000 Health | Stone, P. | FT | Fiscal Officer | 36.52 | | 1 | 2088 | 2088 | \$76,254 | \$76,254 | \$13,850 | \$5,833 | \$0 | \$16,101 | \$112,038 |
| 4000 Health | Vaccarezza, C. | FT | PH Nurse Supervisor | 43.74 | | 1 | 2088 | 2088 | \$91,329 | \$91,329 | \$16,594 | \$7,451 | \$6,073 | \$33 | \$121,481 |
| Total | | | | | | 26 | 28924 | 24342 | \$760,537 | \$760,537 | \$152,690 | \$58,650 | \$28,177 | \$85,769 | \$1,085,823 |

DEPARTMENT REVENUES

4000 Health Department

| | ACTUAL 2011-2012 | ADOPTED 2012-2013 | TOTAL REQUESTED 2013-2014 | CAO REVISIONS 2013-2014 | RECOMMENDED 2013-2014 | CAO |
|------------------------------------|---------------------|----------------------|------------------------------|----------------------------|--------------------------|-----|
| Revenue | | | | | | |
| 43300 Tobacco Settlement | 86,921.00 | - | - | - | - | - |
| 45130 State Welfare Admin | - | - | - | - | - | - |
| 45163 Realignment Health CMSP | 1,051,684.07 | 555,433.00 | 555,433.00 | (107,950.61) | 447,482.39 | |
| 45166 Prop 10 | - | - | - | - | - | - |
| 45171 | - | - | - | - | - | - |
| 45240 Aid - Other | 256,737.09 | 301,221.00 | 301,200.00 | - | 301,200.00 | |
| 45280 Child Health Disability | - | - | - | - | - | - |
| 45435 TRAC | 152,217.64 | 150,000.00 | 150,000.00 | - | 150,000.00 | |
| 45490 Mandate Cost | 116.03 | - | - | - | - | - |
| 45630 Federal Other | 821,709.56 | - | - | - | - | - |
| 45640 Aid from Other Agencies | - | 749,355.00 | 774,875.00 | 2,000.00 | 776,875.00 | |
| 46009 Charges for Services | - | - | - | - | - | - |
| 46830 Health Services | 31,178.48 | 53,300.00 | 53,000.00 | - | 53,000.00 | |
| 47890 Miscellaneous MH Transfer | 17,292.63 | 50,000.00 | 22,500.00 | - | 22,500.00 | |
| | | 38,000.00 | 38,000.00 | - | - | - |
| Total Revenues | 2,417,856.50 | 1,897,309.00 | 1,895,008.00 | (105,950.61) | 1,751,057.39 | |
| Total Expenditures | 1,718,712.14 | 1,845,012.00 | 1,751,057.39 | - | 1,751,057.39 | |

| | | | | | |
|--|-------------------|------------------|-------------------|---------------------|---------------|
| Net County Cost Health Realignment Fund | 699,144.36 | 52,297.00 | 143,950.61 | (105,950.61) | (0.00) |
|--|-------------------|------------------|-------------------|---------------------|---------------|

COUNTY OF AMADOR
 STATE OF CALIFORNIA
 BUDGET UNIT FINANCING USES DETAIL
 FISCAL YEAR 2013-2014

OTHER HEALTH SERVICES 4005
 Function: Health & Sanitation
 Activity: Health

State Controller
 County Budget Act

| | ACTUAL | | ADOPTED | | TOTAL REQUESTED | | CAO REVISIONS | | CAO RECOMMENDED | |
|--|-----------|-----------|-----------|-----------|-----------------|-----------|---------------|-----------|-----------------|--|
| | 2011-2012 | 2012-2013 | 2012-2013 | 2013-2014 | 2013-2014 | 2013-2014 | 2013-2014 | 2013-2014 | 2013-2014 | |
| FINANCING USES CLASSIFICATION | | | | | | | | | | |
| OTHER CHARGES | | | | | | | | | | |
| AMADOR AIR DISTRICT PER CAPITA | 0.00 | 8,000.00 | 8,000.00 | 8,000.00 | 0.00 | 8,000.00 | | | | |
| AREA 12 AGENCY ON AGING | 60,015.00 | 59,970.00 | 59,970.00 | 62,500.00 | 1,746.00 | 64,246.00 | | | | |
| EAP | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | | | |
| INDIGENT CARE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | | | |
| TOTAL OTHER CHARGES | 60,015.00 | 67,970.00 | 67,970.00 | 70,500.00 | 1,746.00 | 72,246.00 | | | | |
| TOTAL - OTHER HEALTH SERVICES | 60,015.00 | 67,970.00 | 67,970.00 | 70,500.00 | 1,746.00 | 72,246.00 | | | | |
| 58900 A87 - COUNTYWIDE COST ALLOC PLAN | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | | | |
| GRAND TOTAL - OTHER HEALTH SERVICES | 60,015.00 | 67,970.00 | 67,970.00 | 70,500.00 | 1,746.00 | 72,246.00 | | | | |

DEPARTMENT REVENUES

4005 Other Health Services

| | ACTUAL 2011-2012 | ADOPTED 2012-2013 | TOTAL REQUESTED 2013-2014 | CAO REVISIONS 2013-2014 | CAO RECOMMENDED 2013-2014 |
|--------------------------------|---------------------|----------------------|---------------------------------|-------------------------------|---------------------------------|
| Revenue | | | | | |
| 45163 State Realignment Health | 59,000.49 | 67,970.00 | 70,500.00 | 8,000.00 | 62,500.00 |
| 47940 General Fund Transfer | - | - | - | 8,000.00 | 8,000.00 |

Total Revenues 59,000.49 67,970.00 70,500.00 16,000.00 70,500.00

Total Expenditures 60,015.00 67,970.00 70,500.00 16,000.00 72,246.00

Net County Cost (1,014.51) - - - (1,746.00)
Health Realignment Fund

ENVIRONMENTAL HEALTH 4030
 Function: Health & Sanitation
 Activity: Health

State Controller
 County Budget Act

| | FINANCING USES CLASSIFICATION | | TOTAL | | CAO | | CAO | |
|--------------------------------|------------------------------------|------------|--------------|------------|-------------|-------------|-------------|--|
| | ACTUAL | ADOPTED | REQUESTED | REVISIONS | RECOMMENDED | RECOMMENDED | RECOMMENDED | |
| | 2011-2012 | 2012-2013 | 2013-2014 | 2013-2014 | 2013-2014 | 2013-2014 | 2013-2014 | |
| SALARIES AND EMPLOYEE BENEFITS | | | | | | | | |
| 50100 | SALARIES AND WAGES | 453,662.94 | 569,900.00 | 527,510.09 | 0.00 | 527,510.09 | | |
| 50102 | OVERTIME | 650.82 | 1,000.00 | 1,000.00 | 0.00 | 1,000.00 | | |
| 50300 | RETIREMENT - EMPLOYER'S SHARE | 97,691.44 | 95,765.00 | 90,777.20 | 0.00 | 90,777.20 | | |
| 50310 | FICAMEDICARE - EMPLOYER'S SHARE | 38,982.61 | 43,170.00 | 40,354.52 | 0.00 | 40,354.52 | | |
| 50400 | EMPLOYEE GROUP INSURANCE | 121,966.00 | 132,830.00 | 128,939.92 | 0.00 | 128,939.92 | | |
| 50500 | WORKER'S COMPENSATION INSURANCE | 1,727.92 | 3,019.00 | 2,996.00 | 0.00 | 2,996.00 | | |
| | TOTAL SALARIES/EMPLOYEE BENEFITS | 714,681.73 | 845,684.00 | 791,577.74 | 0.00 | 791,577.74 | | |
| SERVICES AND SUPPLIES | | | | | | | | |
| 51200 | COMMUNICATIONS | 1,320.24 | 1,800.00 | 1,320.00 | 0.00 | 1,320.00 | | |
| 51700 | MAINTENANCE - EQUIPMENT | 9,720.00 | 10,120.00 | 13,485.00 | 0.00 | 13,485.00 | | |
| 51760 | MAINTENANCE - PROGRAMS | 3,355.79 | 4,110.00 | 3,800.00 | 0.00 | 3,800.00 | | |
| 52000 | MEMBERSHIPS | 715.00 | 800.00 | 800.00 | 0.00 | 800.00 | | |
| 52200 | OFFICE EXPENSES | 4,281.48 | 5,116.00 | 5,116.00 | 0.00 | 5,116.00 | | |
| 52211 | G.S.A. DEPT. COST ALLOCATION | 8,709.52 | 7,393.00 | 7,393.00 | 0.00 | 7,393.00 | | |
| 52280 | HAZARDOUS MATERIALS/WASTE | 0.00 | 1,000.00 | 1,000.00 | 0.00 | 1,000.00 | | |
| 52300 | PROFESSIONAL/SPECIALIZED SERVICES | 6,711.01 | 3,000.00 | 3,000.00 | 0.00 | 3,000.00 | | |
| 52364 | TRAINING | 6,710.84 | 6,000.00 | 6,000.00 | 0.00 | 6,000.00 | | |
| 52500 | RENTS, LEASES- EQUIPMENT | 2,145.26 | 2,210.00 | 1,400.00 | 0.00 | 1,400.00 | | |
| 52700 | MINOR EQUIPMENT | 188.75 | 200.00 | 200.00 | 0.00 | 200.00 | | |
| 52900 | G.S.A. AND IN-COUNTY TRAVEL | 23,630.26 | 15,750.00 | 19,235.00 | 0.00 | 19,235.00 | | |
| 52910 | MEETINGS AND CONVENTIONS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| | TOTAL SERVICES AND SUPPLIES | 67,488.15 | 57,499.00 | 62,749.00 | 0.00 | 62,749.00 | | |
| FIXED ASSETS | | | | | | | | |
| 56200 | EQUIPMENT | 0.00 | 7,300.00 | 0.00 | 0.00 | 0.00 | | |
| | TOTAL FIXED ASSETS | 0.00 | 7,300.00 | 0.00 | 0.00 | 0.00 | | |
| TOTAL - ENVIRONMENTAL HEALTH | | | | | | | | |
| 58900 | A87 - COUNTYWIDE COST ALLOC PLAN | 782,169.88 | 910,483.00 | 854,326.74 | 0.00 | 854,326.74 | | |
| | GRAND TOTAL - ENVIRONMENTAL HEALTH | 102,376.00 | 97,780.00 | 97,780.00 | 0.00 | 97,780.00 | | |
| | GRAND TOTAL - ENVIRONMENTAL HEALTH | 884,545.88 | 1,008,263.00 | 952,106.74 | 0.00 | 952,106.74 | | |

| Dept N | Dept | Name | Unit | Job Title | Pay Rate | Step | LOE | Base Hrs | LOE Hrs | Gross | Uniform | Total | Retire | OASDI | Other Earnings | Health-3-5 | Total |
|--------|----------|---------------------|------|-------------------|----------|-------|------|----------|---------|-----------|---------|-----------|----------|----------|----------------|------------|-----------|
| 4030 | Environ. | Health Brusatori, A | Mgt | Comm Dev Dir | 57.1 | | 0.05 | 2088 | 104.4 | \$5,961 | | \$5,961 | \$1,010 | \$456 | | \$1,281 | \$8,708 |
| 4030 | Environ. | Health Cell Phones | Cell | 7 @ \$45 | 315 | | 12 | 1 | 12 | \$3,780 | | \$3,780 | \$9,193 | \$289 | | \$0 | \$4,069 |
| 4030 | Environ. | Health Dunklee, J | FT | Env Hlth Tech 1 | 23.87 | 24.47 | 1 | 2088 | 2088 | \$50,671 | | \$50,671 | \$3,495 | \$3,876 | | \$23,061 | \$86,802 |
| 4030 | Environ. | Health Fourn, R. | FT | Env Hlth Spec 3 | 37.11 | | 0.25 | 2088 | 522 | \$19,371 | | \$19,371 | \$0 | \$1,482 | | \$1,956 | \$26,304 |
| 4030 | Environ. | Health Fourn, R. | FT | Env Hlth Spec 3 | 37.11 | | 0.2 | 2088 | 336 | \$12,469 | | \$12,469 | \$0 | \$954 | | \$0 | \$13,423 |
| 4030 | Environ. | Health Israel, M. | MM | Dir Env Hlth | 45.3 | | 1 | 2088 | 2088 | \$94,586 | | \$94,586 | \$16,258 | \$7,236 | \$0 | \$23,061 | \$141,141 |
| 4030 | Environ. | Health Maris, A. | FT | Env Hlth Spec 3 | 35.32 | | 1 | 2088 | 2088 | \$73,748 | | \$73,748 | \$13,394 | \$6,070 | \$5,593 | \$1,256 | \$100,061 |
| 4030 | Environ. | Health Meyer, S. | FT | Env Hlth Spec 3 | 38.04 | | 1 | 2088 | 2088 | \$79,428 | | \$79,428 | \$14,428 | \$6,076 | \$0 | \$16,101 | \$116,032 |
| 4030 | Environ. | Health Opalenik, M | FT | Env Hlth Spec 3 | 35.32 | | 1 | 2088 | 2088 | \$73,748 | | \$73,748 | \$13,394 | \$5,642 | \$0 | \$23,061 | \$115,845 |
| 4030 | Environ. | Health Riley, J | FT | Env Health Tech 2 | 24.47 | | 1 | 2088 | 2088 | \$51,093 | | \$51,093 | \$9,270 | \$3,916 | \$100 | \$23,061 | \$87,441 |
| 4030 | Environ. | Health Williams, E. | FT | Admin Tech | 27.28 | | 1 | 2088 | 2088 | \$56,961 | | \$56,961 | \$10,338 | \$4,357 | \$0 | \$16,101 | \$87,756 |
| | Total | | | | | | 19.5 | 20881 | 15590.4 | \$521,817 | \$0 | \$521,817 | \$90,777 | \$40,355 | \$5,693 | \$128,940 | \$787,582 |

DEPARTMENT REVENUES

4030 Environmental Health

| Revenue | ACTUAL 2011-2012 | ADOPTED 2012-2013 | TOTAL REQUESTED 2013-2014 | TOTAL REQUESTED 2013-2014 | CAO REVISIONS 2013-2014 | CAO RECOMMENDED 2013-2014 |
|---------|---------------------|----------------------|---------------------------------|---------------------------------|-------------------------------|---------------------------------|
|---------|---------------------|----------------------|---------------------------------|---------------------------------|-------------------------------|---------------------------------|

| | | | | | | |
|---------------------------|------------|------------|------------|------------|-------------|------------|
| 45163 Realignment Health | 543,617.56 | 494,047.00 | 494,047.00 | 566,984.00 | (95,384.00) | 471,600.00 |
| 45240 Aid - Other | - | - | - | - | - | - |
| 46840 Sanitation Services | 247,302.66 | 260,000.00 | 260,000.00 | 260,000.00 | - | 260,000.00 |
| 47890 Miscellaneous | 27,700.00 | 146,901.00 | 80,233.00 | 80,233.00 | - | 80,233.00 |

Total Revenues 818,620.22 900,948.00 834,280.00 907,217.00 (95,384.00) 814,833.00

Total Expenditures 884,545.88 1,008,263.00 952,106.74 952,106.74 - 952,106.74

Net County Cost Health Realignment Fund (65,925.66) (107,315.00) (117,826.74) (44,889.74) (95,384.00) (140,273.74)

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: May 8, 2013

From: Richard Foster, Chairman
(Department Head - please type)

Phone Ext. x470

| | |
|-------------------------------------|----------------|
| <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>May 14, 2013</u> | |

Department Head Signature _____

Agenda Title: Water Supply Fund Administration, Eligibility and Criteria Policy

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
Discussion and possible action relative to the subject Policy.

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 <u>GG</u> |
| Auditor <u>EFL</u> | GSA Director <u>Way</u> |
| CAO _____ | Risk Management _____ |

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

FOR CLERK USE ONLY

| | | |
|---------------------------------------|--------------------------------|------------------|
| Meeting Date <u>5-14-13</u> | Time _____ | Item # <u>11</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 _____ | |

To: Amador County Board of Supervisors

Fr: Richard Forster

The Water Development Fund has been reviewed by a committee consisting of Gene Mancebo, Tom Hoover and Richard Forster. The Water Development Fund was previously modified in 1983, 1984, 1987, 1988, and 1994. The document was reviewed and modified in 2005, but the language was never adopted by the Board of Supervisors.

The impetus for this review was the retirement of Tom Hoover as General Manager of the Jackson Valley Irrigation District. Tom worked on previous committees with responsibility for reviewing and modifying this document. He has extensive knowledge of the water systems in Amador County dating back to the mid 1980's which gives him a unique historical perspective. He is the former General Manager of the Amador Water Agency.

Gene Mancebo and Richard Forster have been involved with water issues in the County and worked with Tom over the last 23-28 years respectively. Gene headed the Engineering Department at the Amador Water Agency before becoming the General Manager. Richard was a Director on the Amador Water Agency Board of Directors for 8 years before being elected to the Board of Supervisors.

The document has been modified to reflect what the committee feels are changes necessary to reflect proper uses of the money in the fund for water and wastewater projects. The purpose was expanded, definitions of terms were added, and a general clean-up of wording was done. The committee is recommending that the fund name be changed to better reflect the modern day application of the resources in the fund.

While the committee encourages the Board of Supervisors to approve projects that are funded with low or no interest loans, the possibility of potential grant funding was not excluded as an option by the Board of Supervisors.

Water Supply Fund Administration, Eligibility and Criteria Policy

PURPOSE:

To develop, replace, improve, enhance, and/or finance reliable public water supply systems for Amador County including wastewater systems which result in recycled water supply. The Water Supply Fund is intended to be a revolving fund and renewed as loans are repaid. Loans may be provided by the Board of Supervisors for eligible water supply projects or studies.

DEFINITIONS:

Water Supply System means a system including source water, collection, transmission, treatment, storage, and distribution which provides water to consumers for domestic, commercial, industrial, public service, irrigation, fire protection and other water uses acceptable to the Board of Supervisors.

Recycled water means water which, as a result of treatment of wastewater, is suitable for a direct beneficial use or a controlled use that would not otherwise occur and is therefore considered a valuable resource.

APPLICATION REVIEW:

When appropriate, the Board of Supervisors may designate a Review Committee, familiar with water matters (technical and financial), which may include one member or designee of the County Board of Supervisors, one member from the Amador Water Agency and one member from the Jackson Valley Irrigation District to make recommendations to the Board of Supervisors after reviewing applications.

ELIGIBILITY CRITERIA:

1. Water Supply Fund applications can be for municipal, industrial or agricultural purposes.
2. Groundwater wells (Public Water Supplies) may be eligible if no other source of water is available for development and/or if existing wells fail, or additional reliable supply is needed.
3. Hydroelectric or other related projects may be recognized as qualifying projects provided that the revenue from these projects is used for public water supply systems or the hydroelectric project debt service repayment.
4. No loan from the Water Supply Fund shall be made which would deplete the cash balance below \$1,000,000; provided, however, that the minimum \$1,000,000 may be used in an emergency. The Water Supply Fund shall have no maximum balance.
5. A revenue plan may be required prior to approval of the loan. This revenue plan must adequately identify expenses and revenues for operation maintenance, replacement and loan repayment for the given applicant and associated project.
6. The borrowing agency or entity will provide a report to the Board of Supervisors upon the completion of the proposed project, study, or program for which the funds were used.
7. Borrowers shall adhere to the Public Contracts Code and other applicable law in the bidding of projects and the awarding of contracts to the lowest responsible bidder or, when legally appropriate, deciding to perform the work by force account.
8. The borrowing agency or entity shall employ all of the professional consultants or staff necessary and assure the project is economically, hydrologically, environmentally, and legally sound.
9. The Water Supply Fund can be used for wastewater projects where

there is resulting recycled water supply suitable for a direct beneficial use or a controlled use.

10. The applicant must be a legal public entity, fully operational and adequately staffed and with a primary responsibility of providing water or wastewater service.
11. The Water Supply Fund may be used for preliminary studies that include economic, hydrologic, engineering, environmental, and other related activities that may be considered as part of the project cost.
12. The Water Supply Fund will not to be used for membership dues to any organizations.
13. The Water Supply Fund shall not be used for general fund expenses of any public entity.
14. Upon project completion, any unused funds shall be returned to the Water Supply Fund.

ELIGIBILITY PROCESS:

To determine eligibility, an applicant shall submit a request and project description in writing which will be used for screening purposes and reviewed by the Board of Supervisors or its designated Review Committee.

Where the loan and/or grant request does not strictly meet the criteria, but the project benefits would meet the purpose of the Water Supply Fund, special conditions may be considered by the Board of Supervisors.

The Board of Supervisors or its designated review committee will evaluate the affordability of the project to ratepayers when considering the loan request.

INTEREST RATE AND TERMS:

1. Terms of loan may be recommended by the Review Committee or approved by the Board of Supervisors based on merit of the project as well as meeting the Water Supply Fund purpose.
2. Board of Supervisors will establish an Interest rate in consultation with the County Treasurer/Tax Collector and in compliance with the current County investment policy.
3. A loan payment can be extended under certain conditions such as the following:
 - A. Emergencies: Natural disasters, declared emergencies.
 - B. Drought, flood, major disaster, etc., to be defined by the Review Committee or Board of Supervisors.
 - C. Board of Supervisors may determine a need when an overriding circumstance exists.

In the event a loan is in default, or about to go into default, the Board of Supervisors or its designated Review Committee will review the financial problems of the borrower and make recommendations for consideration by the Board of Supervisor for correction.

The Board of Supervisors or designated Review Committee will analyze the loan application and consider the affordability to repay the loan along with project benefits when considering requests or establishing loan terms.

The Board of Supervisors, in special circumstances, may consider grants for eligible water supply projects or studies.

A recipient of any loan or grant shall be required to defend, indemnify and hold harmless the County from any claim, action, or proceeding relating to the loan or grant approval, or the underlying project.

FOR '90-
CSA#1

August 11, 1983
Revised January 11, 1984
Revised August 17, 1987
Revised April 5, 1988
Revised August 30, 1994

CRITERIA FOR USE OF WATER DEVELOPMENT FUND

The Committee shall investigate and make recommendations on the following ideas:

PURPOSE:

To develop new or additional water for Amador County. New water is that water which has not yet been captured or transported.

REVIEW COMMITTEE:

A "Review Committee", familiar with water matters (technical and financial), shall be appointed by the County Board of Supervisors and the Water Agency to make recommendations to the Board of Supervisors after reviewing the loan applications. Committee shall recommend any changes to the rules, criteria and regulations to the Board of Supervisors. The review committee will encourage maintenance consolidation to improve service. Neither the Review Committee nor the Board's Water Committee may make any new loan to an existing borrower or increase the amount of any existing loan. Only the Board may approve any new or increased loan.

CRITERIA:

1. New water can be for municipal, industrial or agriculture.
2. New wells might be eligible if no other source of water is available for development.
3. New delivery systems to areas not previously able to be served from an existing supply. New subdivisions' water systems shall be installed at developers' expense and not with Development Fund money even if a developer proposes the formation of a new public entity for that development.
4. Enlargement of existing systems might be eligible if enlargement develops new water.
5. Hydroelectric or other projects may be recognized as qualifying projects provided that the revenue from these projects is used for developing new water.

6. No loan shall be made for any water project for which the incremental cost of a hydropower component for that project is greater than fifty (50) percent of the costs of the total project.
7. No loan from the Fund shall be made which would deplete the cash balance below \$500,000; provided, however, that the \$500,000 minimum may be used in an emergency. The Fund shall have no maximum balance.
8. Money not to be used for operation, maintenance or replacement; provided, however, that existing water systems may be improved with money from the fund.
9. A revenue plan must be submitted and approved prior to approval of the loan. The Revenue Plan must adequately cover expenses of operation, maintenance, replacement and loan payback.
10. In the event a loan is in default, or about to go into default, the "Review Committee" will review the financial problems of the agency and make a recommendation to the Board of Supervisors for correction.
11. A report, in the form of a "Monthly Progress Payment", shall be submitted to the County Auditor after the work is done and materials delivered for that month. Money not to be loaned until requested by submission of monthly reports.
12. Borrowers shall adhere to the Public Contracts Code and other applicable law in the bidding of projects and the awarding of contracts to the lowest responsible bidder or, when legally appropriate, deciding to perform the work by force account.
13. The borrowing agency shall employ all of the professional consultants necessary to assure the Board that the project is economically, hydrologically, environmentally, and legally sound. The borrowing agency shall use independent lawyers and consultants satisfactory to the Board.
14. In no case shall any water development fund, or interest derived therefrom, be made available as a grant.
15. Water Development Fund is not to be used for any wastewater projects.

16. Money shall not be used for economic, hydrologic, engineering or environmental studies unless repayment is assured through another funding source from the borrower which source is in place when the loan is made. In any case, a higher interest rate will be charged for any kind of study as opposed to actual construction.
17. Money not to be used for membership dues to any organizations.
18. The applicant must be a legal public entity, fully operational and adequately staffed.
19. Land purchase and engineering may be considered as part of the project cost.
20. Loans should not be considered until such time as the outcome of the current water supply projects are determined.
21. Funds should not be used for staff time other than for direct involvement in developing future water supply.
22. The fund should not be used for general fund expenses.
23. Public relation and education expenses relating to securing a future County water supply can be regarded as appropriate use of funds.
24. Studies and construction of projects, like pipelines and storage tanks, unless associated with the development of new water supplies, are not considered developing "new" water and therefore should not be considered appropriate use of funds for the time being.
25. Rules apply to all equally.
26. No loan shall exceed 25% of the money then in the Fund or \$1,000,000, whichever is lower.
27. Loans shall bear interest at the annual percentage rate which the County is required to pay for funds borrowed through Certificates of Participation at the time the loan is approved (the "base rate"). The base rate shall apply to "hard costs" meaning the actual costs of construction. The rate for studies shall be one percentage point above the base rate. Money borrowed for the power generation portion of a project shall be two percentage points higher than the base rate.

28. All borrowers shall be required to have in place a capital replacement fund adequate to fund the replacement of existing and new facilities as a prerequisite of obtaining any loan from the Fund.

ELIGIBILITY:

To determine eligibility, an applicant shall fill out loan application forms. A pre-application will be used for screening purposes and a subsequent full application shall be reviewed by the Review Committee.

INTEREST RATE AND TERMS:

1. Board of Supervisors to establish interest rate on filing date of pre-application.
2. Studies shall have an interest rate 1% higher; if the project does not proceed, the payback shall be within 5 years with equal installments.
3. Interest may be lower for those agencies showing efficiency in consolidating maintenance efforts, etc.
4. Re-finance charge to have an interest rate 2% higher than the current Water Development Fund rate but not less than initial rate (not to be confused with new separate loans). Re-financing to obtain a lower interest rate will not be allowed.
5. Term of loan to be determined by the Review Committee but not to exceed 10-15 years, depending on merit of project in developing new water. Small districts may borrow on a short-term, 'bridge' basis. Such a bridge loan is for the purpose of such a district's financing the initial stages of a project until its permanent financing is in place. Such a bridge loan shall be for a maximum of two (2) years, interest only during the bridge, to be paid with a balloon payment at the conclusion of the bridge. In order to qualify for such a bridge loan, a district shall be required to prepare a plan demonstrating to the Review Committee and the Board how the district will pay the bridge loan off at the end of the bridge period.

ENFORCEMENT OF RULES:

1. Pre-application (attachment #1).
2. Full application (attachment #2).
3. Model contract (attachment #3).

ENFORCEMENT OF RULES (Cont'd.):

4. Model progress payment (attachment #4).
5. Revenue plans to be reviewed if there is an apparent problem in payment schedule.
6. Submit audit to County Auditor per government code.
7. All claims to be first submitted for approval to a Department other than County Auditor.

SPECIAL CASES:

- I. A loan payment can be extended under certain conditions such as the following:
 1. Emergencies: Natural disasters, declared emergencies.
 2. Drought, floods, etc., to be defined by the Review Committee.
 3. Board of Supervisors may determine a need, if a major disaster occurs, and may overlook the criteria.
- II. "EXCEPTIONAL CASES" - Where the loan request does not strictly meet the criteria one hundred percent, but the project results would meet the purpose or goal of the criteria, special conditions may be considered if agreed upon by both parties.
- III. STUDIES FOR DEVELOPING "NEW" WATER - Need not be repaid (depending on the cost) unless the project proceeds. When the project proceeds, the cost of the study will be repaid by fixing a percentage on the project revenues with a maximum or ceiling on the total repayment.

AMADOR COUNTY
WATER DEVELOPMENT SINKING FUND LOANS
AS OF JUNE 1, 1983

| Loans Issued | Total Repaid | Interest 3% | Principal |
|--|---|----------------|--------------------------|
| Downtown Water District | 40,000.00 10,000.00 50,000.00 | 41,527.80 | 23,225.41 18,302.39 |
| Jackson Valley Irrigation District | 60,617.94 34,128.26 200,000.00 294,746.20 | 94,746.20 | 94,746.20 |
| Volcano Community Services District | 20,791.02 | 26,084.75 | 6,293.73 19,791.02 |
| River Pines Public Utility District | 90,000.00 15,150.00 188,974.92 294,124.92 | 95,179.27 | 47,246.78 47,932.49 |
| Pine Grove Community Services District | 225,748.59 20,000.00 38,612.60 18,000.00 302,361.19 | 185,314.87 | 88,894.24 96,420.63 |
| Pioneer Community Services District | 542,153.20 154,005.00 80,000.00 776,158.20 | 500,301.25 | 282,139.54 218,161.71 |
| Pine Acres Community Services District | 192,830.95 18,480.00 55,000.00 266,310.95 | 184,989.66 | 92,778.67 92,210.99 |
| Fiddletown Community Services District | 55,000.00 | 30,313.00 | 16,369.45 13,943.55 |
| City of Plymouth | 100,000.00 35,423.52 135,423.52 | 60,429.50 | 30,285.44 30,144.06 |

| Loans Issued | | Total Repaid | Interest 3% | Principal |
|--|------|--------------|----------------|-----------|
| Central Amador Water Project | 1978 | 1,065,645.79 | 163,105.38 | 69,233.14 |
| Midwood Acres Community Services District | 1978 | 33,581.36 | 8,566.50 | 3,747.46 |
| Sunset Heights Community Services District | 1982 | 17,574.80 | | |

Totals 3,311,717.95 1,390,558.18 685,924.54 704,633.64

- (a) Jackson Valley Irrigation District 1982 Loan @ 4% interest
- (b) River Pines Public Utility District Loan @ 3.763216% interest
- (c) Pine Grove Community Services District 1982 Loan @ 4% interest

ARROYO DITCH (thru 6-1-83)

| | |
|---|-------------|
| Total Expenditures for Arroyo Ditch thru 6-1-83 | 5713,664.22 |
| Total receipts for sale of water Arroyo Ditch | 101,302.40 |

OTHER PROJECTS (FY 1980-81, 1981-82, and thru 6-1-83)

| | |
|--|--------------|
| Sutter Creek Water & Waste Water Project | \$ 11,998.44 |
| Consume River | 55,875.32 |
| Bear River | 1,894.86 |
| Mokelumne River | 24,554.12 |
| Sutter Creek Ione Dam | 7,894.52 |
| Railroad Flat | 6,243.28 |
| Litigation | 4,848.77 |

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: May 8, 2013

From: Richard Foster, Chairman
(Department Head - please type)

Phone Ext. x470

| | |
|-------------------------------------|----------------|
| <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>May 14, 2013</u> | |

Department Head Signature _____

Agenda Title: U.S. Fish and Wildlife Service

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
Discussion and possible action relative to the Chairman's signature on a letter of opposition relative to the U.S. Fish and Wildlife Service publishing to the Federal Register two proposed rules to list and designate critical habitat for three amphibians located in California.

Recommendation/Requested Action: _____

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

Is a 4/5ths vote required? Yes No

Committee Review? N/A

Name _____

Committee Recommendation: _____

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

Comments: _____

Request Reviewed by:

Chairman _____ Counsel CG

Auditor EJL 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 5-14-13 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 _____ 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 |
| Completed by _____ | | |

Save



Jennifer Burns <jburns@amadorgov.org>

Fwd: USFWS News: Three Amphibians and their Habitat Proposed for Federal Protections Service Seeks Public Comments

1 message

Richard Forster <rforster@amadorgov.org>
To: Jennifer Burns <jburns@amadorgov.org>

Fri, Apr 26, 2013 at 12:25 PM

Jennifer,

Please place this on the next regular board agenda for discussion and action. Please let John H. know that we will be discussing it and ask for him to be present.

Richard

----- Forwarded message -----

From: **Mike Boitano** <mboitano@amadorgov.org>

Date: Wed, Apr 24, 2013 at 2:16 PM

Subject: Fwd: USFWS News: Three Amphibians and their Habitat Proposed for Federal Protections Service Seeks Public Comments

To: Richard Forster <rforster@amadorgov.org>, Louis Boitano <lboitano@amadorgov.org>, Brian Oneto <BOneto@co.amador.ca.us>, John Plasse <JPlasse@co.amador.ca.us>, Theodore Novelli <tnovelli@amadorgov.org>

Just for your information. I do think that we should oppose this listen.

Mike

----- Forwarded message -----

From: **Moler, Robert** <robert_moler@fws.gov>

Date: Wed, Apr 24, 2013 at 2:07 PM

Subject: USFWS News: Three Amphibians and their Habitat Proposed for Federal Protections Service Seeks Public Comments

To:

Dear Project Partners,

Tomorrow, April 25, 2013, the U.S. Fish and Wildlife Service will publish to the Federal Register two proposed rules to list and designate critical habitat for three amphibians located in California: the Sierra Nevada yellow-legged frog, the northern distinct population segment of the mountain yellow-legged frog, and the Yosemite toad.

When published, these proposed rules will open a 60 day public comment period to seek additional information about these species so that the U.S. Fish and Wildlife Service can make a final designation based on the best available scientific information. The public comment period will close on June 24, 2013.

I have attached and copied below a news release for more information. Please contact me if you have any questions or concerns about these upcoming proposed rules. Thank you for your ongoing cooperation with the U.S. Fish and Wildlife Service.

Robert Moler
Assistant Field Supervisor for External Affairs
Sacramento Fish and Wildlife Office

U.S. Fish and Wildlife Service
Department of Interior
robert_moler@fws.gov
916.414.6606
Life is Wild

U.S. Fish & Wildlife Service

News Release

Department of the Interior
U.S. Fish & Wildlife Service
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

Phone: 916/414-6600
Fax: 916/414-6713
Website: www.fws.gov/sacramento

For Immediate Release - April 24, 2013

Media Contact: Robert Moler, (916) 414-6606; robert_moler@fws.gov

Three Amphibians and their Habitat Proposed for Federal Protections *Service Seeks Public Comments*

Sacramento - The U.S. Fish and Wildlife Service (Service) is proposing to list the Sierra Nevada yellow-legged frog and the northern distinct population segment of the mountain yellow-legged frog

as endangered and the Yosemite toad as threatened under the Endangered Species Act (ESA). The Service is also proposing to designate critical habitat for these three amphibian species in California: 1,105,400 acres across 16 counties for the Sierra Nevada yellow-legged frog, 221,498 acres across two counties for the mountain yellow-legged frog, and 750,926 acres across seven counties for the Yosemite toad. With overlapping areas, the total proposed critical habitat for the three amphibians is 1,831,820 acres. Most of the proposed critical habitat is on federal lands.

“With two amphibian species possibly facing extinction, one more at serious risk, and almost two million acres of critical habitat being proposed, we will need the best available scientific information in order to make our final decision on protecting these species,” said Jan Knight, Acting Field Supervisor for the Sacramento Fish and Wildlife Service. “America’s wildlife resources belong to all of us, and ensuring the health of imperiled species is a shared responsibility. We encourage the public to submit information to help us better understand the condition of these species and their habitat.”

The Service seeks information regarding any threats to the species and regulations that may address those threats. The Service will accept comments through June 24, 2013 on the two proposed rules. Comments may be submitted online at the Federal eRulemaking Portal at <http://www.regulations.gov>. The Docket Number for the proposed listing rule is FWS–R8–ES–2012–0100 and for the proposed critical habitat rule is FWS–R8–ES–2012–0074. Comments can also be sent by U.S. mail to:

Public Comments Processing

Attn: FWS–R8–ES–2012–0100 or FWS–R8–ES–2012–0074

Division of Policy and Directives Management

U.S. Fish and Wildlife Service

4401 N. Fairfax Drive, MS 2042-PDM

Arlington, VA 22203

The Sierra Nevada yellow-legged frog and the northern distinct population segment of the mountain yellow-legged frog are similar in appearance and behavior. They range from 1.5 to 3.25 inches in length and are a mix of brown and yellow, but can also be grey, red, or green-brown. They may have irregular lichen- or moss-like patchiness. Their belly and undersurfaces of the hind limbs are yellow or orange. They produce a distinctive mink or garlic-like odor when disturbed. The two species can be distinguished from each other physically by the ratio of the lower leg length to snout vent length.


The Yosemite toad is moderately sized, usually 1.2–2.8 inches in length, with rounded to slightly oval glands, one on each side of the head, which produce toxins to deter some predators. The iris of the eye is dark brown with gold reflective cells.

All three amphibian species are threatened by habitat degradation, predation, climate change, and inadequate regulatory protection.

For more information on these species and this proposal and the information sought, visit www.fws.gov/sacramento.

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals, and commitment to public service. For more information on our work and the people who make it happen, visit www.fws.gov/cno. Connect with our Facebook page at <http://www.facebook.com/usfwspacificsouthwest>, follow our tweets at <http://twitter.com/USFWSPacSWest>, watch our YouTube Channel at <http://www.youtube.com/usfws> and download photos from our Flickr page at http://www.flickr.com/photos/usfws_pacificsw/

###

 **NR-Sierra Amphibians pLpCH-2013apr22 FINAL.docx**
67K

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: May 8, 2013

From: Richard Foster, Chairman
(Department Head - please type)

Phone Ext. x470

| | |
|-------------------------------------|----------------|
| <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>May 14, 2013</u> | |

Department Head Signature _____

Agenda Title: Assembly Bill 52

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
Discussion and possible action relative to the subject legislation as it relates to the Native American Historic Resource Protection Act.

Recommendation/Requested Action: _____

| | |
|---|--|
| Fiscal Impacts (attach budget transfer form if appropriate) _____ Is a 4/5ths vote required? Yes <input type="checkbox"/> No <input type="checkbox"/> Committee Review? N/A <input type="checkbox"/> Name _____ Committee Recommendation: _____ | Staffing Impacts _____ 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: _____ _____ |
|---|--|

Request Reviewed by:

| | |
|------------------------|-------------------------|
| Chairman _____ | Counsel <u>GG</u> |
| Auditor <u>Egd</u> | GSA Director <u>Hop</u> |
| CAO <u>[Signature]</u> | Risk Management _____ |

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

FOR CLERK USE ONLY

| | | |
|--|------------------|------------------|
| Meeting Date <u>5-14-13</u> | Time _____ | Item # <u>13</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

AMENDED IN ASSEMBLY APRIL 19, 2013

AMENDED IN ASSEMBLY APRIL 8, 2013

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 52

**Introduced by Assembly Member Gatto
(Principal coauthor: Assembly Member Alejo)**

December 21, 2012

An act to amend Section 21083 of, and to add Sections 21073, 21074, 21083.09, 21084.2, 21084.3, and 21097 to, the Public Resources Code, relating to Native Americans.

LEGISLATIVE COUNSEL'S DIGEST

AB 52, as amended, Gatto. Native Americans: California Environmental Quality Act.

Existing law, the Native American Historic Resource Protection Act, establishes a misdemeanor for unlawfully and maliciously excavating upon, removing, destroying, injuring, or defacing a Native American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register of Historic Resources.

The California Environmental Quality Act, referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the

project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires the lead agency to provide a responsible agency with specified notice and opportunities to comment on a proposed project. CEQA requires the Office of Planning and Research to prepare and develop, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of CEQA that include, among other things, criteria for public agencies to following in determining whether or not a proposed project may have a significant effect on the environment.

The bill would specify that a project having a potential to cause a substantial adverse change in the significance of a tribal resource, as defined, to be a project that may have a significant effect on the environment. The bill would require a lead agency to make best efforts to avoid, preserve, and protect specified Native American resources. The bill would require the lead agency to undertake specified actions if a project may adversely affect tribal cultural resources, or a tribal reservation or rancheria. The bill would require the office to revise the guidelines to include criteria for determining whether a proposed project has a significant effect on the environment to include effects on tribal cultural resources, including sacred places, or a tribal reservation or rancheria community. The bill would require the office to prepare and develop, and the secretary to certify and adopt, revisions to the guidelines relating to the identification and treatment of tribal cultural resources. By requiring the lead agency to consider these effects relative to Native Americans, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:

1 (a) California had the largest aboriginal population in North
2 America before contact with non-Native Americans. Yet, California
3 Native American tribes suffered the greatest losses from
4 termination, removal, and assimilation policies, including the loss
5 of a majority of their lands and tribal cultural resources, including
6 sacred places. This devastation debilitated tribal religious practices
7 and cultural identity, and threatened the survival of California
8 Native Americans.

9 (b) Spiritual integrity, community identity, political sovereignty,
10 and governance processes are intertwined in the lifeways and
11 identity of the California Native American tribes.

12 (c) California Native American tribes possess original natural
13 rights, from time immemorial, recognized in over 200 years of
14 federal jurisprudence, the Federal Constitution, federal and state
15 laws and administrative policies, and state actions, including,
16 tribal-state agreements.

17 (d) Included in these original natural rights is the right of tribal
18 governments to enact their own laws and be governed by them
19 and to engage in their own cultural and spiritual practices. It is a
20 fundamental obligation of each generation of California Native
21 Americans to cherish and protect these rights for their children
22 and for generations to come.

23 (e) California Native Americans have used, and continue to use,
24 natural settings in the conduct of spiritual practices, religious
25 observances, ceremonies, and cultural uses and beliefs that are
26 essential elements in tribal communities. Tribes consider these
27 sacred and cultural places, used by generations, as vital to their
28 existence, well-being, and identity.

29 (f) In addition to the lingering effects of historic termination,
30 removal, and assimilation policies, the continued loss of tribal
31 cultural resources, including sacred places and tribal lands in the
32 past 200 years has caused further debilitating impacts on the
33 religious practices, cultural traditions, tribal identity, and
34 self-governance rights of California Native American tribes.

35 (g) To uphold California Native American tribes' original natural
36 rights with regard to religious practices, cultural traditions, tribal
37 identity, and self-governance, it is essential that the natural setting
38 and essential integrity of these tribal cultural resources be protected
39 and the sacred places be preserved.

1 (h) Traditional tribal lands were diminished to reservations and
2 rancherias that exist today in California with local governments,
3 state lands, federal lands, and privately owned lands located
4 adjacent to, and in the vicinity of, tribal government reservations
5 and rancherias. The land use decisions concerning lands adjacent
6 to, and in the vicinity of, California Native American reservations
7 and rancherias affect those tribal communities in terms of
8 environmental impacts and tribal self-governance rights.

9 (i) The California Environmental Quality Act does not readily
10 or directly solicit, include, or accommodate California Native
11 American tribes' concerns and issues, which has resulted in
12 significant environmental impacts to tribal cultural resources,
13 including sacred places and tribal government reservations and
14 rancherias, leaving them unanalyzed and unmitigated. The result
15 has been significant and unmitigated cumulative impacts to those
16 resources and California Native American reservations and
17 rancherias to the detriment of those communities and California's
18 environment.

19 (j) California Native American tribes are experts concerning
20 their culturally affiliated resources, tribal history, and practices
21 concerning those resources. Tribal knowledge about the land and
22 the resources should be included in environmental assessments
23 pursuant to state environmental laws for projects that have a
24 potentially significant impact or effect on those resources.

25 (k) State environmental law should not only take into account
26 the scientific or archaeological value of cultural resources, but also
27 the tribal cultural values, tribal interpretations, and culturally
28 appropriate treatment when decisions are made concerning whether
29 or how to approve a project that may significantly impact or effect
30 those places and resources.

31 SEC. 2. Section 21073 is added to the Public Resources Code,
32 to read:

33 21073. "Native American tribe" means a federally recognized
34 Indian tribe located in California.

35 SEC. 3. Section 21074 is added to the Public Resources Code,
36 to read:

37 21074. (a) "Tribal cultural resource" means a resource that is
38 any of the following:

39 (1) A resource listed in, or determined to be eligible for listing
40 in, the California Register of Historical Resources, a local register

1 of historical resources, as defined in subdivision (k) of Section
2 5020.1, or a tribal register of historic resources.

3 (2) A resource deemed to be significant pursuant to subdivision
4 (g) of Section 5024.1.

5 (3) A resource deemed by the lead agency to be a tribal cultural
6 resource.

7 (b) Tribal cultural resources include, but are not limited to, sites,
8 features, places, or objects with cultural value to descendant
9 communities, traditional culture properties, or tribal cultural
10 landscapes consistent with the guidance of the federal National
11 Park Services' Advisory Council on Historic Preservation.

12 (c) A tribal cultural resource may also be a historic resource or
13 a unique archaeological resource.

14 (d) A tribal cultural resource does not include a resource
15 demonstrated by clear and convincing evidence to be historically
16 or culturally not significant.

17 SEC. 4. Section 21083 of the Public Resources Code is
18 amended to read:

19 21083. (a) The Office of Planning and Research shall prepare
20 and develop proposed guidelines for the implementation of this
21 division by public agencies. The guidelines shall include objectives
22 and criteria for the orderly evaluation of projects and the
23 preparation of environmental impact reports and negative
24 declarations in a manner consistent with this division.

25 (b) The guidelines shall specifically include criteria for public
26 agencies to follow in determining whether or not a proposed project
27 may have a "significant effect on the environment." The criteria
28 shall require a finding that a project may have a "significant effect
29 on the environment" if one or more of the following conditions
30 exist:

31 (1) A proposed project has the potential to degrade the quality
32 of the environment, curtail the range of the environment, or to
33 achieve short-term, to the disadvantage of long-term, environmental
34 goals.

35 (2) The possible effects of a project are individually limited but
36 cumulatively considerable. As used in this paragraph,
37 "cumulatively considerable" means that the incremental effects of
38 an individual project are considerable when viewed in connection
39 with the effects of past projects, the effects of other current projects,
40 and the effects of probable future projects.

1 (3) The environmental effects of a project will cause substantial
2 adverse effects on human beings, either directly or indirectly.

3 (4) A proposed project may have a significant effect on a tribal
4 cultural resource, including a sacred place, or a tribal reservation
5 or rancheria community.

6 (c) The guidelines shall include procedures for determining the
7 lead agency pursuant to Section 21165.

8 (d) The guidelines shall include criteria for public agencies to
9 use in determining when a proposed project is of sufficient
10 statewide, regional, or areawide environmental significance that
11 a draft environmental impact report, a proposed negative
12 declaration, or a proposed mitigated negative declaration shall be
13 submitted to appropriate state agencies, through the State
14 Clearinghouse, for review and comment prior to completion of the
15 environmental impact report, negative declaration, or mitigated
16 negative declaration.

17 (e) The Office of Planning and Research shall develop and
18 prepare the proposed guidelines as soon as possible and shall
19 transmit them immediately to the Secretary of the Natural
20 Resources Agency. The Secretary of the Natural Resources Agency
21 shall certify and adopt the guidelines pursuant to Chapter 3.5
22 (commencing with Section 11340) of Part 1 of Division 3 of Title
23 2 of the Government Code, which shall become effective upon the
24 filing of the adopted guidelines. However, the guidelines shall not
25 be adopted without compliance with Sections 11346.4, 11346.5,
26 and 11346.8 of the Government Code.

27 (f) The Office of Planning and Research shall, at least once
28 every two years, review the guidelines adopted pursuant to this
29 section and shall recommend proposed changes or amendments
30 to the Secretary of the Natural Resources Agency. The Secretary
31 of the Natural Resources Agency shall certify and adopt guidelines,
32 and any amendments to the guidelines, at least once every two
33 years, pursuant to Chapter 3.5 (commencing with Section 11340)
34 of Part 1 of Division 3 of Title 2 of the Government Code, which
35 shall become effective upon the filing of the adopted guidelines
36 and any amendments to the guidelines. However, guidelines may
37 not be adopted or amended without compliance with Sections
38 11346.4, 11346.5, and 11346.8 of the Government Code.

39 SEC. 5. Section 21083.09 is added to the Public Resources
40 Code, to read:

1 21083.09. On or before January 1, 2015, the Office of Planning
2 and Research shall prepare and develop, and the Secretary of the
3 Natural Resources Agency shall certify and adopt, revisions to the
4 guidelines that do all of the following:

5 (a) Provide guidance on the implementation of Sections 21084.2
6 and 21084.3.

7 (b) Provide advice developed in consultation with the Native
8 American Heritage Commission, Native American tribes, related
9 to tribal cultural resources, including sacred places, for all of the
10 following:

11 (1) The preservation and protection of, or culturally appropriate
12 mitigation to impacts to, tribal cultural resources.

13 (2) Procedures for the protection of the confidentiality of
14 information concerning the specific identity, location, character,
15 and use of tribal cultural resources.

16 (3) Procedures to facilitate the voluntary participation of
17 landowners to preserve and protect the specific identity, location,
18 character, and use of tribal cultural resources.

19 (4) Procedures to facilitate the identification of, and culturally
20 appropriate treatment of, tribal cultural resources.

21 (c) Revising Appendix G of Chapter 3 (commencing with
22 Section 15000) of Division 6 of Title 14 of the California Code of
23 Regulations to ~~separate~~ *do both of the following*:

24 (1) ~~Separate~~ the consideration of paleontological resources
25 from cultural resources and ~~updating~~ *update* the relevant sample
26 questions.

27 (2) *Add consideration of tribal cultural resources, including*
28 *sacred places, with relevant sample questions.*

29 SEC. 6. Section 21084.2 is added to the Public Resources Code,
30 to read:

31 21084.2. (a) A project may have a significant effect on the
32 environment if the project has the potential of causing a substantial
33 adverse change in the significance of a tribal cultural resource.

34 (b) Because Native American tribes may have expertise in
35 identifying, interpreting, and determining significance of tribal
36 cultural resources and whether an impact of a proposed project to
37 a tribal cultural resource is significant, the lead agency shall consult
38 with the relevant Native American tribes in making a determination
39 pursuant to subdivision (a).

1 SEC. 7. Section 21084.3 is added to the Public Resources Code,
2 to read:

3 21084.3. If the lead agency determines that a project will have
4 a significant effect on places, features, and objects described in
5 Section 5097.9 or 5097.995 and listed in the California Native
6 American Heritage Commission Sacred Lands File pursuant to
7 Section 5097.993 or 5097.994, the lead agency shall make its best
8 effort to ensure that these resources be avoided, preserved, and
9 protected in place or left in an undisturbed state.

10 SEC. 8. Section 21097 is added to the Public Resources Code,
11 to read:

12 21097. (a) If a Native American tribe notifies a lead agency
13 prior to the commencement of the public review period established
14 by Section 21091, or if the lead agency determines pursuant to
15 Section 21084.3, that a project may adversely affect a tribal cultural
16 resource, including a sacred place, or a tribal reservation or
17 rancheria and that the tribe wishes to consult to resolve the
18 potentially adverse impacts, the lead agency shall engage in early
19 consultation with the affected tribe before or during the
20 environmental review process. The lead agency shall provide to
21 the affected tribe copies of any environmental document and its
22 technical reports. The affected tribe may request the Native
23 American Heritage Commission, the State Office of Historic
24 Preservation, and other relevant agencies or entities to participate
25 in the consultation process and to seek mutually agreeable methods
26 of avoiding or otherwise resolving the potential adverse effects.
27 As part of the consultation process, the parties may propose
28 mitigation measures capable of avoiding or substantially lessening
29 potential impacts to a tribal cultural resource, including a sacred
30 place, or a tribal reservation or rancheria. Any binding agreement
31 reached in this consultation shall be incorporated as mitigation
32 measures in the final environmental document.

33 (b) If no agreement is reached pursuant to subdivision (a), or if
34 an affected tribe identifies significant effects on a tribal cultural
35 resource, including a sacred place, or the affected tribe's reservation
36 or rancheria during the public comment period, the environmental
37 document shall include both of the following analyses:

38 (1) Whether the proposed project has a significant impact on
39 an identified tribal cultural resource, including a sacred place, or
40 a tribal reservation or rancheria.

1 (2) Whether the alternatives or mitigation measures proposed
2 by the parties pursuant to subdivision (a) or during the public
3 comment period avoid or substantially lessen the impact to the
4 identified cultural resource, including a sacred place, or a tribal
5 reservation or rancheria.

6 (c) (1) Any information, including, but not limited to, the
7 location, nature, and use of the place, feature, site, or object that
8 is submitted by an affected tribe regarding a tribal cultural resource,
9 including a sacred place, may not be included in the environmental
10 impact report or otherwise disclosed by the lead agency or any
11 other public agency to the public without the prior consent of the
12 tribe that provided the information. The submitted information
13 shall be published in a confidential appendix to the environmental
14 document. This subdivision is not intended, and may not be
15 construed, to prohibit the confidential exchange of the submitted
16 information between public agencies that have lawful jurisdiction
17 over the preparation of the environmental document.

18 (2) *This subdivision does not affect or alter the application of*
19 *subdivision (r) of Section 6254 of the Government Code.*

20 (d) The lead agency and any responsible agency for the proposed
21 project may issue a permit for a project with a significant impact
22 on an identified tribal cultural resource, including a sacred place,
23 or a tribal reservation or rancheria only if one of the following
24 occurs:

25 (1) Mitigation measures agreed to pursuant to subdivision (a)
26 have been incorporated into the final environmental document.

27 (2) The affected tribe accepts the mitigation measures proposed
28 in the draft or final environmental document.

29 (3) The affected tribe has received notice of, and has failed to
30 comment on, the proposed mitigation measures during the comment
31 period established in Section 21091 and any public hearing required
32 by or held pursuant to this division.

33 (4) The lead agency determines that there is no legal or feasible
34 way to accomplish the projects purpose without causing a
35 significant effect upon the sacred place, that all feasible mitigation
36 or avoidance measures have been incorporated, and that there is
37 an overriding environmental, public health, or safety reason based
38 on substantial evidence presented by the lead agency that the
39 project should be approved. These findings may be made only
40 after the lead agency provides 30 days' notice of hearing to the

1 affected tribe and an opportunity for the affected tribe to review
2 and comment on the proposed finding.

3 (e) If an agreement is not reached pursuant to subdivision (a)
4 and if it can be demonstrated that a project will cause significant
5 effect to a tribal cultural resource, including a sacred place, or a
6 tribal reservation or rancheria, the lead agency may require all
7 reasonable efforts to be made to treat the tribal cultural resource,
8 including a sacred place, or a tribal reservation or rancheria in a
9 culturally sensitive manner. Examples of culturally sensitive
10 treatment include, but are not limited to, the following:

11 (1) Planning construction to avoid those resources or places.

12 (2) Deeding resources or places into permanent conservation
13 easements.

14 (3) Planning parks, greenspace, or other open space to
15 incorporate those resources or places.

16 (4) Adopting culturally appropriate mitigation measures that
17 take into account the tribal value and meaning of the resource or
18 place.

19 (f) In determining the presence of tribal cultural resources,
20 including sacred places, or a tribal reservation or rancheria
21 community, the lead agency shall use the most current and
22 up-to-date technology, research, and resources including, but not
23 limited to, tribal, local, state, and national registers, the Native
24 American Heritage Commission Sacred Lands File, mapping and
25 Geographic Information System data, current cultural resources
26 reports, foot surveys, ethnographic assessment, noninvasive study
27 techniques, and information submitted by an affected tribe. The
28 lead agency shall make all reasonable efforts and complete the
29 research and identification efforts prior to the release of the draft
30 environmental document and, in any case, no later than the
31 finalization of the environmental document.

32 (g) This section is not intended, and may not be construed, to
33 do either of the following:

34 (1) Prohibit any person or entity from seeking any damages or
35 injunction authorized by law.

36 (2) Limit consultation between the state and tribal governments,
37 existing confidentiality provisions, or the protection of religious
38 exercise to the fullest extent permitted under state and federal law.

39 *SEC. 9. This act does not alter or expand the applicability of*
40 *the California Environmental Quality Act (Division 13*

1 *(commencing with Section 21000) of the Public Resources Code*
2 *for projects occurring on Native American tribal reservations or*
3 *rancherias.*

4 ~~SEC. 9.~~

5 *SEC. 10.* No reimbursement is required by this act pursuant to
6 Section 6 of Article XIII B of the California Constitution because
7 a local agency or school district has the authority to levy service
8 charges, fees, or assessments sufficient to pay for the program or
9 level of service mandated by this act, within the meaning of Section
10 17556 of the Government Code.

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: May 8, 2013

From: Richard Foster, Chairman
(Department Head - please type)

Phone Ext. x470

| | |
|-------------------------------------|----------------|
| <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>May 14, 2013</u> | |

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 April 9, 2013 and April 23, 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? N/A <input type="checkbox"/> Name: _____ Committee Recommendation: _____ | |

Request Reviewed by:

Chairman _____ Counsel GS
 Auditor ERL GSA Director Dep
 CAO _____ Risk Management _____

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

FOR CLERK USE ONLY

Meeting Date 5-14-13 Time _____ Item # 14

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

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, April 9, 2013
TIME: 8:30 a.m.
LOCATION: County Administration Center, 810 Court Street, Jackson, California

The Board of Supervisors of the County of Amador met at the County Administration Center, 810 Court Street, Jackson, California, on the above date pursuant to adjournment, and the following proceedings were had, to wit:

Present on Roll Call:

Richard M. Forster, Chairman, District II
Theodore F. Novelli, Vice-Chairman, District III
Brian Oneto, Supervisor District V
John Plasse, Supervisor, District I

Absent: Louis D. Boitano, District IV

Staff: Charles T. Iley, County Administrative Officer
Gregory Gillott, County Counsel
Jennifer Burns, Clerk of the Board

NOTE: These minutes remain in *Draft* form until approved by Minute Order at the next regular meeting of the Board of Supervisors. Any packets prepared by County Staff are hereby incorporated into these minutes by reference as though set forth in full. Any staff report, recommended findings, mitigation measures, conditions, or recommendations which are referred to by Board members in their decisions which are contained in the staff reports are part of these minutes by reference only. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes by reference.

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). **At 8:30 a.m., the Board convened into closed session.**

REGULAR SESSION: **At 9:00 a.m., the Board reconvened into regular session. Chairman Forster reported the following issues were reviewed in closed session:**

Conference with Real Property Negotiators:

APN: 005-020-015-000 (OpQ Propane) (Terms & Conditions) County Negotiators: Charles T. Iley, County Administrative Officer and Jon Hopkins, General Services Director

ACTION: **Direction given to staff.**

Conference with County Counsel - Existing Litigation [Government Code 54956.9(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)

ACTION: **Nothing to report.**

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

ACTION: **Update only.**

Conference with County Counsel – Potential Litigation [Government Code 54956.9(b)]:

Buena Vista Rancheria [Government Code 54956.9 (b)]

ACTION: **Update only.**

Confidential Minutes: Review and approval of the confidential minutes of March 26, 2013.

ACTION: The confidential minutes of March 26, 2013 were held over for approval at a future meeting.

PLEDGE OF ALLEGIANCE: Chairman Forster led the Board and the public in the *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.)

Chairman Forster advised the following items were added as Addenda to the Agenda for today's date.

Amador Council of Tourism: Discussion and possible action relative to a presentation by Ms. Maureen Funk, ACT Executive Director, relative to the proposed 2013 State Fair Booth model and funding request for facilitation of construction of the same.

California State Association of Counties: Discussion and possible action relative to approval of the Chairman's signature on a letter of opposition relative to sequestration of payments to states under the Secure Rural Schools Program.

ACTION: **Approved pursuant to the following motion.**

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Plasse and unanimously carried to approve the Regular Agenda as amended.

Absent: Supervisor Boitano

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 are considered routine and may be enacted by one motion. Any item may be removed for discussion and made a part of the regular agenda at the request of a Board member(s).

Chairman Forster advised the following item has been added as an Addendum to the agenda for today's date:

Surveying Department: Approval of a Resolution of Intention to vacate portions of a Public Utility Easement for Bernon R. Erickson, Jr. and Ann Dethloff; and scheduling of Public Hearing for same.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Novelli and unanimously carried to approve the Consent Agenda as amended.

Absent: Supervisor Boitano

REGULAR AGENDA

Jackson Valley Rehabilitation Project: Discussion and possible action relative to approval of the Chairman's signature on a letter of recommendation to be sent to Caltrans, District 10, encouraging construction of a westbound SR-88 left-turn lane at Martin Lane, as part of the subject Project.

Supervisor Forster summarized this item by explaining Caltrans has hired George Reed, Inc. to carry out a multi-million dollar rehabilitation and shoulder widening project on State Route 88 from State Route 124 to the San Joaquin County line. This project is funded with Caltrans State Highway Operation and Protection Program (SHOPP) funds. Construction was started in 2011/12 and will continue through the coming 2012/13 summer season. He continued by stating when the Jackson Valley Rehabilitation Project was designed a traffic study was done at Martin Lane and Highway 88 to determine if a left turn lane was warranted. The results of the study indicated no sufficient traffic warrants or deaths have occurred in the area at this time, thus the turn lane was left out of the overall project plan. Supervisor Forster stated residents in the area are concerned fell strongly that this project is a safety issue and should be considered by CalTrans.

Supervisor Novelli concurred with Supervisor Forster and recognized how dangerous the intersection is.

Supervisor Plasse also concurred and stated this matter is scheduled to appear on an upcoming Amador County Transportation Commission agenda to determine if ACTC can assist in some manner to encourage Caltrans to make a determination outside of their current policy structure with the understanding that environmental concerns are not an issue and preliminary analysis show right of way and funding are not issues at this time.

Supervisor Oneto commented relative to this matter by stating he questions the emphasis in the project being on recovery zone requirements. He noted a left turn lane is greatly needed in this area and feels the likelihood of a motorist getting rear ended or broadsided in that area is far greater than lack of recovery zone accidents.

Mr. John Gedney, CalTrans District 10, addressed the Board and stated Caltrans considered the addition of a turn lane and Caltrans traffic operations conducted an investigation and responded by stating “based on our traffic count data and collision history, a westbound left turn lane is not recommended at this time. The matter was then brought to Caltrans Deputy District Director of Program/Project Management Dinah Bortner for further analysis and reconsideration during one of ACTC’s quarterly SHOPP coordination meetings in September 2012. The matter was investigated and Caltrans further responded by stating “there would be no objection to having a left turn lane at this intersection; however, the need for one does not reach the threshold for State funding.” This implies that Caltrans cannot use its State funds to add the turn lane to the current SHOPP project or create a separate stand-alone project for future SHOPP program funding. In addition, Caltrans’ investigation determined that although the proposed left turn lane would fit within State right of way; a mandatory design exception would be required because “a left turn lane at this location would put the travel way within the mandatory clear recover zone of two PG&E power poles. Mr. Gedney continued by stating he agrees with assessment made earlier regarding policies and procedures and in fact Cal Trans does sometimes feel “handcuffed” by procedures. However, policies and procedures to provide design immunity for any potential lawsuits or accidents that could occur in the future. Mr. Gedney continued by stating CalTrans values the process, but recognizes the need to develop better working partnerships with local agencies. Mr. Gedney encouraged the Board to continue its efforts to have the turn lane project added to the current SHOPP project, however if that deems impossible, consider applying for the Highway Safety Improvement Program (HSIP). Mr. Gedney stated he feels this project would be a perfect candidate for the HSIP as it allows concessions for projects that don’t reach the threshold required by SHOPP.

Mr. Frank Costa, District II resident, addressed the Board and expressed his concern relative to safety issues at the intersection.

Further discussion ensued with the following

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Novelli, seconded by Supervisor Plasse and unanimously carried to approve the Chairman's signature on a letter of recommendation to be sent to Caltrans District 10, encouraging construction of a westbound SR88 left-turn lane at Martin Lane, as part of the Jackson Valley Rehabilitation Project.

Absent: Supervisor Boitano

Senate Bill 132 (SB 132): Discussion and possible action relative to approval of the Chairman's signature on a letter of opposition regarding the subject legislation that would establish the Mountain Lion to be a specially protected mammal under the laws of the State and make it unlawful to take, injure, possess, transport, import, or sell any mountain lion or any part or product thereof.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Novelli and unanimously carried to approve the Chairman's signature on a letter of opposition regarding Senate Bill 132.

Absent: Supervisor Boitano

Assembly Bill 134 (AB134): Discussion and possible action relative to approval of the Chairman's signature on a letter of support relative to the subject legislation which would exempt from the Public Records Act, the names and home addresses of California citizens who possess a California Concealed Weapons Permit.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Plasse and unanimously carried to approve the Chairman's signature on a letter of support relative to Assembly Bill 134.

Absent: Supervisor Boitano

Senate Bill 296 (SB 296): Discussion and possible action relative to approval of the Chairman's signature on a letter of support for the subject legislation which would increase local assistance funding for County Veterans Service Officers.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Novelli, seconded by Supervisor Plasse and unanimously carried to support Senate Bill 296.

Absent: Supervisor Boitano

Assembly Bill 350 (AB 350): Discussion and possible action relative to the Chairman's signature on a letter of support for the subject legislation which expands the diameter of a tree stump exempted from the Forest Fire Prevention Exemption under the Timber Harvest Plan.

Supervisor Oneto requested language be added to the letter stating it is the belief of the Board that the number of acres treated to reduce the risk of catastrophic fire would be greatly increased, if under California Forest Practice Rules (CFPR), it was made easier to treat surface fuels.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Plasse and unanimously carried to approve the Chairman's signature on a letter of support for Assembly Bill 350 with the addition of language outlined above.

Absent: Supervisor Boitano

Amador Council of Tourism: Discussion and possible action relative to a presentation by Ms. Maureen Funk, ACT Executive Director, relative to the proposed 2013 State Fair Booth model and funding request for facilitation of construction of the same.

Ms. Maureen Funk, ACT Executive Director, addressed the Board and presented the Board with a model of the proposed 2013 State Fair Booth exhibit. The theme will encompass the 75th anniversary of the Amador County Fair.

Ms. Diane Bennett, addressed the Board and commended Ms. Funk on the design of the booth, but requested in future years a notice be sent out to local residents that may be interested in constructing the booth or providing other ideas for construction or design.

Mr. Chuck Iley, County Administrative Officer, advised \$5,000.00 is currently budgeted for the fair booth.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Novelli and unanimously carried release the budgeted monies to the Amador Council of Tourism for costs relative to the 2013 State Fair Booth.

Absent: Supervisor Boitano

Minutes: Review and approval of the March 26, 2013 Board of Supervisors meeting minutes.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Oneto, seconded by Supervisor Novelli and unanimously carried to approve the March 26, 2013 Board of Supervisors meeting minutes.

Absent: Supervisor Boitano

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

PUBLIC HEARINGS

Surveying Department: Discussion and possible action relative to a public hearing to consider a request for an abandonment of a ten foot (10') wide public utility easement and a Certificate of Merger from The Reed Leasing Group, LLC, a California Limited Liability Company. The merger consists of merging Parcel 1 as shown and delineated on the map "Parcel Map No. 2071 for Norman D. Borth, et. ux.," and recorded in Book 38 of Maps and Plats, at pages 73 and 74; and Parcel "B", as shown and delineated on the map "Record of Survey Bamert Property", and recorded in Book 12 of Maps and Plats, at 43, all in the Records of Amador County. The abandonment of the ten foot (10") wide public utility easement is coincident and westerly of the line common with said Parcel 1 and Parcel B. The Property is located on the northerly side of Jackson Valley Road, approximately one-half mile from the westerly junction with State Highway 88, in the Jackson Valley area.

Mr. George Allen, Surveyor, addressed the Board and summarized the staff report as incorporated in full in the Board packet for today's date.

Ms. Susan Grijalva, Planning Director, addressed the Board and stated the property that is under consideration for merger is the same property that has a pending use permit amendment to extend the permit for mining on the westerly property. The merger would allow for the project to expand into the parcel to the east in the event the project is approved. Ms. Grijalva continued by stating if the amendment is approved a merger will need to be done, however if the merger is approved there is nothing that precludes the county from denying the amendment request. The merger is not required in order to approve the amendment but if the project is approved then a merger would be required.

Supervisor Forster stated this issue is somewhat ministerial in that the Board hears these matters quite often. He confirmed with Ms. Grijalva, Planning Director, that whatever decision is made to day does not set precedence on any future actions or requests that might come before the Planning Commission or Board of Supervisors.

Chairman Forster opened the public hearing at this time. The following individuals wished to speak.

Ms. Carrie Watt, representing Reed Leasing Group
Mr. Frank Costa, District II
Ms. Sharon May, District II resident

ACTION #1: Public Hearing closed pursuant to the following motion.

MOTION #1: It was moved by Supervisor Oneto, seconded by Supervisor Novelli and unanimously carried to close the Public Hearing.

Absent: Supervisor Boitano

Discussion ensued with the following action being taken.

ACTION #2: Direction given pursuant to the following motion.

MOTION #2: It was moved by Supervisor Plasse, seconded by Supervisor Oneto and unanimously carried to approve abandonment of a public utility easement for the Reed Leasing Group, LLC, and approval of a resolution approving issuance of a certificate of merger.

Absent: Supervisor Boitano

RESOLUTION NO. 13-037

Resolution approving abandonment of a public utility easement for the Reed Leasing Group, LLC, a California Limited Liability Company.

RESOLUTION NO. 13-038

Resolution issuing a certificate of merger to the Reed Leasing Group, LLC, a California Limited Liability Company.

California State Association of Counties: Discussion and possible action relative to approval of the Chairman's signature on a letter of opposition relative to sequestration of payments to states under the Secure Rural Schools Program.

Supervisor Forster stated California State Association of Counties (CSAC) along with the Rural County Representatives of California (RCRC), Association of California School Administrators (ACSA), California School Boards Association (CSBA) and Small School Districts' Association (SSDA), have drafted and sent a letter to Chief Thomas L. Tidwell, United States Forest Service, expressing strong concern with the Administration's recent attempt to recapture a portion of the 2012 fiscal year Secure Rural School's (SRS) allocations.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Plasse, seconded by Supervisor Novelli and unanimously carried to approve the Chairman's signature on a letter of strong opposition relative to sequestration of payments to states under the Secure Rural School Program in general, but specifically to any of the 2012 funds being sequestered. In addition if sequestration does occur it is the Board's preference that all funds be taken solely from Title II monies.

ADJOURNMENT: Until Tuesday, April 23, 2013, at 8:30 a.m.

**AMADOR COUNTY
BOARD OF SUPERVISORS**

CONSENT AGENDA

April 9, 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. **Planning Department (13-034):** Approval of a resolution acknowledging receipt of a Notice of Non-Renewal for a portion of California Land Conservation Act Contract No. 35, from Rene F. Lefevre and Patricia M. Lefevre, Trustees for the Lefevre Trust.

B. **Human Resources (13-035):** Approval of a resolution recognizing employees who have reached twenty, thirty, thirty-five and forty years of service with the County of Amador in 2013.

C. **Human Resources (13-036):** Approval of a resolution proclaiming the week of April 21st to April 27th as *National Volunteer Week* and recognizing the invaluable service volunteers provide to our community.

D. **Surveying Department (13-033):** Approval of a Resolution of Intention to vacate portions of a Public Utility Easement for Bernon R. Erickson, Jr. and Ann Dethloff; and scheduling of Public Hearing for same. (Added, see page xxx)

4. **AGREEMENTS**

A. **Area 12 Agency:** Approval of an Amendment to Area 12 Agency on Aging Joint Exercise of Powers Agreement (JPA) Modifying the Advisory Council Meeting Requirement contained in Article III, C., (3) from Ten Times in Each Calendar Year to Six Times in each calendar year.

B. **Health and Human Services:** Approval of an annual renewal of the Title X Family Planning Program contract with the California Family Health Council, Inc., (CFHC) for calendar year 2013 Federal Funding.

- C. **Health and Human Services:** Approval of a California Department of Public Health TB Control Branch Special Needs Funds Award and Real-Time Allotment Award to carry out the programs' TB control efforts and to perform complex tuberculosis case management.

5. **ORDINANCES**

- A. **Environmental Health:** Approval of the adoption of an ordinance that revises or establishes new Environmental Health Department fees relative to cottage food operations, major subdivisions, environmental impact reports, spill prevention control and counter measure plans and body art facility permits and registration.

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS** None

7. **MISCELLANEOUS**

- A. **Community Development Department:** Approval to advertise internally for the position of Supervising Building Inspector to fill a need of supervision within the Building Department. This position will be tasked with daily scheduling of building department staff and providing input for performance evaluations.
- B. **Environmental Health:** Approval of a Late Fee Payment Policy formalizing notification to businesses of the availability of annual fee payment plans, structure of payment plans, and enforcement actions to be held in abeyance while business remains in substantial compliance with the payment plan.

8. **GENERAL CORRESPONDENCE**

- A. A notice from the *U.S. Fish and Wildlife Service* dated March 18, 2013, announcing the opening of an information gathering period regarding the status of the fisher (*Martes pennant*) throughout the range of its West Coast distinct population segment (DPS) in the United States. The fisher is a medium-sized mammal of the mustelid family and occupies mixed conifer hardwood forests. Comments may be submitted via email to FisherWestDPS@fws.gov or via website at: <http://www.regulations.gov> Search for Docket No. FWS-R8-ES-2013-0054.
- B. Notice of Findings from the *State Fish and Game Commission* dated March 19, 2013 relative to a petition submitted to list the Clear Lake hitch (*Lavinia exilicauda chi*) as a threatened species.
- C. A notice from the State Central Valley Regional Water Quality Control Board relative to a Board meeting at the Rancho Cordova office on April 11, 2013. Copies of the items to be considered by the Board are posted on the Board's website at: http://www.waterboards.ca.gov/centralvalley/board_info/meetings/
- D. Application for *Alcoholic Beverage License* dated March 28, 2013 for *Bucbous Bow Brewing Company* located at 27480 Whitmore Drive, Pioneer, CA 95666-9336.
- E. Application for *Alcoholic Beverage License* dated March 28, 2013 for *Estey Family Vineyard, Inc.* located at 21271 Latrobe Road, Plymouth, CA 95669.

- F. Memorandum from the Environmental Health Department relative to a recap of activity during March 2013 totaling \$ 29,916.00.
- G. Auditor's check register dated March 25, 2013 totaling \$ 474,828.06.
- H. Auditor's check register dated April 1, 2013 totaling \$ 235,074.46.
- I. Letter of Commendation dated March 26, 2013 from John Begovich thanking the Public Works road crew for brushing Argonaut Lane.

RICHARD M. FORSTER, Chairman
Board of Supervisors

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

Deputy

- E. Application for *Alcoholic Beverage License* dated March 28, 2013 for *Estey Family Vineyard, Inc.* located at 21271 Latrobe Road, Plymouth, CA 95669.
- F. Memorandum from the Environmental Health Department relative to a recap of activity during March 2013 totaling \$ 29,916.00.
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RICHARD M. FORSTER, Chairman
Board of Supervisors

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

Deputy

AGENDA TRANSMITTAL FORM

To: **Board of Supervisors**

Date: April 15, 2013

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

Phone Ext. 371

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

Meeting Date Requested:
May 14, 2013

Department Head Signature *George E. Allen*

Agenda Title: Public Hearing for abandonment of two portions of a public utility easement for Bernon Erickson, Jr. & Ann Dethloff

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 two portions of a twenty-five foot (25') wide public utility easement. The property is located at the southeasterly side of Danburg Drive, approximately 2,200 feet from the junction with Fremont Road, in the Kirkwood area. APN 26-162-003

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 SS

Auditor RL GSA Director HQ

CAO _____ Risk Management _____

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 5-14-13 Time _____ Item # 15

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 _____

ATTEST: _____

For meeting _____

Clerk or Deputy Board Clerk

of _____



SURVEYING DEPARTMENT

COUNTY ADMINISTRATION CENTER

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

April 15, 2013

AFFIDAVIT OF POSTING

Subject: Abandonment of two portions of a Public Utility Easement – Bernon Erickson, Jr. and Ann Dethloff

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

Sincerely,

George E. Allen
County Surveyor

GEA/kg



**AMADOR COUNTY
NOTICE OF PROPOSED VACATION**

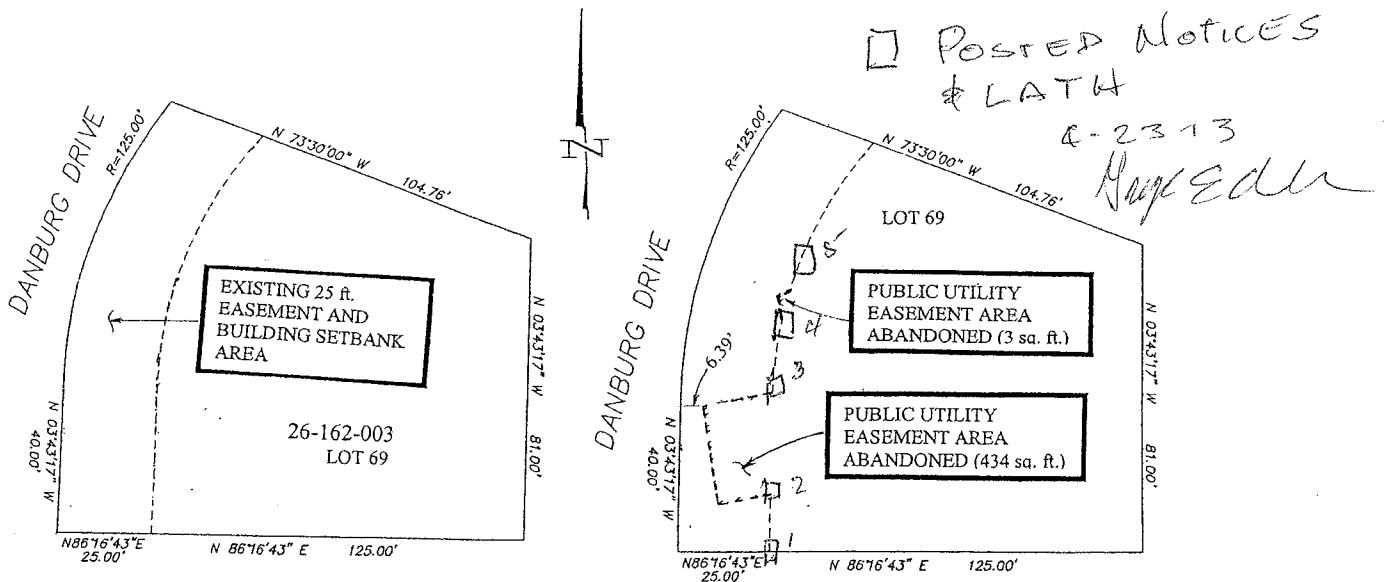
The Board of Supervisors hereby gives Notice of its proposed vacation of two portions of a twenty-five foot (25') wide public utility easement within the 25' Building Setback area within Lot 69, as shown on the official map titled, "Kirkwood Meadows Unit No. 1" recorded in Book 3 of Subdivision Maps, at pages 30 thru 32, Records of Amador County, for Bernon R. Erickson, Jr. and Ann Dethloff. The property is located at the southeasterly side of Danburg Drive, approximately 2,200 feet from the junction with Fremont Road, in the Kirkwood area. Assessor's Parcel No. 26-162-003.

A Resolution of Intention to vacate said public utility easement was adopted by the Board of Supervisors in Resolution No. 13-033..

A Public Hearing to consider said vacation will be held at the County Administration Center, 810 Court Street, Jackson, California on May 14, 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.

ERICKSON EASEMENT ABANDONMENT



BEFORE

AFTER

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 TWO PORTIONS OF A PUBLIC UTILITY) RESOLUTION NO. 2013-xxxx
EASEMENT FOR BERNON ERICKSON, JR. AND)
ANN DETHLOFF)

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 two portions of a twenty-five foot (25') wide public utility easement for Bernon Erickson, Jr. and Ann Dethloff, as attached descriptions in Exhibit "A" (1) and Exhibit "A" (2).

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 14th day of May, 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

EXHIBIT "A" (1)
LEGAL DESCRIPTION
Abandoned Easement

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

All that portion of Lot 69, Kirkwood Meadows Unit No. 1, as filed in the office of the Recorder of Amador County in Book 3 of Subdivision Maps at Page 30 on July 1, 1970, more particularly described as follows:

COMMENCING at the southwest corner of said Lot 69;

THENCE along the southerly line of said lot N 86°16'43" E, 25.00 feet to the 25 foot setback, utility, and parking easement line;

THENCE leaving said southerly line and continuing along said easement line N3°43'17"W, 14.96 feet to the **POINT OF BEGINNING**;

THENCE N 3°43'17"W, 25.04 feet to the beginning of a tangent curve to the right;

THENCE continuing along said curve, having a radius of 100.00 feet, a length of 1.53 feet through a central angle of 0°52'35";

THENCE leaving said easement line S 76°11'16" W, 18.92 feet;

THENCE S 13°48'44" W, 26.16 feet;

THENCE N 76°11'16" E, 14.25 feet to the **POINT OF BEGINNING**.

Containing 434 square feet, more or less.

The Basis of Bearing for this description is identical to Kirkwood Meadows Unit No. 1.

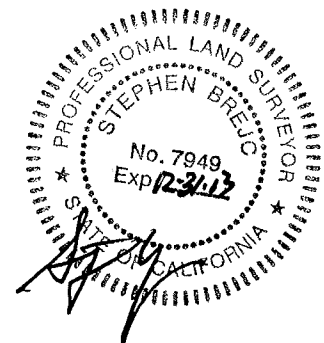


EXHIBIT "A" (2)
LEGAL DESCRIPTION

Abandoned Easement

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

All that portion of Lot 69, Kirkwood Meadows Unit No. 1, as filed in the office of the Recorder of Amador County in Book 3 of Subdivision Maps at Page 30 on July 1, 1970, more particularly described as follows:

COMMENCING at the southwest corner of said Lot 69;

THENCE along the southerly line of said lot N 86°16'43" E, 25.00 feet to the 25 foot setback, utility, and parking easement line;

THENCE leaving said southerly line and continuing along said easement line N03°43'17" W, 40.00 feet to the beginning of a tangent curve to the right;

THENCE continuing along said curve, having a radius of 100.00 feet, a length of 22.42 feet through a central angle of 12°50'46" to the **POINT OF BEGINNING**;

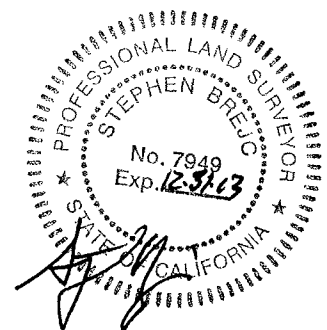
THENCE continuing along said curve a length of 3.61 feet through a central angle of 2°04'08";

THENCE leaving said curve S 76°11'16" W, 1.47 feet;

THENCE S 13°48'44" E, 3.30 feet to the **POINT OF BEGINNING**;

Containing 3 square feet, more or less.

The Basis of Bearing for this description is identical to Kirkwood Meadows Unit No. 1.



AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: April 26, 2016

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

Phone Ext. 380

| | |
|-------------------------------------|----------------|
| <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>05/14/13</u> | |

Department Head Signature *Susan C. Grijalva*

Agenda Title: PUBLIC HEARING - ERICKSON VARIANCE REQUEST

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 Request by Bernie and Ann Erickson for a variance from Amador County Code §19.24.040 -"R1" District Regulations which requires a 25' front setback to allow for construction of additions to an existing residence consisting of an attached garage, entryway and a small portion of a covered deck to within 10 feet of the front property line. Project is located on the east side of "Upper" Dangberg Drive about 800' north of the end of Dangberg Drive, being Lot 69 of Kirkwood Meadows Unit 1, in Kirkwood (APN 026-162-003-000).

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 <input type="checkbox"/> No <input checked="" type="checkbox"/> | 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: _____ |
| Committee Review? N/A <input type="checkbox"/> Name <u>Planning Commission on 3/12/13</u> Committee Recommendation: <u>4/5 recommendation to approve the variance</u> | |

Request Reviewed by:

| | |
|--------------------|-------------------------|
| Chairman _____ | Counsel <u>GS</u> |
| Auditor <u>EDL</u> | GSA Director <u>Hoy</u> |
| CAO _____ | Risk Management _____ |

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

FOR CLERK USE ONLY

| | | |
|---------------------------------------|--------------------------------|------------------|
| Meeting Date <u>5-14-13</u> | Time _____ | Item # <u>16</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 _____ 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 |

**STAFF REPORT TO: THE AMADOR COUNTY BOARD OF SUPERVISORS
FOR MEETING OF MAY 14, 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 ADDITIONS TO AN EXISTING RESIDENCE CONSISTING OF AN ATTACHED GARAGE, ENTRYWAY, AND SMALL PORTION OF A COVERED DECK TO WITHIN APPROXIMATELY 10' OF THE FRONT PROPERTY LINE (APN 026-162-003-000).

APPLICANT: Bernie and Ann Erickson
SUPERVISORIAL DISTRICT III

LOCATION: On the east side of "Upper" Dangberg Drive about 800' north of the end of Dangberg Drive, being Lot 69 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 District

C. DESCRIPTION: The applicants are proposing to construct two additions to their existing residence. One addition consists of a single car garage and entryway with habitable space above the proposed garage. This addition is proposed to be located within the front building setback up to approximately 10 feet from the property line. The other addition consists of extending the existing dwelling and deck on the northern end of the dwelling out 16 feet. A very small portion (approximately 1') of the northwesterly corner of the covered deck area is proposed to encroach into the 25-foot front setback. These additions, as proposed, require a variance from County Code §19.24.040, "R1" District Regulations which requires a 25 foot front setback.

At the TC-TAC meeting an adjacent landowner raised concerns about the impact on snow storage created by granting variances into the front setback (see attached minutes). He stated the front setback is also a public utility easement that is to be used for snow storage. A letter/email was received by another landowner outlining the same concerns (see attached). The easement states, "*C) Easements for public utilities, light, air, snow storage, parking bays including grading slopes, drainage ditches, underground wires and conduits and all appurtenances thereto within those strips of land lying between the front lot line and the lines shown hereon and designated "Building Set Back Lines", said strips to remain open and free from buildings.*" As a result of the front building setback also being a public utility easement, the variance, if granted, is conditioned upon completing the abandonment of this easement. The abandonment process is done through the County Surveyor's Office. The utility companies are notified and a public hearing is held before the Board of Supervisors before a decision is made.

D. STAFF RECOMMENDATION: This request was reviewed by the Tri-County Technical Advisory Committee (TC-TAC) at their February 1, 2013 meeting and by the Amador County TAC on February 25, 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 March 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;*
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. *Prior to issuance of the building permit the applicant must obtain from the Department of Transportation and Public Works an encroachment permit for the driveway, the location of which shall be such that it will not impact the existing parking area adjacent to the proposed driveway.*
5. *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)
BERNIE AND ANN ERICKSON TO ALLOW)
CONSTRUCTION OF ADDITIONS TO AN)
EXISTING RESIDENCE CONSITING OF AN)
ATTACHED GARAGE, ENTRYWAY, AND A)
SMALL PORTION OF A COVERED DECK TO)
WITHIN 10' OF THE FRONT PROPERTY LINE ON)
APN 026-162-003-000.)

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 additions to an existing residence consisting of an attached garage, entryway and a small portion of a covered deck to within 10 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"

Copyright © 2013 Graham & Ann Erickson
 JOB NUMBER: 1208

| NO. | DATE | BY | REVISION DESCRIPTION |
|-----|------|----|----------------------|
| | | | |
| | | | |
| | | | |
| | | | |

SITE PLAN

BERNIE & ANN ERICKSON
 CABIN REMODEL & ADDITION
 3404 DANBURG DRIVE
 KIRKWOOD, CA.

GRAHAM SIMMONS
 777 ALBERMARLE STREET, CONCORD, CA 94530
 PHONE / FAX 510-449-1017
 gsimmons@grahamsimmons.com

DESIGN TEAM:
 GRAHAM SIMMONS
 JAMIE STRAMACIO
 11/4/2013 10:51:33 AM
 SHEET NUMBER

C-1

KEYNOTES



1" = 10'



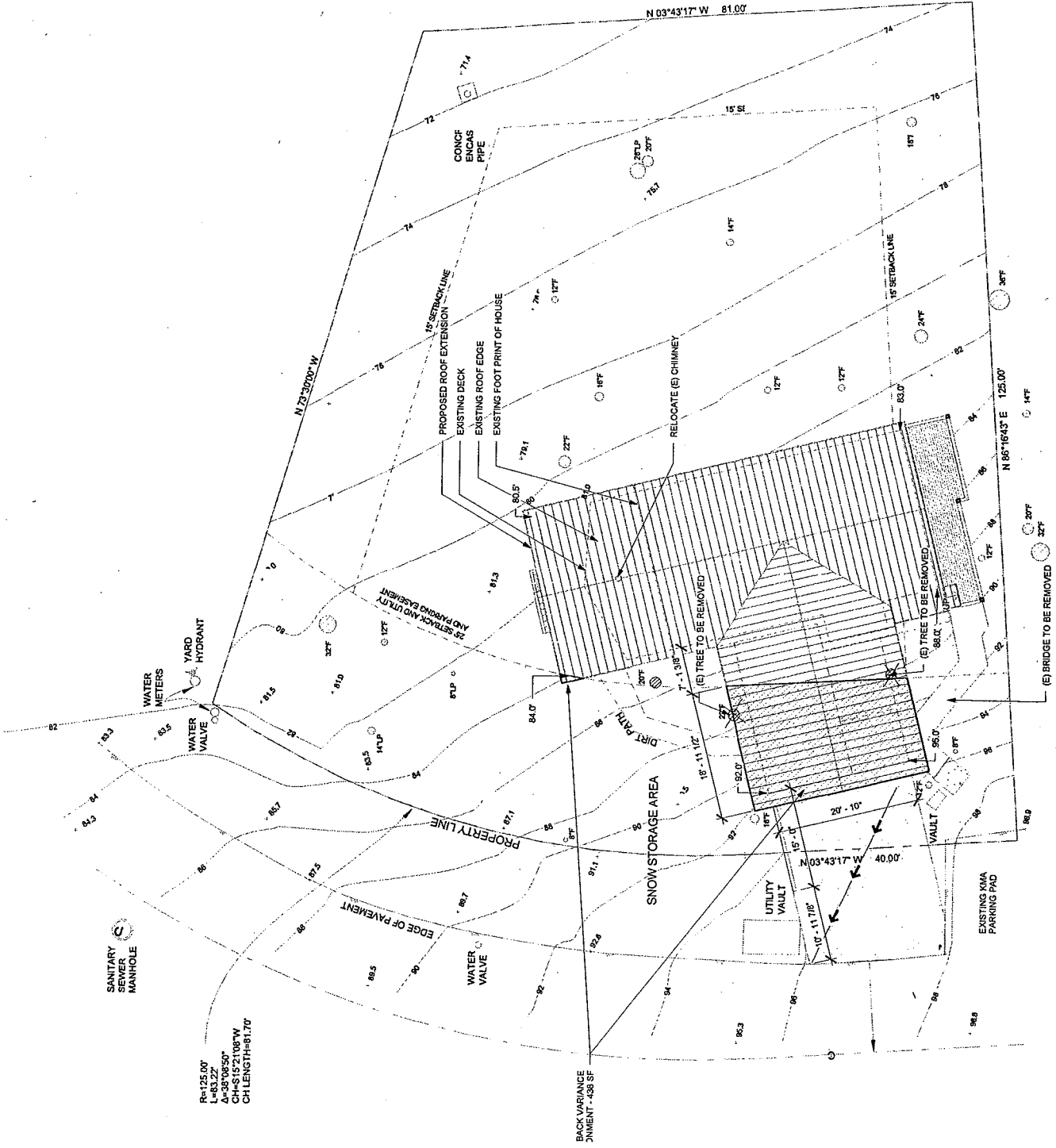
UR INTERVAL

LEGEND

- 12" TRUNK BR AT BREAST HEIGHT
- PEN
- DAR
- FIR
- POLE
- CONCRETE
- CONTROL POINT
- ELEVATION

LAND AREA

12,217 SQUARE FEET



ASSUMED ELEVATION = 100.00'
 AT SET CONTROL POINT

SITE PLAN

NOTICE OF EXEMPTION

Appendix E

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

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

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

Project Title: Erickson Variance; VP-13;1-1

Project Applicant/Address/Phone Number: Bernie and Ann Erickson, 36 Corte de Oro; Moraga, CA 94556

Project Location - Specific: On the east side of "Upper" Danberg Dr. about 800' north of the end of Dangberg Dr., being Lot 69 of Kirkwood Meadows Unit 1, in Kirkwood.

Project Location - County: Amador **Project Location - City:** N/A

Description of Nature, Purpose and Beneficiaries of Project: Variance request from Amador County Code §19.24.040 -"R1" District Regulations which requires a 25' front setback to allow for construction of additions to an existing residence consisting of an attached garage, entryway and a small portion of a covered deck to within 10 feet of the front property line. (APN 026-162-003-000)

Name of Public Agency Approving Project: Amador County Board of Supervisors

Name of Person or Agency Carrying Out Project: Bernie and Ann Erickson

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: _____
Title: Chairman, Board of Supervisors

Date: _____

- 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 _____

**Planning Commission
Minutes**

Public Hearings

ITEM 1 – 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 additions to an existing residence consisting of an attached garage, entryway, and small portion of a covered deck to within approximately 10’ of the front property line (APN 026-162-003-000).

APPLICANT: Bernie and Ann Erickson
SUPERVISORIAL DISTRICT III

LOCATION: On the east side of “Upper” Dangberg Drive about 800’ north of the end of Dangberg Drive, being Lot 69 of Kirkwood Meadows Unit 1, 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.

Graham Simmons, representative, was available for questions. Mr. Simmons acknowledged snow removal can be difficult in Kirkwood during certain years and at certain times. In this case, the house is located to the north of the lot; it is a down-sloped pie-shaped lot that creates an “enormous bowl” which is available for snow storage. The lot has been reviewed by the Kirkwood snow removal and there is adequate snow storage available.

Commissioner Tober asked where the 25’ front setback was on the plot plan. Mr. Simmons showed the setback on the plan.

Commissioner Lindstrom asked if Mr. Simmons talked to Mr. Weber, the neighbor, who raised concerns about snow storage. Mr. Simmons stated Mr. Weber came to the Tri-County Technical Advisory Committee (TC-TAC) meeting and spoke; there was discussion at the meeting about the adequacy of the snow storage. Mr. Simmons stated Mr. Weber was adamant that everyone else’s snow is piled on his lot.

Chairman Byrne asked why it’s possible to abandon the public utility easement. Ms. Grijalva explained it has been found that most of the existing utilities are located in the road right-of-way and as the abandonments go forward the utility companies can either have the land owner pay to relocate the utilities, or the utility company can say no to the abandonment. She stated the abandonment of the easement is a condition of the variance; it is an action of the Board of Supervisors and is not before the Commission.

Commissioner Tober stated that would address the utilities’ easement but does not address the snow storage easement. Ms. Grijalva stated that is Mr. Weber’s point.

Chairman Byrne asked if Mr. Weber’s concerns were addressed during TC-TAC. Ms. Grijalva stated the concerns were discussed at TC-TAC. There is an email from KMPUD, which provides snow removal, stating the project would not impact their operations. She stated some people say there are different ways to do snow removal and where snow is placed is a choice in some situations and not in others. She stated this issue comes up when variances are applied for because when a driveway and garage are built the amount of area for snow storage is reduced; the snow has to go somewhere else. Ms. Grijalva stated KMPUD has gone from pushing snow to blowing snow. KMPUD indicated in their email that snow removal would not be an issue and KMPUD has places to put the snow.

Chairman Byrne asked what would happen if there was a complaint about snow removal once the project is built. Ms. Grijalva confirmed that the complainant would speak with KMPUD. She understood Mr. Weber’s concern to be that the snow storage easement in front of his house has not been compromised

by a variance so it is where the snow is being piled up; he gets a large snow berm and still has snow in front of his house in June and July when the other snow has melted.

Mr. Simmons stated the existing house is located downslope of the road so the snow is currently blown in the area for snow storage and not toward the house.

In response to Chairman Byrne's question about why the rules changed to allow garages, Ms. Grijalva stated the original Kirkwood subdivision was approved with the understanding the County roads would not be plowed, it would be over-the-snow access. The Kirkwood Homeowners Association asked for the roads to be plowed. There is an agreement between the Homeowners Association and the County for the roads to be plowed by a private entity. The Homeowners Association then started allowing garages with a maximum driveway length of 25' as the standard. The problem is when a lot of homes were originally built, garages were not allowed so the only place to put a garage is in the front setback.

Chairman Byrne asked if any of these proposed changes would change a past CEQA mitigation imposed during the development process. Ms. Grijalva stated no, not that she is aware of.

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

Commissioner Tober was concerned about abandonment of easements and that a recommendation to grant the variance would indicate a recommendation to abandon the easement. Ms. Grijalva reminded the Commission the easement abandonment is not before the Commission, it is an action of the Board of Supervisors. The variance is conditioned so that if the easement is not abandoned the variance is not valid. The variance and the abandonment will be scheduled to be heard by the Board at the same meeting. Ms. Grijalva stated the utility companies are notified for the abandonment hearing.

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

Ayes: Commissioner Lindstrom, Commissioner Wardall, Commissioner Ryan, and Chairman Byrne

Noes: Commissioner Tober

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.

ITEM 2 – Request by West End Consortium for a Use Permit to allow a 150 sq. ft. double-sided off-site quasi-public directional sign pursuant to Amador County Code §19.32.010 J. for several wineries located in the Latrobe, Willow Creek, Hwy 124, and Drytown areas; and a Variance to allow a sign that exceeds the 10 square foot maximum allowed by County Code §19.32.010 J. (APN 008-120-004-000).

APPLICANT: West End Consortium (Mark McMaster, rep.)

SUPERVISORIAL DISTRICT V

LOCATION: On the north side of Hwy 16, east of the DeMartini Rd./Carbondale Rd. intersection in the Plymouth area.

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

Commissioner Lindstrom asked why CEQA might be required. Ms. Grijalva explained if the Commission does not find the project is categorically exempt, then CEQA review is required.

**Planning Commission
Staff Report Packet**

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

ITEM 1 - 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 ADDITIONS TO AN EXISTING RESIDENCE CONSISTING OF AN ATTACHED GARAGE, ENTRYWAY , AND SMALL PORTION OF A COVERED DECK TO WITHIN APPROXIMATELY 10' OF THE FRONT PROPERTY LINE (APN 026-162-003-000).

APPLICANT: Bernie and Ann Erickson

SUPERVISORIAL DISTRICT III

LOCATION: On the east side of "Upper" Dangberg Drive about 800' north of the end of Dangberg Drive, being Lot 69 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 District

C. DESCRIPTION: The applicants are proposing to construct two additions to their existing residence. One addition consists of a single car garage and entryway with habitable space above the proposed garage. This addition is proposed to be located within the front building setback up to approximately 10 feet from the property line. The other addition consists of extending the existing dwelling and deck on the northern end of the dwelling out 16 feet. A very small portion (approximately 1') of the northwesterly corner of the covered deck area is proposed to encroach into the 25-foot front setback. These additions, as proposed, require a variance from County Code §19.24.040, "R1" District Regulations which requires a 25 foot front setback.

At the TC-TAC meeting an adjacent landowner raised concerns about the impact on snow storage created by granting variances into the front setback (see attached minutes). He stated the front setback is also a public utility easement that is to be used for snow storage. A letter/email was received by another landowner outlining the same concerns (see attached). The easement states, "*C) Easements for public utilities, light, air, snow storage, parking bays including grading slopes, drainage ditches, underground wires and conduits and all appurtenances thereto within those strips of land lying between the front lot line and the lines shown hereon and designated "Building Set Back Lines", said strips to remain open and free from buildings.*" As a result of the front building setback also being a public utility easement, the variance, if granted, is conditioned upon completing the abandonment of this easement. The abandonment process is done through the County Surveyor's Office. The utility companies are notified and a public hearing is held before the Board of Supervisors before a decision is made.

D. STAFF RECOMMENDATION: This request was reviewed by the Tri-County Technical Advisory Committee (TC-TAC) at their February 1, 2013 meeting and by the Amador County TAC on February 25, 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. *Prior to issuance of the building permit the applicant must obtain from the Department of Transportation and Public Works an encroachment permit for the driveway, the location of which shall be such that it will not impact the existing parking area adjacent to the proposed driveway.*
5. *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.*

 **DRAFT**

Item 1 - Review and recommendation to the Amador County Planning Commission for a variance from Amador County Code Section 19.24.050 which requires a 25-foot front yard building setback to allow construction of additions to an existing residence consisting of an attached single-car garage and entry way and a small corner portion of a covered deck area within the front setback.

**Applicant: Bernie and Ann Erickson (Graham Simmons, rep.)
Location: 34040 Dangberg Drive; Lot 69, Kirkwood Meadows Unit 1
APN: 026-162-003-000**

 **DRAFT**

Item 1 was introduced by Susan Grijalva. KMPUD has submitted a letter related to snow removal with the project. Graham Simmons stated that improved access to the home was the goal of the project. The project has been submitted to architectural review for the subdivision and has obtained preliminary design approval.

Bob Weber noted that his lot is across the street from the proposed project and questioned if 25' utility easements existed for all properties in the subdivision. He noted that the utilities for the Erickson lot pass through an easement on Lot 53. Mr. Weber added that the County should review snow removal on the County Road and that the snow removal policy should be fair.

Susan Grijalva explained when the KMA subdivision was created only seasonal (summer) access was available as the County does not provide snow removal services in Kirkwood so there was no need for snow storage. It was only more recently, when garages were allowed by the Homeowner's Association that issues developed regarding snow storage. She noted that snow removal is done by KMPUD. Graham Simmons stated that the Erickson lot has sufficient area for snow storage.

Pierre Rivas moved to recommend approval of the variance to the Amador County Planning Commission with the following findings:

1. The location of the garage is the most feasible due to the location of the existing dwelling.
2. Adequate on-site snow storage exists per the letter from KMPUD.
3. The granting of the variance is not a special privilege as several of the lots within the subdivision have garages and driveways within the front setback.

The motion was seconded by Zach Wood. The motion passed 3-0.

 **DRAFT**

 **DRAFT**

ROBERT WEBER ^{Page 4 of 15}
LOT 53 DANGBERG
KIRKWOOD CA
3-5-13

PAGE
1 OF 3

TO THE AMADOR COUNTY BOARD OF SUPERVISORS
THIS LETTER IS IN REGARDS
TO THE APPLICATION FOR A VAIRENCE TO
BULD ON A PLANMED DEVELOPMENT,
DEEDED, LIVE UTILITY EASEMENT. IT IS
HERE IN KIRKWOOD ON LOT 69 DANGBERG
WHICH IS ACCROSS THE STREET FROM MY
HOUSE OF OVER 36 YEARS

THE NEXT TWO PAGES ARE COPIES
OF A LETTER I SENT TO MY HOMEOWNERS
ASSOC.

I HOPE THAT YOU CAN SEE THE
IMPORTANCE OF HAVING COMMON EASE-
MENTS FOR THE COMMON GOOD OF US ALL.
MEANING EATHER WE ALL HAVE COMMON
GOOD IN OUR FRONT YARDS OR NONE OF
US DO. SO WHICH ONE IS IT?

THANKS FOR YOUR TIME
Robert Weber

RECEIVED
Amador County

MAR - 6 2013

PLANNING DEPARTMENT

ROBERT WIEBER
LOT 53 DANBERG
JAN 24 2013

PAGE 2
OF 3

TO THE KMA BOARD AND PLANNING COMMITTEE

I HOPE TO BE AT THE PLANNING COMMITTEE MEETING ON JAN 24 2013. BUT RIGHT NOW I HAVE TO WORK SO I WILL WRITE DOWN SOME OF MY CONCERNS.

WE ARE ALL DEED RESTRICTED FROM BUILDING ON OVER AND UNDER OUR UTILITY EASEMENTS OUR CCR'S STATES THAT WE CAN NOT BUILD ON OVER OR UNDER OUR UTILITY EASEMENTS

I TOOK KMA TO COURT OVER 15 YEARS AGO AND PREVAILED OVER KMA ALLOWING THE BLACKWELLS LOT 54 TO BUILD ON OVER AND UNDER OUR UTILITY EASEMENTS

I HAVE WRITTEN MANY LETTERS TO KMA EXPLAINING THAT THE BOARD CAN NOT GRANT VAIRENCES OF ANY KIND TO THE CCR'S EVER. PLEASE REREAD COURT CASE AND NUMERIOUS LETTERS

EVEN MR SMITH KMA PLANNING COMMITTEE HEAD FOR MANY MANY YEARS STATED TO THE KMA BOARD IN I BELIVE THE FALL BOARD MEETING OF 2008 THAT BUILDING ON SAID EASEMENTS WAS A MISTAKE.

SO WHY ARE WE HERE AGAIN? WHAT NEEDS TO BE DONE TO RESTORE OUR CCR'S? THIS HOLE MESS PITS NEIBOR AGAINST NEIBOR. NEIBORS AGAINST THE BOARD AND PLANNING COMMITTEE

ROBERT WEBER
LOT 53 DANOTBERG
JAN 24 2013

PAGE 3
OF 3

EXPENSIVE LEGAL COSTS FOR ALL PARTIES
OUR INSURENCE COSTS WILL GO UP
AS WELL ALL OF OUR WASTED TIME
THIS MUST STOP AND PAST MISTAKES
REPAIRED

BUILDING ON OVER AND UNDER
CAUSES SNOW REMOVAL PROBLEMS ALSO.
THIS WILL ALSO HAVE TO BE DEALT WITH
SOON BY THE AMADOR COUNTY ROAD DEPT
THE AMADOR PLANNING COMMITTEE AND
THE AMADOR BOARD OF SUPS. ITS THE
COUNTY'S JOB TO MAKE SNOW REMOVAL
FAIR ON THE COUNTY ROADS. SUB UNITE
ONE ROADS

SO THANKS FOR YOUR TIME
A CONCERNED MEMBER OF KMA
Robert Weber

cc KMPUD
AMADOR COUNTY PLANNING COMMITTEE
AND OTHERS



Planning Department <planning@amadorgov.org>

Project application Lot 69 Kirkwood Meadows

1 message

[REDACTED] <[REDACTED]> Sat, Mar 2, 2013 at 6:44 PM
 To: planning@amadorgov.org
 Cc: [REDACTED], [REDACTED]

Amador County Planning Commission:

I wish to provide a Letter of Comment for the subject project application on behalf of myself and my wife, owners of the home directly across the street. My neighbor, Mr. Robert Weber, also directly across the street from the subject project, requested to be named in this email as well, based on the fact that he shares the same concerns.

As you know, the proposed project will result in building on the 25ft setback. This setback currently shares a portion of the snow removed from Dangburg Drive. If the project is completed, all of the winter road snow will necessarily be thrown onto my lot, and onto Mr Webber's lot, specifically, onto the paths that we shovel from the road to our front doors.

Our primary concerns are safety. On heavy snow years, snow thrown from the street creates a raised berm over our paths, and this berm prevents the operator of the snow equipment from being able to see whether there are adults or children on the paths behind the berms. We believe the raised berm will be significantly higher and the hazard of being hit by thrown snow and ice will be greater if the project is approved in its current form. This would not be an issue for us if we were able to construct a covered walkway or other structure to facilitate access and egress to our home, however, we have been informed that KMA Planning Committee Rules and Standards prohibit us from seeking such a solution.

Thank you for the opportunity to comment.

Miley W (Lee) Merkhofer
Jean Marie Merkhofer
Lot 52

Robert Webber
Lot 53

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Amador County
MAR - 4 2013
PLANNING DEPARTMENT

TRANSPORTATION AND PUBLIC WORKS

810 Court Street • Jackson, CA 95642 • Phone: 209-223-6429 • Fax: 209-223-6395 •
Email: PublicWorks@amadorgov.org • Website: www.amadorgov.org



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Amador County

JAN 30 2013

PLANNING DEPARTMENT

MEMORANDUM

TO: Susan Grijalva, Planning Director
FROM: Roger A. Stuart, Senior Project Engineer *RAS*
DATE: January 30, 2013

SUBJECT: Variance Request for Bernie and Ann Erickson, Lot #69, 34040 Danberg Drive

The above referenced variance is to allow a garage to be constructed encroaching into the 25 foot building setback area to within approximately six feet of the property/right-of-way line. The site plan indicates a utility vault located within the right-of-way and just off edge of pavement, which would be right next to the proposed driveway location. It is not indicated whether this is an above ground or below ground vault, but is believed to be below ground. If above ground, there would be concerns with sight distance. If below ground, and within the encroachment or nearby, the vault would be required to be equipped with a traffic rated lid.

The Department of Transportation and Public Works Agency will require an encroachment permit be obtained for the driveway. Once the encroachment permit has been applied for, the proposed driveway location and actual location of facilities will be verified and appropriate encroachment permit conditions will be developed.

Need 2/1/13 @ TC-TAC meeting
Page 9 of 15

Graham Simmons

From: Rick Ansel <[REDACTED]>
Sent: Wednesday, January 23, 2013 10:50 AM
To: 'Graham Simmons'
Cc: Michael Sharp (Michael Sharp); David Waddle
Subject: RE: Project submittal on lot KMA 69

Graham,

Our snow removal manager and supervisor have reviewed the preliminary plans for Lot 69 that you emailed to me.

At this time, with the information provided, the proposed driveway / garage addition for Lot 69 should not impact our snow removal operations.

Please contact me if you have any questions.

Rick Ansel
Kirkwood Meadows Public Utility District
P.O. Box 247
Kirkwood, CA 95646
Office: (209) 258-4444 ext. 3
Cell: (775) 781-2505
(209) 258-8727 fax
[REDACTED]

From: Graham Simmons [mailto:[REDACTED]]
Sent: Wednesday, January 23, 2013 8:40 AM
To: 'Rick Ansel'
Subject: RE: Project submittal on lot KMA 69

Hi Rick,

Has snow removal crew had an opportunity to review the plans I submitted?

Thanks,

Graham


From: Rick Ansel [mailto:[REDACTED]]
Sent: Monday, January 14, 2013 12:55 PM
To: 'Graham Simmons'
Subject: RE: Project submittal on lot KMA 69

Thanks Graham,

I will have our staff review and get back to you on the 22nd.

Rick Ansel
Kirkwood Meadows Public Utility District
P.O. Box 247
Kirkwood, CA 95646
Office: (209) 258-4444 ext. 3

GRAHAM M. SIMMONS, ARCHITECT AND BUILDER
717 Albemarle St.
EL CERRITO, CALIFORNIA 94530
510-292-7222



January 10, 2012

Susan Grijalva
Amador County Planning Department
810 Court St.
Jackson, CA. 95642

RE: Variance Request, 34040 Danburg Drive, Kirkwood, APN 026-162-003

Dear Susan,

I am submitting a request for a front setback variance on behalf of my clients, Bernie and Ann Erickson. The purpose of this variance is to construct a single car garage and entryway to their residence. The existing roof is steep, 12:12, and matching this roofline creates some useable space in the attic above the proposed garage. This area is also within the front setback, and we would like to include in our variance request that this area be allowed to be conditioned and used as a small office or kid's playroom. The area requested to be built within the front setback consists of 438 SF.

This garage and entry will greatly improve access to the subject cabin. The existing access is by a narrow, zig-zagging bridge that fills up with snow, creating a dangerous walkway without guardrails. The garage will provide 1 interior and two exterior parking spaces, and does not encroach on an existing KMA parking pad. The location in the front setback is as preferred by the KMA design guidelines, in the front setback but with a 25' long driveway that allows cars to fully get off the road.

The garage and entry are located at the southwest corner of the property, which preserves a large area for snow storage. KMPUD snow removal has received the design drawings, and have promised to reply with their comments by January 22, so I will be able to provide the outcome of their review at the Feb. 1 TC-TAC meeting. KMA Planning Committee will review the project on January 26. We believe this variance is consistent with existing uses in the KMA subdivision, and request that it be approved.

Respectfully submitted,

Graham Simmons
Architect

ENVIRONMENTAL INFORMATION FORM

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

GENERAL INFORMATION

Project Name: ERICKSON GARAGE ADDITION

Date Filed: File No.

Applicant/

Developer GRAHAM SIMMONS Landowner BERNIE & ANN ERICKSON

Address 717 ALBEMARLE ST. EL Address 36 CORTE DE Oro, MORAGA, CA. 94556

Phone No. 510.292.7222 COVATO CA. 94530 Phone No. 925.962.1811

Assessor Parcel Number(s) 026 162 003

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 MENDOTA ASSOCIATION HOA

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.

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 1/10/13

William M. ...
(Signature)

For _____

Project Description For
Erickson Garage and Entry Addition
Variance Request

The specifics for this project, as requested by the Environmental Information Form are as follows:

1. Site size – 12217 square feet
2. Square footage of existing structure – 1987 SF. Proposed additions – 1734 SF
3. Number of floors of construction – 3
4. Off street parking – 3
5. Source of water – KMPUD
6. Sewage disposal – KMPUD
7. Plans attached
8. Construction schedule – Summer 2013
9. Phasing – N/A
10. No associated projects
11. Subdivision - N/A
12. Residential project – SFD
13. Commercial project – N/A
14. Industrial project – N/A
15. Institutional project – N/A
16. Set back variance and encroachment permit required. Garage proposed to be constructed in front setback. Encroachment permit required for driveway.
24. The existing house sits on a +/- 20% slope. The proposed garage addition is on an area with +/- 25% slope.
29. The project site is a +/- ¼ acre residential building lot in the Kirkwood Meadows Association Unit I subdivision. There is an existing single family residence. The proposed project is an addition to this structure. The site is in a sparse stand of red fir. See attached site plan.
30. The neighboring properties have similar terrain and vegetation to the subject lot, and all are developed with vacation homes.
31. N/A

Respectfully submitted,

Graham Simmons
Architect

January 24, 2013

RECEIVED
Amador County

JAN 25 2013

Amador County Planning Dept.

PLANNING DEPARTMENT

810 Court St.

Jackson, CA. 95642

To whom it may concern,

Please allow Graham Simmons, Architect, to be our authorized agent to pursue approval of our project at 34040 Danburg Drive, Kirkwood.

Thank you,



Bernie Erickson

36 Corte De Oro

Moraga, California 94556