

AGENDA TRANSMITTAL FORM

<input checked="" type="radio"/> Regular Agenda <input type="radio"/> Consent Agenda <input type="radio"/> Blue Slip <input type="radio"/> Closed Session Meeting Date Requested: 05/10/2016
--

To: **Board of Supervisors**

Date: 05/04/2016

From: Brian Oneto, District V Supervisor Phone Ext. _____
 (Department Head - please type)

Department Head Signature _____

Agenda Title: California's Road Charge Pilot Program

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
Presentation by Mr. Mitch Weiss, CTC, regarding the subject Program.

Recommendation/Requested Action: _____

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

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

Request Reviewed by:

Chairman _____ Counsel GB

Auditor JOR GSA Director _____

CAO [Signature] Risk Management _____

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

FOR CLERK USE ONLY

Meeting Date 5-10-16 Time _____ Item # 7

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

Ayes: _____ Resolution _____ Ordinance _____ Other: _____

Noes _____ Resolution _____ Ordinance _____

Absent: _____ Comments: _____

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



Jennifer Burns <jburns@amadorgov.org>

RE: California Road Charge Pilot Program

1 message

Weiss, Mitchell@DOT <Mitchell.Weiss@dot.ca.gov>

Wed, May 4, 2016 at 12:34 PM

To: Jennifer Burns <jburns@amadorgov.org>

Cc: "boneto@amadorgov.org" <boneto@amadorgov.org>, "jplasse@amadorgov.org" <jplasse@amadorgov.org>, Chuck Iley <ciley@amadorgov.org>, "esauer@caltrux.org" <esauer@caltrux.org>

Jennifer,

Thanks for arranging this. I have a PowerPoint presentation that is about 15 minutes long. I can send you a copy on Friday. Here is some background info:

California is undertaking a study of road charging as a potential replacement to the gas tax. Road charging is a system where drivers would pay for road maintenance and repairs based on the number of miles they drive rather than how much gas they consume. The California Road Charge Pilot Program is scheduled to launch in July. The pilot will:

- Offer drivers a choice in mileage recording methods
- Cost drivers nothing to participate
- Determine the impacts of road charging on various income levels
- Determine the impacts of road charging on urban and rural drivers
- Protect drivers' privacy and personal information through third-party validated protocols

The state is now recruiting volunteers for the California Road Charge Pilot Program, with a goal of having 5,000 volunteers that reflect the geographic, socio-economic, and ethnic diversity of California. One of the areas of focus is the participation of rural drivers.

Here are some resources about the program:

A short flyer about the program:

http://www.catc.ca.gov/meetings/Committees/Road_Charge/Resources/Road_Charge_Flyer.pdf

More detail:

http://www.catc.ca.gov/meetings/Committees/Road_Charge/Resources/Road_Charge_Brochure_January_2016.pdf

http://www.catc.ca.gov/meetings/Committees/Road_Charge/Resources/Summary_of_TAC_Recommendations.pdf

Mitch

Mitch Weiss

AGENDA TRANSMITTAL FORM

<input checked="" type="radio"/> Regular Agenda <input type="radio"/> Consent Agenda <input type="radio"/> Blue Slip <input type="radio"/> Closed Session Meeting Date Requested: <u>05/10/2016</u>
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To: Board of Supervisors
 Date: 05/04/2016

From: John Plasse, Chairman Phone Ext. x470
 (Department Head - please type)

Department Head Signature _____

Agenda Title: Veterans Services

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

Discussion and possible action relative to an update by Mr. Terry Sanders, Veterans Service Officer, regarding the California Association of County Veterans Service Officers 2016 Annual Report as well as topics related to permanent and subvention funding.

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 CC

Auditor _____ GSA Director _____

CAO [Signature] Risk Management _____

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

FOR CLERK USE ONLY

Meeting Date 5-10-16 Time _____ Item # 8

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 _____

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 ATTEST: _____
 Clerk or Deputy Board Clerk

misc

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: May 4, 2016

From: Jim McHargue, APCO/Director Solid Waste
(Department Head - please type)

Phone Ext. 546

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

Meeting Date Requested:

05/10/16

Department Head Signature J. McHargue

Agenda Title: 2016 REFUSE RATE ADJUSTMENTS

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
On April 29, 2016, the Amador County Public Works Committee discussed the 2016 Refuse Rate Adjustments and recommended referral to the Board of Supervisors approval of the below stated adjustments.

Recommended rate adjustments:

- AREA 1: -2.34%
- AREA 2: -2.04%
- AREA 3: -0.48%
- Buena Vista Transfer Station: 0.87%
- Pine Grove Transfer Station: 0.52%

Recommendation/Requested Action:
APPROVAL OF RATE ADJUSTMENTS

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 Public Works Committee

Committee Recommendation:
Referral to Board of Supervisors

Comments: _____

Request Reviewed by:

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

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

WASTE MANAGEMENT DEPARTMENT

FOR CLERK USE ONLY

Meeting Date 5-10-16 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

Save




AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
WASTE MANAGEMENT & RECYCLING

PHONE: (209) 223-6429
FAX: (209) 223-6395
WEBSITE: www.amadorgov.org
EMAIL: PublicWorks@amadorgov.org

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

MEMORANDUM

TO: Board of Supervisors 
FROM: Jim McHargue, Air Pollution Control Officer/Director of Solid Waste
DATE: May 3, 2016
SUBJECT: 2016 Refuse Rate Adjustments

BACKGROUND:

On April 29, 2016, the Amador County Public Works Committee discussed the 2016 Refuse Rate Adjustments and recommendations from the County's refuse rate setting consultant, R3 Consulting Group (Attach. A). The Committee referred to the Board of Supervisors approval of the following adjustments:

AREA 1	AREA 2	AREA 3	BV Transfer Station	PG Transfer Station
-2.34%	-2.04%	-0.48%	0.87%	0.52%

(Attach. B illustrates the three franchise areas)

The County utilizes a hybrid refuse rate adjustment process known as the Rate Adjustment Methodology (RAM). The RAM establishes a base year of expenses and revenues after a thorough and detailed review of ACES' books including an independent financial audit. The two following years are adjusted using a solid waste industry-specific index known as the Refuse Rate index (RRI).

The RRI is comprised of 5 separate indices: labor, diesel fuel, industrial vehicle replacement, industrial vehicle maintenance and CPI (all urban consumers); as well as an adjustment for landfill disposal costs based upon projected changes in landfill tipping fees. 2016 is an RRI adjustment year.

According to the 2016 RRI, refuse rates in the all three unincorporated county franchise areas are recommended for decreases. The decreases are the result of lower diesel fuel costs experienced during the last year. The RRI looks back at the prior year to set the index for the upcoming year. Rates at the two transfer stations will see minor increases due mostly to costs associated with storm water compliance.

Because there are no rate increases in the three franchise areas, there is no need to implement the Proposition 218 process where customers have the opportunity to oppose rate increases. The 218 process does not apply to the transfer stations because it is not a subscription service.

RECOMMENDATION:

Approval of rate adjustments as outlined above.

corresponding adjustment the following year to account for any difference between the actual and projected vehicle cost. Finally, it was also agreed that starting in RY 6, the annual indexed rate adjustments would account for the actual interest expense on ACES loans for the purchase of Franchise Area 1 and the Buena Vista Transfer Station (WARF) to reflect the decreasing annual interest expense over the life of the loans.

Because a Detailed Rate Review was conducted in RY 8, ACES set the Base Year expenses for each of the applicable RRI expense categories equal to those expenses as reported in its fiscal year 2014 financial statement.

Overview of Rate Adjustment Request

ACES submitted its RY 9 rate application that requested the following rate adjustments:

- | | |
|---------------------------------------|--------|
| ▪ Franchise Area 1 | -1.66% |
| ▪ Franchise Area 2 | -1.50% |
| ▪ Franchise Area 3 | -0.07% |
| ▪ Pine Grove Transfer Station (PGTS) | 0.74% |
| ▪ Buena Vista Transfer Station (WARF) | 3.25% |

ACES RY 9 calculated rate adjustments account for the following items:

- Removal of the following RY8 one-time expenses:
 - Rate Year 8 Rate Review Expense - \$61,500
 - Audit Fees - \$35,000
- One-Time Storm Water Mitigation Expense:
 - \$39,945 – WARF
 - \$2,232 – PGTS
- One-time adjustment to account for a two-month delay in setting the RY 8 rates (RY 8 rates became effective September 1st rather than July 1st); and
- An estimated increase in the Kiefer Landfill tipping fee of 1.00% for 2016.

In addition, the calculated adjustments accounted for:

- Changes in the 2016 vs. 2015 Depreciation and Interest expenses;
- The impact of the various adjustments on the County's franchise fees and ACES profit; and
- The calculated impact of the difference in the RY 8 estimated 2015 Landfill expense adjustment (3.00%) and the actual adjustment (1.15%), which impacts both the WARF and PGTS calculated rate adjustments.

Summary Findings and Recommendations

We reviewed and confirmed the accuracy of ACES Rate Application, without exception. At the direction of the County, however, the "One-Time Storm Waste Mitigation Expense" was set at the following amounts:

- One-Time Storm Water Mitigation Expense:
 - \$9,602 – WARF
 - \$954 - PGTS

Accounting for this adjustment the recommended rate adjustments are as follows:

- | | |
|---------------------------------------|--------|
| ▪ Franchise Area 1 | -2.34% |
| ▪ Franchise Area 2 | -2.04% |
| ▪ Franchise Area 3 | -0.48% |
| ▪ Pine Grove Transfer Station (PGTS) | 0.52% |
| ▪ Buena Vista Transfer Station (WARF) | 0.87% |

RY10 (2017) Required Adjustments

As part of the RY 10 Indexed Rate Adjustment conducted in 2017 the following adjustments should be accounted for in the calculated rate adjustments:

- Remove the following RY 9 one-time adjustments:
 - Storm Water Mitigation expense:
 - ✓ \$9,602 – WARF
 - ✓ \$954 – PGTS
 - One-time adjustment to account for a two-month delay in setting the RY 8 rates (RY 8 rates became effective September 1st rather than July 1st).
- Make an adjustment for the actual versus projected (1.00%) change in the 2016 Kiefer Landfill tipping fee.

* * * * *

We appreciate the opportunity to be of assistance to the County. Should you have any questions or comments regarding this submittal please do not hesitate to contact me by phone at (916) 782-7821, or by e-mail at wschoen@r3cgi.com.

Yours truly,

R3 CONSULTING GROUP, INC.



William Schoen
Principal

www.r3cgi.com

1512 Eureka Road, Suite 220, Roseville, CA 95661
Tel: 916-782-7821 | Fax: 916-782-7824

2600 Tenth Street, Suite 411, Berkeley, CA 94710
Tel: 510-647-9674

627 S. Highland Avenue, Suite 300, Los Angeles, CA 90036
Tel: 323-559-7470

April 07, 2016

Mr. Jim McHargue, R.E.H.S.
Solid Waste Program Manager
County of Amador
810 Court Street
Jackson, CA 95642

Subject: Letter Report – Review of ACES Rate Year 9 Indexed Rate Adjustment

Dear Mr. McHargue:

R3 Consulting Group, Inc., (R3) was engaged by Amador County (County) to assist with a review of ACES Waste Services' (ACES) Rate Year (RY) 9 Rate Adjustment Request (Rate Application), effective July 1, 2016. This letter report presents the results of our review.

Objectives

To review and either confirm or revise ACES' RY 9 Rate Adjustment calculations for each three (3) franchise areas and two (2) transfer stations.

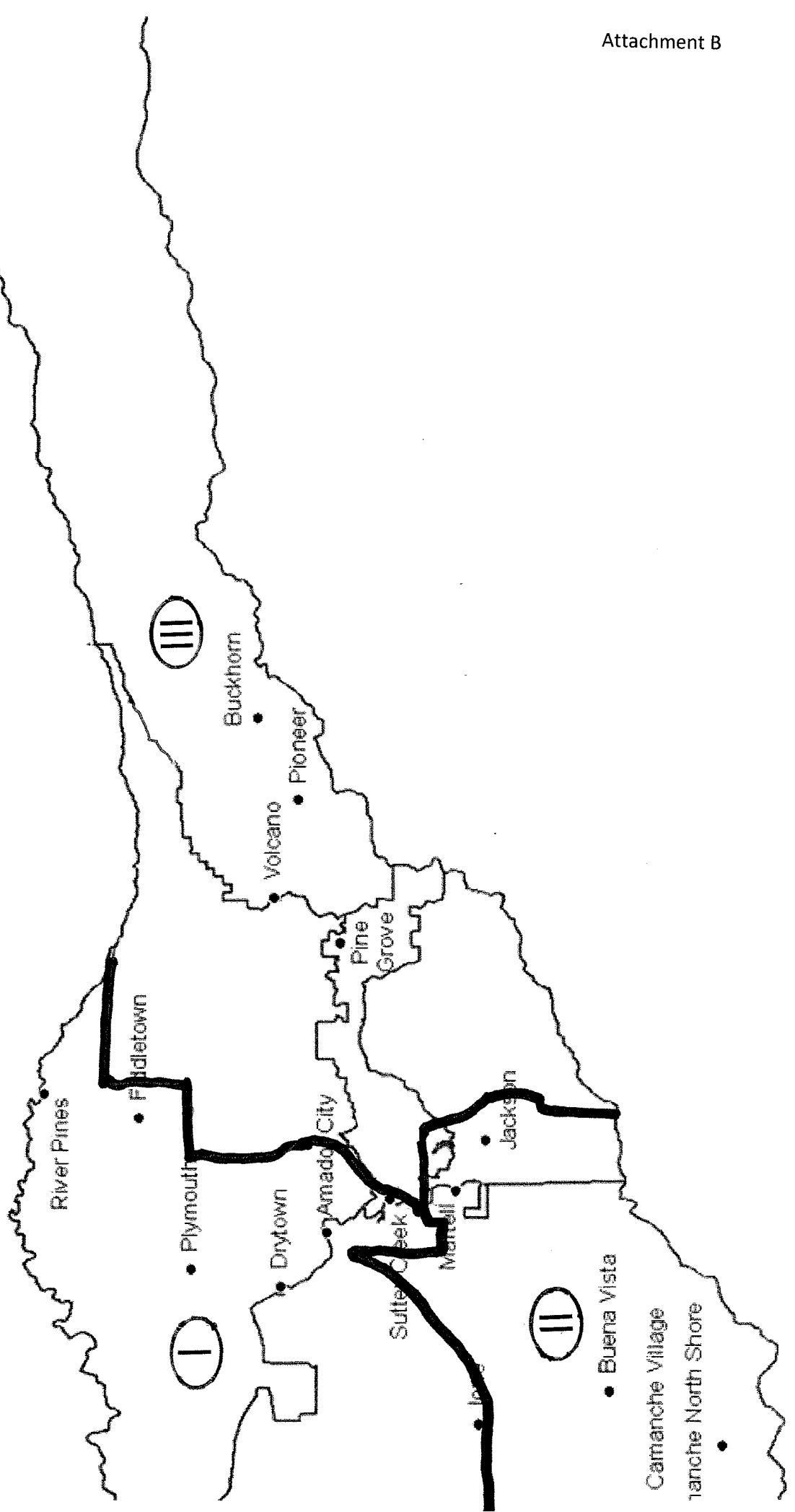
Background

In December 2008, the Amador County Board of Supervisors approved the use of the Rate Adjustment Methodology (RAM) for the analysis and calculation of annual refuse rate adjustments within the county's franchise waste hauler system. The RAM uses a hybrid model for rate adjustments based on a three-year cycle with a detailed analysis of the waste hauler's operating expenses and revenues in RY 1 (Detailed Rate Adjustment) followed by Indexed Rate Adjustments (Refuse Rate Index (RRI) in Rate Years 2 and 3). The Index consists of five separate indices: labor, diesel fuel, industrial vehicle replacement, industrial vehicle maintenance, and CPI (all urban consumers), as well as an indexed adjustment for landfill disposal costs based upon actual projections. The cycle then repeats with a Detailed Rate Adjustment in RY 4 and so on. By mutual agreement of the parties, the RRI can be used in place of the Detailed Rate Review in Year 4 or any other years, in which case the Detailed Rate Review is deferred to the following year.

As part of the RY 5 rate adjustment process, ACES projected the need to replace vehicles in 2012 and the projected cost of those vehicles was included in the RY 5 calculated rate adjustment. At that time, it was agreed that the RY 6 RRI rate adjustment calculation would account for any difference between the actual and projected cost for any vehicles that were replaced in 2012. It was also agreed that any interest and depreciation expense savings associated with fully depreciated vehicles would also be accounted for as part of future indexed rate adjustments.

At the time of the RY 5 rate adjustment, ACES also projected the need to replace additional vehicles in 2013, 2014 and 2015, with all of the vehicles proposed to be replaced older than ten years. The County and ACES agreed that the cost for those vehicles would be handled in a similar manner with the projected vehicle replacement costs included in the associated Rate Year rate adjustment calculation and a

FRANCHISE AREAS



AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 05/06/2016

From: Greg Gillott, County Counsel

(Department Head - please type)

Phone Ext. x470

<input checked="" type="radio"/>	Regular Agenda
<input type="radio"/>	Consent Agenda
<input type="radio"/>	Blue Slip
<input type="radio"/>	Closed Session
Meeting Date Requested: <u>05/10/2016</u>	

Department Head Signature _____

Agenda Title: Administrative Agency

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

Discussion and possible action regarding an MOU with Calaveras County, which is required by CalOES & FEMA as a condition of Calaveras County receiving a Fire Management Assistance Grant ("FMAG") for remedial work in the Mokelumne Watershed following the Butte Fire.

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

Comments:

Committee Review?

N/A

Name _____

Committee Recommendation:

Request Reviewed by:

Chairman _____

Counsel _____

Auditor _____

GSA Director _____

CAO _____

Risk Management _____

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

FOR CLERK USE ONLY

Meeting Date

5-10-16

Time _____

Item #

10

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 _____

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Print Form



Gregory Gillott <ggillott@amadorgov.org>

REVISED DRAFT--FMAG MOU

Megan Stedtfeld <MStedtfeld@co.calaveras.ca.us>

Wed, Apr 27, 2016 at 3:58 PM

To: Gregory Gillott <ggillott@amadorgov.org>, Jeffrey Crovitz <jcrovitz@co.calaveras.ca.us>

Cc: Julie Moss-Lewis <Jmoss-lewis@co.calaveras.ca.us>, Brian Moss <BMoss@co.calaveras.ca.us>, Shirley Ryan <sryan@co.calaveras.ca.us>

Hi Greg~

Our PW Director reached out to Marcia Sully and we received the following response:

Cal OES and FEMA must have assurance that the approved scope of work will be completed within the approved budget before award. If you are questioning if the scope of work can be completed, you should take a closer look at the activity and the anticipated costs, and revise your application. This will obviously delay award and therefore the County's ability to begin work.

Please submit a letter to Cal OES by May 6, 2016, either:

- 1. Providing assurance the county can complete the scope of work as described in the original application within budget and on schedule; or*
- 2. Requesting a change in scope of work, accompanied by a revised budget, schedule and supporting documentation. For the project to remain cost effective, the per acre treatment cost cannot exceed \$5250; or*
- 3. Requesting withdrawal of the project if you don't believe it can be completed with the available FMAG HMGP funds (\$455,551 federal share).*

Based on this response, it does not appear that we would have the option for Amador to opt-out or not implement aspects of the scope of work (i.e. Ponderosa Rd.) It appears that it may be an all or nothing situation... Jeff, please chime in if you received different information. Would Amador be willing to move forward without III(B)?

Please let me know your thoughts. I'm happy to discuss it with you further. Thanks

~Megan Stedtfeld

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF AMADOR
AND THE COUNTY OF CALAVERAS
FOR PERFORMANCE OF CalOES/FEMA-FMAG GRANT-FUNDED FIRE
MANAGEMENT ACTIVITIES IN AMADOR COUNTY**

This Memorandum of Agreement ("MOU") is entered into this _____ day of _____, 2016 by and between County of Amador ("Amador"), a political subdivision of the State of California, and County of Calaveras ("Calaveras"), a political subdivision of the State of California.

WHEREAS, Calaveras County is a Sub-Recipient and Grant Applicant/Manager of a Fire Management Assistance Grant ("FMAG" or "Grant") through the California Office of Emergency Services ("CalOES") and the Federal Emergency Management Agency ("FEMA") to benefit lands in the Mokelumne River Watershed; and

WHEREAS, the general terms and conditions of this FMAG Project are described in the "FMAG 5089, 5091, 5093, 5111, 5112 PROJECT SUB-APPLICATION", which is attached and incorporated by reference as **Exhibit A**; and

WHEREAS, the FMAG Project and Project Area are further described in the document entitled "2015 Butte Fire/Mokelumne Hazard Mitigation SubApplication: Additional Information", which is attached and incorporated by reference into this MOU as **Exhibit B**; and the FMAG Budget Spreadsheet, which is attached and incorporated by reference into this MOU as **Exhibit C**; and

WHEREAS, the Grant is conditioned on compliance with all local, state, and federal environmental laws, including but not limited to the California Environmental Quality Act (CEQA) and the remaining federal compliance requirements described in the FEMA Record of Environmental Consideration ("REC") developed for the project described in the Grant; and

WHEREAS, the purpose of the Grant is to implement sediment and erosion control measures utilizing best management practices to minimize the loss of soil resources and protect water quality by helping prevent landslides, debris flows, sedimentation, and excessive erosion in the wake of the Butte Fire; and

WHEREAS, Amador County is a Cooperating Stakeholder for purposes of the FMAG, and certain soil erosion control activities to be funded by the Grant shall take place in and directly benefit lands located in Amador County;

NOW THEREFORE, AMADOR AND CALAVERAS AGREE as follows:

- I. **GRANT-FUNDED TREATMENTS TO BE APPLIED IN AMADOR COUNTY:**
Grant-funded treatments to be applied in Amador County shall at all times conform to the requirements of **Exhibits A and B** and shall include:
 - A. **Mulching.** Mulching with both weed-free straw and wood material using hand, mobile vehicle (hydromulch, at an estimated cost of \$4,464 per acre) and/or aerial application,

at an estimated cost of \$1,515 per aerial application.

- B. Waterbarring and/or Rolling Dip Installation. Waterbarring and/or rolling dip installation on the 12,000 foot stretch of Ponderosa Way that is located in Amador County. Water bars or rolling dips will be installed approximately every 150-200 feet on this lineal stretch of road, and therefore up to 80 drainage structures may be installed. Water bars and rolling dips are described further in Exhibit E, which is attached and incorporated by reference into this MOU.
- C. Seeding. Seeding includes hand dispersal, hydroseeding via mobile vehicle, and/or aerial application of a seed mix recommended by the Natural Resources Conservation Service.

Comment [JM1]: Flexibility added per Amador's request. THIS TERM CONTINGENT ON REVIEW FOR COMPLIANCE WITH GRANT TERMS.

II. TERM, MODIFICATION, AND EARLY TERMINATION:

- A. This MOU will become effective upon adoption and signing by the governing bodies of both Calaveras and Amador Counties and shall remain in effect for thirty-six (36) months from the date the projects described in the Grant are completed.
- B. Once this MOU has been executed by the Boards of Supervisors of both Amador and Calaveras, Amador shall not be permitted terminate this MOU, and shall remain liable for full performance of its terms, unless all of the following conditions have been met:
 - 1) Amador provides written notice by to Calaveras that its Board of Supervisors has taken action to request termination of the MOU and to decline performance of any Grant-funded work in Amador County. A copy of the Board action shall be included with the notice.
 - 2) No work has commenced in Amador on any of the projects described in Section I of this MOU.
 - 3) Calaveras has not assumed any contractual obligations to perform the work described in Sections I(A) or I(C) of this MOU in Amador County.
 - 4) Amador, within seven (7) calendar days of providing notice to Calaveras pursuant to Section II(B)(1) above, provides full reimbursement to Calaveras of any and all Grant funds it has received from Calaveras. 5) The Grant terms, as interpreted by FEMA, or any other federal or state agency authorized to interpret and enforce the Grant terms against Calaveras, allow severance of the Amador projects from the greater FMAG Grant without Calaveras incurring any penalty or liability and without jeopardizing the performance or financing of Grant-funded projects in Calaveras.

Comment [JM2]: Post-execution termination provisions per Amador's request. THIS TERM CONTINGENT ON REVIEW FOR COMPLIANCE WITH GRANT TERMS.

III. RESPONSIBILITIES OF THE PARTIES:

- A. Responsibilities of Calaveras (FMAG Subrecipient and Grant Applicant/Manager)
 - 1) Upon receipt, Calaveras will provide Amador with those funds designated by the FMAG (at an estimated cost of \$24,672.45, plus 10% for project administration) for implementation of the erosion control measures described in Section I of this MOU

Comment [JM3]: I believe this was added by Amador. THIS PROVISION IS CONTINGENT ON VERIFICATION THAT AN ALLOCATION FOR THIS PURPOSE IS INCLUDED IN THE FMAG GRANT & BUDGET & THAT IS COMPLIES WITH GRANT TERMS

on that portion of Ponderosa Way located in Amador County. Calaveras shall develop and maintain records of the Project Cost Estimate and Budget for the various Grant-funded treatments. Such records will be provided to Amador upon request.

- 2) Upon a) receipt of funding to perform the work described in Sections I(A) & I(C) above and b) receiving from Amador all fully executed Right of Entry forms described in Section III(B)(2) of this MOU, Calaveras shall solicit and manage a contract for the work to be performed in both Amador and Calaveras Counties.
- 3) For the project described in Sections I(A) & I(C) Calaveras shall comply with all local, state, and federal laws, including but not limited to all grant and project terms and conditions described in **Exhibits A through C**. For the project described in Sections I(A) & I(C), Calaveras shall act as lead agency and be solely responsible for complying with all local, state, tribal, and federal environmental laws and regulations that apply to the project, including but not limited to the California Environmental Quality Act (CEQA) and the remaining federal compliance requirements described in the FEMA Record of Environmental Consideration ("REC") developed for the projects described in the Grant.

B. Responsibilities of Amador (FMAG Cooperating Stakeholder)

- 1) Throughout the effective period of the FMAG Project, Amador will complete the treatments described in Section I(B) of this MOU on that portion of Ponderosa Way located in Amador County, including but not limited to the installation of waterbars and/or rolling dips, and shall do so to the same extent that Calaveras is deemed responsible to perform these tasks under the terms of the Grant.
- 1)2) Amador shall have the option to not implement the Ponderosa Way work described in Section I(B) of this MOU if the bids exceed the allocated grant funding for that work. In the event Amador decides not to implement the Ponderosa Way project, Amador shall immediately return to Calaveras 100% of the funding Amador received pursuant to this MOU. If Amador returns 100% of the grant funds, it shall be excused from performing the work and related maintenance on Ponderosa Way; however, the remainder the MOU shall remain in full force and effect.
- 2)3) Prior to Amador or Calaveras beginning any of the projects described Section I of this MOU on private property in Amador County, or hiring contractors to perform such work on private property in Amador County, Amador shall first obtain from the owner(s) of every affected parcel a fully executed Right of Entry form that substantially conforms to **Exhibit D**, which is attached to and incorporated by reference into this MOU, and shall provide Calaveras with a copy of such forms. For purposes of this section, an "affected parcel" is a privately owned parcel Amador County whose land must be entered, crossed, disturbed, seeded, mulched, or altered for purposes of performing any of the Projects described in Section I of this MOU.
- 3)4) Throughout the effective period of the FMAG Project, Amador shall, at its own expense, maintain the effective working condition of the waterbars and/or rolling dips on that portion of Ponderosa Way located in Amador County to the same extent that

Comment [JM4]: NOTICE REQUIRED UNDER BOTH SIDES OF THE RIVER. ARCHAEOLOGICAL CONSULTING AND OTHER REC TERMS MUST BE FOLLOWED BY CALAVERAS

Calaveras is deemed responsible for this maintenance under the terms of the Grant.

- 4)5) Amador shall develop and maintain records of its compliance with environmental laws and regulations, its project implementation, and any in-kind monies or personnel time expended to facilitate the successful implementation of the Project treatments. Such records shall be provided to Calaveras upon request.
- 5)6) For the project described in Section 1(B), Amador shall comply with all local, state, and federal laws, including but not limited to all grant and project terms and conditions described in **Exhibits A through C** to the same extent that Calaveras is deemed responsible to do so under the terms of the Grant. For the project described in Section 1(B), Amador shall act as lead agency and be solely responsible for complying with all local, state, tribal, and federal environmental laws and regulations that apply to the project, including but not limited to the California Environmental Quality Act (CEQA) and the remaining federal compliance requirements described in the FEMA Record of Environmental Consideration ("REC") developed for the projects described in the Grant (which Calaveras shall provide a copy of upon request).
- 6)7) Amador acknowledges and understands that FEMA and/or the Office of the Inspector General (OIG) has the authority to audit and confirm all work completed and maintained as part of the Grant and to require reimbursement to the extent that it is deemed unsatisfactory or incomplete. Amador shall be responsible to satisfy all audit criteria for the project described in Section 1(B) or to pay any reimbursements or penalties that result from failing any portion of an audit to the extent that such failure is attributable to work performed on that project in Amador County.

IV. NOTICE

Any notice or communication related to this MOU, including change of address of either party during the term of the MOU, which Calaveras or Amador shall be required or may desire to make shall be in writing and may be personally served or sent by prepaid first class mail to the respective parties as follows:

To Amador: County of Amador
Aaron Brusatori
810 Court Street
Jackson, CA 95642

To Calaveras: County of Calaveras
Attn: Jeff Crovitz
Dept. of Public Works
891 Mountain Ranch Road
San Andreas, CA 95249

V. INDEMNIFICATION

Amador shall hold Calaveras, its elected and appointed officials, officers, employees, agents and volunteers, harmless from, and shall save, defend and indemnify the same against, any and all claims, losses, and damages for every cause, including but not limited to injury to person or property, failure to comply with the terms and conditions of the Grant, and failure to comply with any local, state, tribal, or federal law, regulation, ordinance, or right of entry, and all related costs and expenses, including reasonable attorney's fees, arising directly or indirectly out of any act or omission of Amador, its elected and appointed officials, officers, employees, contractors, agents and volunteers in relation to its performance of any of its responsibilities and obligations under this MOU on parcels located in Amador County. If such defense becomes necessary, the County Counsel for Calaveras shall have the absolute right to approve any and all counsel employed to defend it. Calaveras shall not unreasonably withhold approval of counsel selected by Amador.

Comment [JM5]: We need to be able to choose our own attorney if we're sued. However, we can agree to a clause that we will not unreasonably withhold our permission.

Calaveras shall hold Amador, its elected and appointed officials, officers, employees, agents and volunteers, harmless from, and shall save, defend and indemnify the same against, any and all claims, losses, and damages for every cause, including but not limited to injury to person or property, failure to comply with the terms and conditions of the Grant, and failure to comply with any local, state, tribal, or federal law, regulation, ordinance, or right of entry, and all related costs and expenses, including reasonable attorney's fees, arising directly or indirectly out of any act or omission of Calaveras, its elected and appointed officials, officers, employees, contractors, agents and volunteers in relation to its performance of any of its responsibilities and obligations under this MOU. If such defense becomes necessary, the County Counsel for Amador shall have the absolute right to approve any and all counsel employed to defend it. Amador shall not unreasonably withhold approval of counsel selected by Calaveras.

Comment [JM6]: Cross-indemnification language added.

VI. INSURANCE

Each of the parties of this MOU is an entity which is self-insured and/or carries liability insurance. Each party will provide liability coverage for its negligent or intentionally wrongful acts and/or omissions in the performance of its duties under this MOU.

VII. RELATIONSHIP OF PARTIES:

It is expressly understood that this MOU is an agreement executed by and between two independent entities and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of an independent contractor.

VIII. ASSIGNABILITY

This MOU shall not be assignable by any party.

IX. ENTIRE AGREEMENT

This MOU contains the entire agreement of the parties relating to the subject matter of this MOU and supersedes all prior agreements and representations between the parties with respect to the subject matter hereof.

X. ENFORCEABILITY AND SEVERABILITY

The invalidity or enforceability of any term or provisions of this MOU shall not, unless otherwise specified, affect the validity or enforceability of any other term or provision, which shall remain in full force and effect.

XI. NO WAIVER

The failure to exercise any right to enforce any remedy contained in this MOU shall not operate as to be construed to be a waiver or relinquishment of the exercise of such right or remedy, or of any other right or remedy herein contained.

XII. DISPUTES

In the event of a dispute arising under this MOU, the Amador and Calaveras Administrative Officers and Public Works Directors shall meet to resolve any outstanding issues prior to initiating any legal action.

It is agreed by the parties hereto that unless otherwise expressly waived by them, any action brought to enforce any of the provisions hereof or for declaratory relief hereunder shall be filed and remain in a court of competent jurisdiction in the County of Calaveras, State of California. Should it become necessary for a party to this MOU to enforce any of the provisions hereof, the prevailing party in any claim or action shall be entitled to reimbursement for all expenses so incurred, including reasonable attorney's fees.

XIII. CAPTIONS

The captions of this MOU are for convenience in reference only and the words contained therein shall in no way be held to explain, modify, amplify or aid in the interpretation, construction or meaning of the provisions of this MOU.

XIV. COUNTERPARTS

This MOU may be executed simultaneously and in several counterparts, each of which shall be deemed an original, but which together shall constitute one and the same instrument.

XV. OTHER DOCUMENTS

The parties agree that they shall cooperate in good faith to accomplish the object of this MOU and, to that end, agree to execute and deliver such other and further instruments and documents as may be necessary and convenient to the fulfillment of these purposes.

XVI. CONTROLLING LAW

The validity, interpretation and performance of this MOU shall be controlled by and construed under the laws of the State of California.

XVII. AUTHORITY

All parties to this MOU warrant and represent that they have the power and authority to enter into this MOU in the names, titles and capacities herein stated and on behalf of any

entities, persons, estates or firms represented or purported to be represented by such entity(s), person(s), estate(s) or firm(s) and that all formal requirements necessary or required by any state and/or federal law in order to enter into this MOU are in full compliance. Further, by entering into this MOU, neither party hereto shall have breached the terms or conditions of any other contract or agreement to which such party is obligated, which such breach would have a material effect hereon.

IN WITNESS WHEREOF, the parties have executed this MOU the day and year last signed:

COUNTY OF AMADOR:

COUNTY OF CALAVERAS:

John Plasse Date
Chair, Board of Supervisors

Cliff Edson Date
Chair, Board of Supervisors

ATTEST:

ATTEST:

Clerk of the Amador County
Board of Supervisors

Clerk of the Calaveras County
Board of Supervisors

APPROVED AS
TO LEGAL FORM:

APPROVED AS
TO LEGAL FORM:

County Counsel Date

County Counsel Date

APPROVED AS
TO REQUIREMENTS OF
THE FMAG GRANT:

Jeff Crovitz Date
Director, Calaveras County
Public Works Department

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 05/04/2016

From: Michael Israel

(Department Head - please type)

Phone Ext. 536

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

Meeting Date Requested:

MAY 10, 2016

Department Head Signature

Michael W Israel

Agenda Title: Onsite Wastewater Treatment Systems - Local Agency Management Plan

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

Review and possible staff direction regarding a proposed Local Agency Management Plan consisting of a draft ordinance and regulations to be submitted to the Central Valley Regional Water Quality Control Board for review and approval prior to adoption by the Board of Supervisors. Local Agencies must submit a proposed program no later than May 13, 2016. Adoption of an ordinance and a resolution implementing the regulations would be appropriate after the Regional Board has approved the plan.

Recommendation/Requested Action:

Direct staff to submit the Local Agency Management Plan to the Regional Board

Fiscal Impacts (attach budget transfer form if appropriate)

None identified at this time

Staffing Impacts

No significant impacts identified at this time.

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: Draft ordinance language provided for review

Committee Review?

N/A

Name Land Use and Community Development

Committee Recommendation:

Agendize for Board action

Request Reviewed by:

Chairman

Counsel GC

Auditor JOR

GSA Director

CAO [Signature]

Risk Management

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

ENV. HEALTH

FOR CLERK USE ONLY

Meeting Date

5-10-16

Time

Item #

11

Board Action: Approved Yes ___ No ___

Unanimous Vote: Yes ___ No ___

Ayes: _____

Resolution _____

Ordinance _____

Other: _____

Noes: _____

Resolution _____

Ordinance _____

Absent: _____

Comments: _____

Distributed on

A new ATF is required from

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

Completed by

Department
For meeting
of

ATTEST: _____

Clerk or Deputy Board Clerk



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
ENVIRONMENTAL HEALTH DEPARTMENT

PHONE: (209) 223-6439
FAX: (209) 223-6228
WEBSITE: www.amadorgov.org
EMAIL: ACEH@amadorgov.org

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

MEMORANDUM

TO: Amador County Board of Supervisors

FROM: Michael W. Israel, Environmental Health Department *MW*

DATE: May 4, 2016

SUBJECT: Onsite Wastewater Treatment Systems
Local Agency Management Plan

The State Water Board's Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (Policy), adopted pursuant to AB 885, requires that local jurisdictions that do not intend to adhere to the Tier 1 standards in the Policy submit a Tier 2 Local Agency Management Plan (LAMP) to the Regional Board for review and approval.

Attached is a draft LAMP developed by staff with input from local designers and installers for Amador County.

The information provided for your review includes:

1. A revised ordinance providing the legal foundation and framework for the program. Any deviation from the requirements of the ordinance would require a variance from the Board of Supervisors.
2. Regulations providing technical criteria and details of the program. Decisions on technical aspects of the program, waiver of specific tests, inspection, or design details, etc. are intended to be the duty of the Environmental Health Director. Any decision may be appealed to the Board of Supervisors.
3. Policies and procedures which provide informational handouts for the public, forms for use by the program, and more detailed design and construction guidance for specific design types and program implementation by the department.

The Policy requires or enables some noteworthy changes in how the Department has operated. With limited exceptions, these changes would apply only to new systems or systems that are replaced.

CSA #6 has been our monitoring program for certain septic systems in the past, with most systems monitored and assessed for five years. The Policy requires a program such as this for the life of any system that includes supplemental treatment. The Policy enables local oversight of some community leach fields and large septic systems which had been the purview of the Regional Board in the past. It is proposed that an operating permit be issued and maintained for these systems.

The LAMP must include water quality assessment focused on areas of greater risk. To the extent possible the Department will collect and report data that is already collected by public water systems, dischargers subject to WDRs, new water well construction sampling and similar existing programs. If there are areas that are not adequately represented, new sampling by the Department may be needed. The Regional Board is aware that onsite systems are not the only potential sources of contamination. I am aware of no other funding source so the costs associated with data collection and reporting will need to be covered by program fees and assessments. I anticipate that additional staff time would total about 40 hours per year.

Staff held two meetings for input from local consultants in advance of drafting the LAMP and the draft ordinance and regulations have been circulated in advance of this meeting. It is requested that the Board direct staff to submit these documents to the Regional Board, along with a cover letter directing their attention to those sections which address the points required to be covered by the Policy.

AGENDA TRANSMITTAL FORM

<input checked="" type="radio"/>	Regular Agenda
<input type="radio"/>	Consent Agenda
<input type="radio"/>	Blue Slip
<input type="radio"/>	Closed Session
Meeting Date Requested:	
<u>5-10-16</u>	

To: **Board of Supervisors**

Date: 05/04/2016

From: Aaron Brusatori Phone Ext. _____
 (Department Head - please type)

Department Head Signature *Aaron Brusatori*

Agenda Title: Camp Silverado - Decision Notice Finding of No Significant Impact (FONSI)

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 The USDA Forest Service has prepared a Decision Notice for Finding of No Significant Impact (FONSI) dated April 4, 2016 for the Camp Silverado Recreation Site Development Project. The department of Transportation and Public Works submitted an objection to the FONSI on May 3, 2016 as the project has not prepared an adequate Traffic Impact Study or an Emergency Evacuation Plan. Legal notice was posted April 11, 2016 and objections must be submitted by May 25, 2016. Staff recommends that the Board review the FONSI and associated documents and provide direction to staff if further objections should be submitted. Reference Documents: FONSI April 4, 2016, TPW Objection Letter dated May 2, 2016, Comment Letter from CAO Iley dated June 25, 2015 .

Recommendation/Requested Action:
Direction to Staff if further objections should be submitted

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

Request Reviewed by:

Chairman _____ Counsel GG

Auditor YOR GSA Director _____

CAO [Signature] Risk Management _____

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

FOR CLERK USE ONLY		
Meeting Date <u>5-10-16</u>	Time _____	Item # <u>12</u>
Board Action: Approved Yes ___ No ___	Unanimous Vote: Yes ___ No ___	
Ayes: _____	Resolution _____	Ordinance _____
Noes: _____	Resolution _____	Ordinance _____
Absent: _____	Comments: _____	

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



United States
Department of
Agriculture

Forest
Service

April 4, 2016



Decision Notice

Finding of No Significant Impact

Camp Silverado Recreation Site Development Project

Amador Ranger District, Eldorado National Forest
Amador County, California



DECISION

Based upon my review of the Camp Silverado Recreation Site Development Project Environmental Assessment (EA), I have decided to implement Alternative 2, the Proposed Action, which will restore and maintain this existing Forest Service recreation facility through the reconstruction or improvement of buildings, roads, parking areas, trails, and utilities in order to help satisfy an increasing public demand for recreation opportunities.

DECISION RATIONALE

Alternative 2, the Proposed Action, best meets the purpose and needs of the project, which are to restore and maintain an existing Forest Service facility and help satisfy an increasing public demand for recreation visitation.

The proposed action will manage and repair the deteriorating facilities at Camp Silverado. The proposed action includes plans to construct group campsites, improve the access road and parking area surfaces, replace restroom facilities, restore the water distribution system, repair the existing structures, improve trail conditions and signage, provide electrical power, and provide year-round site availability.

The restored Camp Silverado facility will provide additional recreation opportunities in the Sliver Lake area. The area has experienced an increase in usage and the area lacks a similar group camping facility (the closest is approximately 20 miles away). The campground will allow users to recreate on nearby Silver Lake and improve access to an adjacent pond (currently a non-system trail). The restoration of the facility will generate revenue, eventually recovering costs for this project.

Analyses of cultural, environmental, and natural resources concluded that the proposed action would not significantly impact the resources in the project area. Public involvement and collaboration has occurred at multiple steps in the development and review of this project.

Alternative 1 (no action) would not meet either need of the Camp Silverado facility.

The Camp Silverado Recreation Site Development Project Environmental Assessment (the EA) documents the environmental analysis and conclusions upon which this decision is based. The EA is hereby incorporated by reference.

PUBLIC INVOLVEMENT

This action has been listed as a proposal on the Eldorado National Forest Schedule of Proposed Actions each quarter since October 2014. People were invited to review and comment on the proposal through letters mailed to approximately 15 potentially affected federal, state and local agencies, professional organizations, and local special interest groups. The EA lists agencies and people consulted on pages 3-4. A public notice published in the Mountain Democrat and the Amador Ledger Dispatch Newspapers on May 29, 2015 and initiated a 30-day public comment period which ended June 30, 2015. In response to the Forest Service request for comments four letters were received from organizations and individuals.

Issues identified during the public scoping and comments periods were incorporated into the analysis and decision. Issues that were within the scope of the proposed action, have a direct relationship to the proposed action, and included supporting reasons for the responsible official to consider, fell into three topics: hydrology, recreation, and site operations. One comment was concerned about effects to the local ephemeral stream channel. The proposed action includes design measures to minimize effects on the local hydrology, and the EA found no adverse impacts to the local watershed (page 14). Issues due to increased or new recreation uses were addressed using signage, public notices, or operations planning (pages 9 and 15). Comments related to the site operations (availability, fees) were addressed directly in the EA (pages 9, 13, and 15), or will be addressed during the operation planning stages (e.g. determining fees).

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

The significance of environmental impacts must be considered in terms of context and intensity. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human and national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. In the case of a site-specific action, significance usually depends upon the effects in the locale rather than in the world as a whole. Intensity refers to the severity or degree of impact. (40 CFR 1508.27)

Context

This project is a site-specific action that does not have international, national, regionwide, or statewide importance environmentally. The intended decision is within the contact of local importance in the area associated with Silver Lake on the Eldorado National Forest. Any effects would be limited to the local area, including other public and private recreational users near the project area, and have been addressed through mitigation measures implemented as design criteria (see EA pages 9-10). The local area includes the camp facility, and the access road (10N20), totaling approximately 30 acres.

Intensity

The intensity of effects was considered in terms of the following:

1. **Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that, on balance, the effect will be beneficial.**
Consideration of the intensity of environmental effects is not biased by beneficial effects of the action.
2. **The degree to which the proposed action affects public health or safety.** One issue identified during public scoping was potential public safety issues arising from the potential increase in traffic on Kit Carson Road. These concerns have been incorporated into the design of the project and in operations plans. (See EA pages 9-10.)
3. **Unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or**

ecologically critical areas. There will be no significant effects on unique characteristics of the area, because of mitigation actions designed to alleviate any potential effects. Two proximate historical and cultural resources will be avoided and monitored during project implementation. (See EA page 16-17.) The project area is proximate to Hidden Pond and Silver Lake, and these hydrologic resources will not be affected by the proposed action. (See EA page 17-18.) No ecologically critical areas or critical wildlife habitat were located within the project area. (See EA page 17-23.)

4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** The effects on the quality of the human environment are not likely to be highly controversial as they are similar to previous uses of the facility (see EA page 1). There is no known credible scientific controversy over the impacts of the proposed action. The proposed action is no larger or more complex than other camp renovation projects undertaken by the Forest Service, and will follow established planning measures and Best Management Practices (BMP's).
5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The Forest Service has considerable experience with actions like the one proposed. The analysis shows the effects are not uncertain, and do not involve unique or unknown risk.
6. **The degree to which the action may establish a precedent for future actions with significant effects, or represents a decision in principle about a future consideration.** The action is not likely to establish a precedent for future actions with significant effects, because similar actions have been implemented in the past. (See EA page 1.)
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** The cumulative impacts are not significant. Analysis of risks to recreation, botanical, and wildlife resources identified no cumulative effects due to the proposed action. (See EA pages 16-18, 20-23.)
8. **The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed, or eligible for listing, in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.** The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, as the project complies with historic preservation regulations (see EA page 10-11). The action will also not cause loss or destruction of significant scientific, cultural, or historical resources because appropriate design criteria will be used to avoid the cultural resources (see EA page 16-17).
9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.** The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973. No federally threatened, endangered, or potentially listed plant species are known to occur in the project area. No critical habitat for any federally threatened, endangered, or potentially listed species occurs in the project area. One endangered amphibian species, the Sierra Nevada yellow-legged frog, may have habitat in a part of

the project area, but was considered to be unlikely to be occupied after field visits. The biological analysis determined that the proposed action would result in no direct or indirect effect on the Sierra Nevada yellow-legged frog. (See EA page 21.)

10. **Whether the action threatens to violate Federal, State, or local law or requirements imposed for the protection of the environment.** The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations (such as Section 106 of the National Historic Preservation Act of 1966 and the Endangered Species Act of 1970) were considered in the EA (see EA pages 16-21). The action includes an amendment to the Eldorado National Forest Land and Resource Management Plan. (See EA page 7.)

After considering the effects of the actions analyzed, in terms of context and intensity, I have determined that these actions will not have a significant effect on the quality of the human environment. Therefore, an environmental impact statement will not be prepared.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the Eldorado National Forest Land and Resource Management Plan and the Sierra Nevada Forest Plan Amendment. The Biological Evaluation completed for the proposed action indicates that no species protected under the Endangered Species Act of 1973 will be affected by the activity. The archaeological assessment indicates that no cultural or historic resources will be affected by the proposed action, consistent with the National Historic Preservation Act of 1966. I have determined that in accordance with Executive Order 12898 this project does not have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.

An EA was prepared and resulted in the Finding of No Significant Impact described in this Decision Notice. I determined these actions will not have a significant effect on the quality of the human environment, and an Environmental Impact Statement (EIS) will not be prepared.

ADMINISTRATIVE REVIEW OPPORTUNITIES

This proposed decision is subject to objection pursuant to 36 CFR 218. Objections will only be accepted from those who submitted project-specific written comments during scoping or other designated comment period. Issues raised in objections must be based on previously submitted comments unless based on new information arising after the designated comment period(s).

Written objections must be submitted within 45 days following the publication of the legal notice of this draft Decision Notice in the Mountain Democrat, the newspaper of record. The date of this legal notice is the exclusive means for calculating the time to file an objection. Those wishing to object should not rely upon dates or timeframes provided by any other source. It is the objector's responsibility to ensure evidence of timely receipt (36 CFR 218.9).

Objections must be submitted to the reviewing officer: Randy Moore, Regional Forester, USDA Forest Service; Attn: Camp Silverado; 1323 Club Drive, Vallejo, CA 94592, (707) 562-8737. Objections may be submitted via mail, FAX (707-562-9229), or delivered during business hours (M-F 8:00am to 4:00pm). Electronic objections, in common (.doc, .pdf, .rtf, .txt) formats, may be

submitted to: objections-pacificsouthwest-regional-office@fs.fed.us with Subject: Camp Silverado.

Objections must include (36 CFR 218.8(d)): 1) name, address and telephone; 2) signature or other verification of authorship; 3) identify a single lead objector when applicable; 4) project name, Responsible Official name and title, and name of affected National Forest(s) and/or Ranger District(s); 5) reasons for, and suggested remedies to resolve, your objections; and, 6) description of the connection between your objections and your prior comments. Documents may be incorporated by reference only, as provided for at 36 CFR 218.8(b).

IMPLEMENTATION DATE

If no objection is filed on this project a Decision Notice may be issued on, but not before, the fifth business day following the close of the objection filing period (36 CFR 218.21). If an objection to this decision is filed in accordance with 36 CFR 218.26, then this Decision Notice may not be signed until all concerns, and all instructions from the reviewing official in the objection response, have been addressed (36 CFR 218.12 (b)).

After this Decision Notice is signed, implementation may begin immediately.

CONTACT

For additional information concerning this decision, contact: Becky Shufelt, Assistant Recreation Officer, Eldorado National Forest, Amador Ranger District, 26820 Silver Drive, Pioneer, CA 95666, phone: 209-295-5962.

SIGNATURE AND DATE

LAURENCE CRABTREE

Date

Forest Supervisor

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
TRANSPORTATION & PUBLIC WORKS

PHONE: (209) 223-6429

FAX: (209) 223-6395

WEBSITE: www.amadorgov.org

EMAIL: PublicWorks@amadorgov.org

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

File

May 2, 2016

Randy Moore, Regional Forester
USDA Forest Service
Attn: Camp Silverado
1323 Club Drive,
Vallejo, Ca 94592

**Subject: Objection to Decision Notice Finding of No Significant Impact April 4, 2016
Camp Silverado Recreation Site Development Project
Amador Ranger District, Eldorado National Forest,
Amador County, California**

Dear Mr. Moore,

Amador County received notice regarding the availability of the April 4, 2016, Decision Notice for the Finding of No Significant Impact (FONSI) for Camp Silverado Recreation Site and Development Project. Amador County objects to the Finding of No Significant Impact.

On June 12, 2015, the Amador County Department of Transportation and Public Works sent comments on the proposed Camp Silverado through a letter from County Administrative Officer Chuck Iley. In that letter, the Department requested the preparation of a Traffic Study and an Emergency Evacuation Plan.

A Traffic Impact Assessment was prepared by Ms. Jennifer DeWoody, NEPA Planner, March 22, 2016. The prepared traffic assessment did not follow the Amador County Traffic Impact Study Guidelines or the Caltrans Guide for the Preparation of Traffic Impact Studies. Further, the study was not prepared by a licensed Civil Engineer or a Traffic Engineer and did not report the minimum content as required.

The Camp Silverado Project is expected to increase traffic on a one lane road which currently carries more than 100 vehicle trips per day. According to the Amador County Traffic Impact Study Guidelines, an increase in traffic to a one lane road, which already carries 100 or more vehicle trips per day **is a significant impact**. This impact needs to be mitigated for the safety of the existing cabins, resort, campgrounds and the addition of Camp Silverado.

A traffic study must be prepared by a professional engineer according to the Amador County Traffic Impact Study Guidelines and the Caltrans Guide for the Preparation of Traffic Impact Studies and submitted to Amador County and Caltrans for review and comment.

The request for an Emergency Evacuation Plan is required so that the USDA Forest Service can demonstrate how evacuation will be accomplished. Postponing the preparation of this document **is not acceptable**. The impacts of an evacuation need to be evaluated with the NEPA document, not after the impacts are created. Will there be any significant impacts associated with the facilitation of safe evacuation and circulation during an emergency. At a minimum, the following questions must be answered prior to further endangerment of occupants of existing cabins along with the future occupants of Camp Silverado:

- How will vehicles circulate during an emergency?
- How will fire trucks, emergency response vehicles, passenger cars or recreational vehicles safely enter and exit the area at the same time during an emergency?

- How will a responding ambulance access the camp without delay when a passenger vehicle or recreation vehicle is driving west on Kit Carson Road at the same time the ambulance is trying to drive east on Kit Carson Road?
- How will vehicles pass in opposite directions along Kit Carson Road?
- Where are safe turn-outs located along Kit Carson Road?
- How will turn-outs be identified along the road to communicate their purpose?

The requested Traffic Impact Study and Emergency Evacuation Plan documents are minimum information that Amador County would request of any individual or entity proposing a project.

Mitigation for the increased traffic and to facilitate evacuation are required. Amador County proposes that Camp Silverado do the following in effort to mitigate the proposed increase in traffic and number of people served by the proposed camp:

- Provide an Emergency Evacuation Plan for review prior to approval of the NEPA document.
- Environmentally evaluate the impacts of the Evacuation Plan.
- Turn-Outs –Environmentally review the installation of turn-outs located every 400 feet. Turn-outs shall be provided to allow safe opportunities for vehicles to pass, during normal operations and during an emergency.
- Financial Support - The USDA Forest Service shall provide funding to Amador County for the annual maintenance of Kit Carson Road. Annual Maintenance includes but is not limited to snow removal, pothole filling and cleaning of drainage structures.

As identified under the heading Intensity starting on page 3 of the Decision Notice and FONSI, Amador County takes exception to the following:

2. The degree to which the proposed action affects public health or Safety. *One issue identified during public scoping was potential public safety issues arising from the potential increase in traffic on Kit Carson Road. These concerns have been incorporated into the design of the project and in operations plans. (See EA pages 9-10.)*

Pages 9-10 of the April 4, 2016 Environmental Assessment do not address traffic circulation or health and safety. Improvements need to be made to Kit Carson Road, beyond the currently paved limits, to facilitate safe circulation, the improvements to the road beyond the currently paved limits may create environmental impacts along the road which have not been analyzed in the Environmental Assessment.

3. Unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. *There will be no significant effects on unique characteristics of the area, because of mitigation actions designed to alleviate any potential effects. Two proximate and historical and cultural resources will be avoided and monitored during project implementation. (See EA page 16-17.) The project area is proximate to Hidden Pond and Silver Lake, and these hydrologic resources will not be affected by the proposed action. (See EA page 17-18.) No ecologically critical areas or critical wildlife habitat were located within the project area. (See EA page 17-23.)*

The Environmental Assessment fails to identify impacts associated with improvements to Kit Carson Road, such as turn-outs every 400 feet, which will be required for safe circulation and emergency

evacuation. Because these areas have not been environmentally assessed, the impacts to cultural resources, biological and or ecological resources are not known.

4. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. *The effects on the quality of the human environment are not likely to be highly controversial as they are similar to previous uses of the facility (see EA page 1.) There is no known credible scientific controversy over the impacts of the proposed action. The proposed action is no larger or more complex than other camp renovation projects undertaken by the Forest Service, and will follow established planning measures and Best Management Practices (BMP's).*

There is a credible scientific concern with traffic impacts and emergency evacuations. Amador County believes this project to be controversial if Traffic Impacts are not mitigated and a evacuation plan is not developed for proper environmental review. Traffic Studies are documents prepared based upon science which predict outcomes and means of mitigation. The traffic assessment prepared for the April 4, 2016 Environmental Assessment has not been prepared by a professional engineer, competent in traffic engineering, to the minimum requirements of Amador County and Caltrans, and does not identify impacts caused by the project traffic or provide adequate mitigations for the increase in traffic. In order to claim there are not likely to be effects on the human environment, adequate objective, scientific study must be completed, specifically for traffic and emergency evacuation.

The metric for measuring the impacts of the proposed action, Camp Silverado, shall not be measured against the size of other Forest Service renovation projects but to the impacts caused by the proposed action/project on the environment. The Environmental Assessment has failed to analyze the full impacts of the project.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. *The Forest Service has considerable experience with actions like the one proposed. The analysis shows the effects are not uncertain, and do not involve unique or unknown risk.*

The failure of the Forest Service to prepare a Traffic Impact Study consistent with the Amador County Traffic Impact Study Guidelines or an Emergency Evacuation Plan as requested in the letter dated July 12, 2015, demonstrates that the Forest Service does not have considerable experience with actions like the one proposed and that they have not evaluated the project to conclude that there are not any unique or unknown risks. Amador County identified two risks for evaluation both of which the Forest Service has not provided adequate environmental review.

7. Whether the action is related to other actions with individually significant but cumulatively significant impacts. *The cumulative impacts are not significant. Analysis of risks to recreation, botanical, and wildlife resources identified no cumulative effects due to the proposed action. (See EA 16-18, 20-23.)*

Adequate analysis of traffic impacts has not been performed so it cannot be concluded that the cumulative impacts are not significant. Amador County Traffic Impact Study Guidelines identify increases in traffic on one lane roads which have 100 vehicle trips per day as a significant impact.

8. **The degree of which the action may adversely affect districts, sites, highways, structures, or objects listed, or eligible for listing, in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.** *The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, as the project complies with historic preservation regulations (see EA page 10-11). The action will also not cause loss or destruction of significant, scientific, cultural, or historical resources because of appropriate design criteria will be used to avoid the cultural resources (see EA page 16-17).*

County maintained roadways are considered highways in the streets and highways code. The proposed action will create a significant impact by increasing traffic on a one lane road. The project does not provide sufficient analysis or mitigation of traffic impacts. The project should improve Kit Carson Road to include turn-outs every 400 feet to allow for circulation. The proposed action will have significant impact upon Kit Carson Road, an Amador County Roadway.

10. **Whether the action threatens to violate Federal, State, or local laws or requirements imposed for the protection of the environment.** *The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations (such as Section 106 of the National Historic Preservation Act of 1966 and the Endangered Species Act of 1970) were considered in the EA (see EA pages 16-21). The action includes an amendment to the El Dorado National Forest Land and Resource Management Plan. (See EA page 7.)*

The proposed action violates local laws and or requirements for the protection of the environment by not adequately analyzing traffic impacts.

Amador County will require the preparation of a Traffic Impact Study and an Emergency Evacuation Plan prior to issuance of an encroachment permit onto Kit Carson Road.

Amador County insists that the Forest Service prepare a Traffic Impact Study and an Emergency Evacuation Plan to identify and evaluate the associated impacts. As prepared, the Environmental Assessment fails to mitigate traffic impacts and address safety during an emergency.

Respectfully,



Aaron Brusatori, PE
Director

Attachments: Amador County Traffic Impact Study Guidelines

cc: File,
Carl Baker, Caltrans District 10,
John Gedney, Amador County Transportation Commission



**AMADOR COUNTY
ADMINISTRATIVE AGENCY**

County Administration Center
810 Court Street • Jackson, CA 95642-9534
Telephone: (209) 223-6470
Facsimile: (209) 257-0619
Website: www.co.amador.ca.us

June 25, 2015

Richard G. Hopson, District Ranger
Amador Ranger District
26820 Silver Drive,
Pioneer, CA 95666
Via email to: comments-pacificsouthwest-eldorado-amador@fs.fed.us

Subject: Camp Silverado Recreation Site Development Project

Dear Ranger Hopson,

Please accept the following comments with regard to the Environmental Assessment for the proposed Camp Silverado Recreation Site Development Project in the Eldorado National Forest:

Pg. 2 - Says decommissioning the site will cost over \$80,000. Restoring the site would generate revenue of \$20,000 - \$40,000. No estimate of what it will cost to restore the site is provided.

Pg. 5 - Under Alternative 2, The Proposed Action is says restoration will start summer of 2015 and continue through 2018. Then goes on to say the target date for opening for public use would be June 2016. Then on page 12 (under Proposed Action at bottom of first paragraph) it says visitors will be able to utilize the facility when the Proposed Action is implemented, expected to be completed in 2017. Confusing.

Pg. 5 - Section 2.1 - Says 3 group campsites with maximum capacity of 25 people/site with associated parking will be constructed. See comment 6 below.

Pg. 5 - Section 2.2 - refers reader to Fig. 4 but there isn't a Fig. 4.

Pg. 5 - Section 2.3 - Says 6 existing vault restroom buildings will be removed and 3 new restroom facilities will be installed at each group site and lodge area. Fig. 3 shows 8 "toilet" locations. Are the new restroom facilities "vaults"? Are there more than 6 vault restrooms but only 6 are being removed and replaced with the 3 new ones thereby the reason for showing 8 "toilet" locations? Why/What is the difference for using different terms for what the reader is lead to believe are the same facilities - or are they different?

Pg. 6 - Section 2.5 - Says the lodge will be renovated to allow adequate sleeping area for up to 20 persons but on page 13 (first paragraph) says the enhanced facility will operate with a maximum

occupancy of 25 people per group and lodge site totaling approximately 100 persons at one time. Numbers don't add up when taken with Comment 3 above.

Pg 6 - Section 2.7 - Says commissary will be repaired and upgraded to function as an interpretive center. Leads the reader to believe it will no longer be a commissary - is that true? If so, where/how will lodge guests eat/prepare their meals?

Pg 7 - Section 2.11 - Are the solar panels ground or roof mounted? Their location is not shown on Fig. 3.

Pg 7 - Section 2.12 - Says, "A campground host will be present during the summer operating season and, if available, a host will be present during the winter operating season." What does this mean? Does it mean, if the host is available during the winter, or does it mean a host will be present if winter operations are available? Needs to be clarified.

Pg 12 - last paragraph - Says the project provides a new opportunity for group camping, winter camping and lodge rental adding four new rentable facilities to the public. Is the lodge restricted to "groups" only or is it available for individuals? The same question for the "group" campsites - can they be rented out to individuals or multiple, not associated, individuals on a "walk-in" basis if they are available/not rented - i.e., basically overflow sites? If so, traffic impacts would be different.

Pg. 25 - Figure 3 - is unclear and doesn't match the narrative. Would ask that the same terms be used as are in the narrative (e.g., toilet v. restroom facility v. vault restroom building) and items be identified as either existing (E), proposed (P), or to be removed (R).

Introduction (Background): The EA states "since its construction, there have been no major upgrades to facilities". Two wells were drilled to replace a surface water source: Well # 1 (South Well) was drilled in 1991 and Well #2 (North Well) was drilled in 1993.

Section 2.4 (Water Distribution System): Prior to opening the group campsites and lodge per Alternative 2, the USFS shall obtain a Domestic Water Supply Permit to operate a transient-noncommunity public water system as defined in CA Health and Safety Code Section 116275(o).

Section 2.4 (Water Distribution System): A 10-day pump test was performed on each well by Mark Fredrick in 2007. Mark Fredrick reported a capacity for Well #1 at 1.5 gallons per minute, or approximately 2100 gallons per day. The capacity of Well #2 was estimated at 0.95 gpm or 1300 gpd. In accordance with the California Waterworks Standards (California Code of Regulations, Title 22, Section 64554(a), at all times, a public water system's water source(s) shall have the capacity to meet the system's maximum day demand.

Section 2.4 (Water Distribution System): At the time the BSA ceased operation of the organized camp, there were only two approved water sources for Camp Silverado: Well #1 (South) and Well #2 (North). Section 2.4 states that "a combination of two existing wells and abandoned spring fed water line would be used to provide water." Please clarify whether or not the USFS

intends to seek approval from the Amador County Environmental Health Department for another source in addition to Well #1 and Well #2.

Section 2.6 (Medical Building): It is not clear how the repaired Medical Building will be used under Alternative 2.

Section 2.11 (Power Generation): Will the solar system be capable to providing all needed power (including powering submersible well pumps) even in inclement weather?

Section 2.12 (Site Operation): Please indicate whether or not the water system will be operated during the winter months.

It is typical for the USDA-FS to require that organized camps and other lease holders comply with local requirements regarding hazardous materials, on-site sewage, retail food service, etc. It is recommended that USDA-FS clarify whether local oversight is intended for the proposed project.

Section 2.3 (Restroom Facilities) Six existing vault restroom facilities are to be removed and three new restroom facilities installed at each group site and lodge area pursuant to an engineered site plan. Sections 2.5 through 2.7 discuss the renovation of several structures, some or all of which may generate wastewater. Section 2.5 also mentions compliance with current county building code requirements.

Soil conditions in some areas may not be highly conducive to effective on-site wastewater treatment and disposal. Additionally, harsh winter weather conditions can severely damage structures including those existing septic systems on site. In order to guard against potential water quality impacts it is recommended that existing wastewater facilities be reviewed by a qualified consultant to assure proper treatment and disposal of wastewater for their intended use. It is also recommended that any new wastewater facilities be designed by a qualified consultant and constructed by an appropriately licensed and experienced installer.

The Environmental Assessment did not address the traffic impacts associated with the proposed camp or the roads serving the campo, which are substandard and narrow with limited sight distance. There are concerns about means of evacuation in the event of a wildfire.

Amador County Transportation and Public Works Department requests that the Department of Agriculture prepare a traffic study and an emergency transportation plan. The traffic study should be prepared in accordance with the Amador County Traffic Impact Study Guidelines as well as the Caltrans Traffic Impact Study Guidelines. The combination of studies should demonstrate how the existing cabins, resort and campgrounds can be safely evacuated and allow for access to the site by emergency vehicles with the addition of Camp Silverado.

There is inadequate access for emergency vehicles, and CalFire has not weighed in on the suitability of this access.

Existing wastewater facilities should be reviewed. Silver lake is considered a potable water storage source for Eldorado Irrigation District, so any wastewater treatment onsite should be compatible with potable water uses.

Estimated revenue to Forest Service is approximately 20-40,000 thousand per year. Is that expected to be net revenue? And what is that figure based on? Will there be group campsites with 25 people or more at each group site? Will the sites be designed for RV use, and if so what RV length is anticipated?

Since the campground cannot unfairly compete with existing nearby private facilities, what are the rates that will be charged to ensure that the USFS campground is not undercutting the existing facilities, and how will those impacts be monitored and the rates adjusted in the future?

Estimated cost to decommission current facility is \$80,000 and 20-40,000 is the anticipated annual revenue...seems to be a very expensive plan. Determine if this is an economically viable project. If it is going to cost several thousand dollars to bring the site up to required specs, then \$20-\$40,000 per year in revenue may not be cost effective.

Does the Forest Service have guidelines that a potential tenant, lessee or use permittee is required to adhere to relative to fire ingress and egress and the safety aspect of evacuation in the event of a forest fire or would they follow CalFire guidelines?

Consider additional cost of having summer and wintertime camp ground hosts when considering if the plan is cost effective and if costs could be recovered annually.

Could/would the Forest Service voluntarily agree to pay TOT tax?

Will there be an onsite septic tank and leach line tied in for restrooms?

Has the FS received a water curtailment notice for what they show to be water supply for Camp Silverado?

Thank you for the opportunity to comment, and please do not hesitate to contact me if you should have any questions.

Sincerely,



Chuck Iley
Amador County Administrative Officer

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 05/04/2016

From: Brian Oneto, District V Supervisor
 (Department Head - please type)

Phone Ext. _____

<input checked="" type="radio"/>	Regular Agenda
<input type="radio"/>	Consent Agenda
<input type="radio"/>	Blue Slip
<input type="radio"/>	Closed Session
Meeting Date Requested:	
<u>05/10/2016</u>	

Department Head Signature _____

Agenda Title: Deer Valley Trail

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 to the Department of Fish and Wildlife encouraging reopening of Deer Valley Trail.

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 GC

Auditor JOR GSA Director _____

CAO ab Risk Management _____

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

FOR CLERK USE ONLY

Meeting Date 5-10-16 Time _____ Item # 13

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 _____
Completed by _____	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

May 3, 2016

Dear fellow pro-OHV appellants to the 42 trails closures,

As of this writing, the Department of Fish & Wildlife (F&W) continues to sit on the Eldorado National Forest's (ENF) 'consultation' letter requesting approval of the ENF plan to reopen the Deer Valley Trail. F&W received the letter June 15, 2015. The ENF did have to re-submit the letter with an actual decision regard the seasonal dates of the opening of the trail which delayed this process even more.

I am looking to initiate a joint effort, of the pro-OHV appellants and anyone else who can wield pressure, to persuade F&W to act before the end of May 2016 with a response to the ENF letter.

In all honesty, there is an alternative timeline for me as the Vice President of the Lake Tahoe Hi-Lo's 4wd Club (Hi-Lo's). We are celebrating our 50th year as a club and would love to get back to the Deer Valley Trail for our 28th Poker Run during our 50th anniversary year. The run us scheduled for August 20th. Regardless of the reason, we need to start pushing to get the Deer Valley Trail re-opened to the public.

As you all know, the trail never should have been closed but that's water under the bridge. The ENF should have sent the letter to F&W more than a year earlier than they did but that's also water under the bridge. Right now, we, as a group, are standing a bridge watching water rush by every day. I'm tired of watching, I want an active roll in moving this process forward.

Some say that pushing might lead to F&W to drag their feet. Well, if it goes much later, there won't be time left in this OHV season to open the trail. Even if F&W approves the plan before the end of May, we would still be months away from re-opening the trail.

If the letter from F&W is in anyway supportive, here is the outline moving forward:

ENF receives Fish & Wildlife approval of the plan	6/1
Rick Hobson, Amador District Ranger, will draft his "Final Decision"	6/15
The decision will be posted/published publically	6/30
There will be a 30 day "objection" period	July
Crabtree will consider any "objection" and will draft his decision	8/10
This decision may include things to address any "objection" such as requiring the approach/departure of the creek crossing	

to be completed before the trail opens. He could alter the dates of the seasonal closure. Etc.

FYI, There could be a lawsuit that would grind this to a halt.

Best case scenario is the trail opens early August.

One approach for pressure would be for the politicians to get together and talk shop with F&W. Included in this email thread are Amado, El Dorado and Alpine County officials. Ted Gaines could be brought in to represent the state. The ENF might as well be in the room.

We as appellants could bring pressure to F&W and their leadership, although there are only what, eleven of us?

We could bring public pressure to the leaders in F&W. Our club and group members could email and call. We could bring in the press, though usually not on our side. We could go over Crabtree's head and pressure the FS Region Five leaders in Vallejo to pressure F&W.

I am open to suggestions. I am willing to travel to meet in person and/or protest in person.

Let's get our ideas out on the table and plan a course of action to re-open the Deer Valley Trail.

Doug Barr

dougbarr@charter.net

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C (775) 813-5294

www.TheOtherRubicon.com

AGENDA TRANSMITTAL FORM

To: Board of Supervisors

Date: 05/05/2016

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

Phone Ext. x470

<input checked="" type="radio"/> Regular Agenda
<input type="radio"/> Consent Agenda
<input type="radio"/> Blue Slip
<input type="radio"/> Closed Session
Meeting Date Requested: <u>05/10/2016</u>

Department Head Signature _____

Agenda Title: Minutes

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

Review and possible recommendation relative to approval of the April 12, 2016 and April 16, 2016 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 No

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

Committee Review? Name _____ N/A

Comments: _____

Committee Recommendation: _____

Request Reviewed by:

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

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

FOR CLERK USE ONLY

Meeting Date 5-10-16 Time _____ Item # 14

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

Print Form

Amador County Board of Supervisors
ACTION MINUTES
REGULAR MEETING

DATE: Tuesday, April 12, 2016
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:

John Plasse, Chairman, District I
Louis D. Boitano, Vice-Chairman, District IV
Brian Oneto, Supervisor, District V
Richard M. Forster, Supervisor, District II
Lynn A. Morgan, Supervisor, District III

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

Absent: None

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.

PLEDGE OF ALLEGIANCE: Chairman Plasse led the Board and the public in the *Pledge of Allegiance*

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 Plasse reported the following issues were reviewed in closed session:**

Conference with Labor Negotiators: Pursuant to Government Code Section 54957.6. County Negotiator: Greg Gillott, County Counsel, Chuck Iley, County Administrative Officer, Judy Dias, Human Resources Director and Darrell P. Murray, IEDA. Employee Organization: All Units

ACTION: **Continued discussion when the Board reconvenes into Closed Session later in this meeting.**

Conference with County Counsel - Existing Litigation {Government Code 54956.9(d)(1)}: 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. The United States Department of the Interior; United States District Court for the Eastern District of California. Case No. 2:12-CV-01710-JAM-CKD

ACTION: **Update given.**

Conference with County Counsel – Anticipated Litigation [Government Code 54956.9(d)(2)]
Buena Vista Rancheria

ACTION: **Update given.**

Confidential Minutes: Review and approval of the confidential minutes for March 8, 2016 and March 22, 2016.

ACTION: **Direction given pursuant to the following motion.**

MOTION: **It was moved by Supervisor Oneto, seconded by Supervisor Morgan and unanimously carried to approve the confidential minutes for March 8, 2016; and hold the confidential minutes for March 22, 2016 over for approval at a future meeting.**

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.)

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Forster, seconded by Supervisor Oneto unanimously carried to approve the agenda as presented.

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.

Introduction of Superior Court Judge: Mr. Theodore Novelli, District III resident addressed the Board and stated it was his honor and privilege to introduce Ms. Rene Day, Amador County Superior Court Judge. Judge Day addressed the Board and stated she is pleased to be working in the County and looks forward to working with the Board in the future.

Amador Historical Cemeteries Board: Mr. Joe Lagomarsino, representing Amador Historical Cemeteries Board, he expressed concern regarding the Drytown Historical Cemetery and access to the property. He stated when relatives want to visit the Cemetery or members of the Cemetery Board need to perform maintenance onsite, they are directed to contact the Sheriff's Office to have a Deputy escort them onto the property. He realizes the cemetery is on private property, but it is a public cemetery that should be accessible to the public. He also noted he understands there is past history and even litigation that has caused the property to be inaccessible, but would like to encourage the Board to work with the property owner to establish a walking path from the highway to the cemetery so that the public as well as representatives of the Cemetery Board can access the property when necessary. Chairman Plasse appointed Supervisors Oneto and Boitano to work with the property owners and members of the Amador Historical Cemeteries Board to try to reach a compromise and solution to the access issue.

Congressman McClintock's Office: Mr. Matt Reed, Congressman McClintock's Office addressed the Board and announced he will be holding "Office Hours" from 10:00 a.m. -11:30 a.m. today and encouraged anyone having issues with a federal agency or questions about federal policy to feel free to come by.

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

ACTION #1: Direction given pursuant to the following motion.

MOTION #1: It was moved by Supervisor Boitano, seconded by Supervisor Morgan and unanimously carried to approve the Consent Agenda as presented above.

REGULAR AGENDA

Amador Child Care Council: Discussion and possible action relative to a presentation by Ms. Julia Sierck, Amador Child Care Council-State Pre-School Director, regarding activities and upcoming events of the subject Council.

ACTION: None. Presentation only.

American Legion Auxiliary: Discussion and possible action relative to adoption and presentation of a Resolution proclaiming May 2016 as "Poppy Month".

Ms. Charlene Buckley, American Legion Auxiliary, addressed the Board relative to this item.

Discussion ensued and the following action was taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Oneto and unanimously carried to adopt the following Resolution proclaiming the month of May 2016 as Poppy Month; and presented the Resolution to Ms. Charlene Buckley.

RESOLUTION NO. 16-035

Resolution to proclaim the Month of May, 2016 as Poppy Month in tribute to those who have made the ultimate sacrifice for our freedom.

Temporary Jobs Program: Discussion and possible action relative to a presentation by Ms. Maria Rosado, California Human Development (CHD), regarding the subject program that is administered by CHD and funded by EDD to assist regions in mitigating the effects of the drought.

Ms. Alejandra Mata, Sr. Case Manager, California Human Development, addressed the Board and summarized this program. She explained National Emergency Grant (NEG) funding is available and will be distributed to five member agencies to serve the needs of individuals in drought impacted counties. She continued by stating the Temporary Jobs Program will develop and provide temporary employment opportunities to those individuals who have been impacted by the drought. The program will also provide training related support for those placed in temporary jobs.

She stated the primary goals of the program are as follows:

1. Provide immediate employment for people who are unemployed due to the drought.
2. Develop temporary jobs that benefit the public in the areas affected by the drought by employing workers on projects that provide emergency food aid, rental and utility assistance, portable water, and other assistance to drought disaster victims.
3. Provide related support services of the persons placed into these temporary jobs.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Boitano, seconded by Supervisor Forster and unanimously carried to accept this opportunity and direct the County Administrative Officer to review the contract and work with outside entities as well as the newly formed Amador County Tree Mortality Task Force to identify potential pilot projects that may meet the criteria of this program, and report back to the Board at a future meeting relative to progress and or implementation.

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

Supervisor Oneto recused himself from the following time to avoid any potential conflict of interest issues as he lives in the general vicinity and owns property near the parcel in question.

Planning Department-Thomas Estate Company: Discussion and possible action relative to a public hearing to consider the Planning Commission's recommendation to approve a request for a variance from County Code Section 17.28.064 which requires the average depth of each lot under ten acres in size not to exceed three times its average width. The subject property is located on the north side of New Chicago Road extending to the south side of Spanish Street in the Drytown community. (APN 008-140-034)

Mr. Chuck Beatty, Planning Department summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full.

Chairman Plasse opened the public hearing at this time. The following individuals wished to speak relative to this matter.

Mr. Robin Peters, Cal State Engineering

Discussion ensued with the following actions being taken.

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

MOTION #1: It was moved by Supervisor Boitano, seconded by Supervisor Forster and unanimously carried to close the public hearing.

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

MOTION #2: It was moved by Supervisor Boitano, seconded by Supervisor Morgan and unanimously carried to adopt the following resolution approving a request for a variance from County Code Section 17.28.064 which requires the average depth of each lot under ten acres in size not to exceed three times its average width. Including the following findings. The subject property is located on the north side of New Chicago Road extending to the south side of Spanish Street in the Drytown community. (APN 008-140-034)

- 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. This variance will not have a significant adverse effect on the environment and is categorically exempt according to Section 15305, Class 5 of the State CEQA Guidelines (minor adjustments to development standards requiring lots not to exceed a length to width ratio of 3 to 1 and which do not result in any changes to land use density) and a Notice of Exemption will be filed with the County Recorder.**

RESOLUTION NO. 16-045

Resolution approving variance to County Code Section 17.28.064 required average depth to width ratio of all lots under twenty acres for all lots on amended tentative subdivision Map #174 (Thomas Estates) APN 008-1140-034 required by Thomas Estate Company

Supervisor Oneto returned to the meeting at this time and was present for the remainder of items heard.

Planning Department-Raymond Brusatori: Discussion and possible action relative to a public hearing to consider the Planning Commission's recommendation to approve a request for variances from County Code Sections 17.28.060 which requires easements to be located along property lines, and County Code Section 17.28.064 which requires the average depth of each lot under twenty acres in size not to exceed three times its average width. The subject property is located just north of the intersection of Old Ridge Road and Eureka Road, adjacent to the Sutter Creek city limits. (apnAPN 040-030-094)

Mr. Chuck Beatty, Planning Department summarized the staff report relative to this matter which is hereby incorporated into these minutes as though set forth in full.

Chairman Plasse opened the public hearing at this time. Hearing no public comment the following actions were taken.

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

MOTION #1: It was moved by Supervisor Forster, seconded by Supervisor Oneto and unanimously carried to close the public hearing.

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

MOTION #2: It was moved by Supervisor Boitano, seconded by Supervisor Morgan and unanimously carried to adopt the following resolution approving a request for variances from County Code Sections 17.28.060 which requires easements to be located along property lines, and County Code Section 17.28.064 which requires the average depth of each lot under twenty acres in size not to exceed three times its average width. Including the following findings. The subject property is located just north of the intersection of Old Ridge Road and Eureka Road, adjacent to the Sutter Creek City limits. (APN 040-030-094)

- 1. The variances do 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. These variances will not have a significant adverse effect on the environment and are categorically exempt according to Section 15305, Class 5 of the State CEQA Guidelines (minor alteration to development standards requiring easements to follow lot lines and requiring lots not to exceed a length to width ration of 3 to 1 and which do not result in any changes to land use density) and a Notice of Exemption will be filed with the County Recorder.**

RESOLUTION NO. 16-046

Resolution approving variance to County Code 17.28.060 easements, and 17.28.064 required average depth to width ratio of all lots under twenty acres, for lots on amended tentative subdivision Map #139 (Ventoso Collina (APN 040-030-094)-Requested by Raymond Brusatori

Amador County Grand Jury: Discussion and possible action relative to a request for \$12,000.00 in supplemental funds for the remainder of fiscal year 2015-2016, to cover additional professional and specialized services costs as well as office expenses that were carried over from the previous fiscal year.

Mr. Robert Stimpson, Foreperson, Amador County Grand Jury, addressed the Board and presented the request for additional funding.

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 Boitano and unanimously carried to approve the request for \$12,000.00 in supplemental funds for the remainder of fiscal year 2015-2016, to cover additional professional and specialized services costs as well as office expenses that were carried over from the previous fiscal year.

Amador County Museum: Discussion and possible action relative to direction as to the disposition of a bequeath in the amount of \$25,000.00 from Julie B. Wakefield Trust to Amador County Museum.

Discussion ensued with the following action being taken.

ACTION: Direction given pursuant to the following motion.

MOTION: It was moved by Supervisor Morgan, seconded by Supervisor Forster and unanimously carried to deposit \$25,000.00 into the Amador County Museum revenue account and direct Supervisors Plasse and Boitano to serve as an oversight Ad Hoc Committee to work with the Historical Society and oversee expenditures and projects proposed by the museum with any projects or distribution of the funds to come back to the full Board for approval.

Board of Supervisors: Discussion and possible action relative to amendments to Section 2.04.090 of Chapter 2.04 of the Amador County Code as it relates to salaries and benefits of the Board of Supervisors. (Waive reading of ordinance and schedule for adoption on April 26, 2016).

Mr. Chuck Iley, County Administrative Officer, reviewed this matter with the Board. He summarized a memorandum that is incorporated into these minutes as though set forth in full which outlines a ten year history of Amador County Board of Supervisor's Salaries and the employee paid portion of PERS. It also includes, for comparison purposes, the 2016-2017 proposed salary and employee paid portion of PERS. Mr. Iley stated if the proposed ordinance before the Board today is adopted it will tie the Supervisors salary to 35% of the current Superior Court Judge Salary effective July 1, 2016.

Supervisor Oneto requested clarification as to if the Board has ever received an increase in the amount of 40% of the Judge's salary, to which the County Administrative Officer responded by stating the Board has always postponed the Ordinance that would have allowed the increase to take affect.

Discussion ensued with the following individual wishing to speak relative to this matter.

Mr. Frank Axe, District IV resident addressed the Board and expressed some concern relative to the Board moving forward with policy that potentially increases their salary or benefit packages to a rate that is not comparable to those of Supervisors in neighboring Counties.

Supervisor Forster stated when the Board adopted the current ordinance in 2006-2008 the reasoning behind it was so that increases would be out of the Board's hands and they would not be setting their own salary. He also noted when this was discussed in 2006-2008 no opposition from any outside groups or entities was heard. He noted for the record that he may have had a personal conversation with Ms. Katherine Evitt, or she could have spoke at the Board meeting, and at that time she spoke in favor of the adoption of the ordinance.

Further discussion was had relative to wether or not a 4/5 vote was required to which Mr. Greg Gillott, County Counsel replied that he could not find any requirement in statute to substantiate a 4/5 vote requirement.

Supervisor Boitano requested the matter of absentions be brough tot the Administrative Committee for discussion as to if the absention would quantify as an aye vote or not.

ACTION: **Direction given pursuant to the following motion.**

MOTION: **It was moved by Supervisor Oneto seconded by Supervisor Forster and unanimously carried to waive the reading of the subject Ordinance and schedule for adoption on the Consent Agenda for April 26, 2016.**

Ayes: **Supervisors Boitano, Plasse, Oneto and Forster**

Noes: **None**

Abstain: **Supervisor Morgan**

Minutes: Review and possible approval of the March 8, 2016 and March 22, 2016 Board of Supervisors Meeting Minutes.

ACTION: **Direction given pursuant to the following motion.**

MOTION: **It was moved by Supervisor Forster, seconded by Supervisor Morgan and unanimously carried to approve the March 8, 2016 March 22, 2016 Board of Supervisors Meeting Minutes with correctons.**

ADJOURNMENT: **Until Tuesday, April 26, 2016, at 8:30 a.m.**

**AMADOR COUNTY
BOARD OF SUPERVISORS**

CONSENT AGENDA

April 12, 2016

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**

- A. **County Counsel:** Approval of an increase in revenue appropriations (1300-46693) in the amount of \$155,888.36 and an increase in County Counsel budget line 1300-52302 in the amount of \$155,888.36 to correspond with reimbursement/revenue received from a developer.

2. **TAX MATTERS**

- A. **Assessor's Office / Secured Roll Corrections:** Approval of roll corrections which exceed 50% of the original value or a decrease of \$150,000 or more. APN 004-070-041-000 (2006-2015) (Azarabadi, Farrokh;Koraf Corporation)

3. **RESOLUTIONS**

- A. **Administrative Agency (#16-036):** Resolution approving the agreement for wastewater treatment plant reorganization to the City of Jackson, Project #288 and revenue sharing upon annexation.
- B. **Amador County Cemetery Board (# 16-037):** Approval of a resolution formalizing the name change of the subject Board to Amador County Historic Cemeteries Board.
- C. **Probation Department (#16-038):** Resolution approving Standard Agreement #5600006140 with California Department of Corrections and Rehabilitation to provide juvenile emergency housing.
- D. **Probation Department (#16-039):** Resolution approving Standard Agreement #5600006138 with California Department of Corrections and Rehabilitation to provide juvenile diagnostic services which are ordered by the courts.
- E. **Surveying Department (#16-040):** Approval of a resolution issuing Certificates of Compliance to J. Ethel Cecchetti, surviving trustee of the Cecchetti Trust dated April 24, 2001.
- F. **Treasurer/Tax Collector (#16-041):** Approval of a resolution authorizing distribution of excess proceeds from the March 11, 2015 Public Auction Sale.
- G. **Tree Mortality (#16-042):** Approval of a resolution declaring Local State of Emergency in Amador County due to pervasive tree mortality. Pursuant to a requirement by the California Emergency Services Act, Article 148630 (c) renewal of said resolution is required every 30 days.

- H. **Sheriff's Office Mid-Management Association (SOMMA) Memorandum of Understanding (#16-043):** Approval of a Resolution authorizing approval of the Employee Bargaining Agreement for the period of October 1, 2015 through September 30, 2017.
- I. **Deputy Sheriff's Association (DSA) Memorandum of Understanding (#16-044):** Approval of a Resolution authorizing approval of the Employee Bargaining Agreement for the period of October 1, 2015 through September 30, 2017.

4. **AGREEMENTS**

- A. **General Services/Airport:** Approval of a Ground Lease between the County of Amador and John Stoney for the Hangar space #109 at the Amador County Airport.
- B. **Sheriff's Office:** Approval of an agreement between the Amador County Sheriff's Office (ACSO) and Tactical Canine Solutions which provides security services for inmates and/or arrestees when sufficient correctional staff are unavailable.
- C. **Sheriff's Office:** Approval of a United States Forest Service (USFS) Agreement committing the Amador County Sheriff's Office to perform patrol and controlled substance investigations/enforcement on USFS managed properties within Amador County.

5. **ORDINANCES** None

6. **MISCELLANEOUS APPOINTMENTS/RESIGNATIONS**

- A. **First 5 Amador :** Approval of the appointment of Jennifer Gilliam and Joni Drake to the subject committee to fill the vacancies due to the resignations of Perit Leonetti and Cynthia Lanergen.
- B. **Local Task Force on Integrated Waste Management:** Approval of the appointment of Douglas Fields to serve as the Mule Creek State Prison representative on the subject committee for a term of two years to expire April 11, 2018; and the approval of the following current members of the subject Committee for a term of two years to expire April 11, 2018: Joyce Davidson, Amy Gedney, Paul Molinelli Sr. (alternate), Jane O'Riordan, Merv Vicini (alternate), Gloria Stoddard, Dan Wurzbarger, Paul Molinelli Jr., Matt Peterson, Kathy Vicini (alternate), Don Myshrall, C. Ken Centanni, Jim McHargue, Tony Vicini, Don Sozzi.
- C. **Amador County Historic Cemeteries Board:** Approval of the re-appointment of the following current members to the subject Committee for a term of two years to expire April 11, 2018: Joseph Lagomarsino, Teresa Ryan, Sabeth Ireland, Gloria Stoddard, Cindy Cass, Carolyn Fregulia, Barbara Mc Mahon.
- D. **Amador County Commission on Aging:** Acceptance of the resignation of Jeanne Breedan from the subject Commission effective immediately and the appointment of Sally Radicali as the District #2 representative for a term of three years to expire April 11, 2019.

- E. **Township 2 Cemetery Board:** Approval of the re-appointment of Donald L. Slayton to the subject Board for a term of four years to expire May 21, 2020.

7. **MISCELLANEOUS**

- A. **Auditor's Office:** Approval of the re-classification of Michelle Begovich from Accountant I Step B to Accountant II Step C retroactive to January 1, 2016.
- B. **Auditor's Office:** Approval of the re-classification of Tanna Reynoso from Finance Technician Step B to Accountant I Step A as of May 1, 2016.

8. **GENERAL CORRESPONDENCE**

- A. Recap of activity in the Environmental Health Department during March 2016.
- B. Commendation dated March 30, 2016 to the Amador County Transportation and Public Works Road Crew from Mr. Bobby Wurm, Irishtown Road resident, expressing his gratitude to the Road Crew for removing the traffic hazard caused by the mud slides across the roads in his neighborhood.
- C. 15 Day Notice from the Fish and Game Commission of California Notice Register 2016, No. 9-Z, Z-2016-0216-12 relative to Fishing Activity Records and CPFV Logbooks.
- D. Notice from the Fish and Game Commission of proposed regulatory action relative to Section 665, Title 14, California Code of Regulations, relating to meeting procedures, which will be published in the California Regulatory Notice Register on April 1, 2016.
- E. 15 Day Notice from the Fish and Game Commission of California Notice Register 2016, No. 2-Z, Z-2015-1228-03 regarding Mammal Regulations for the 2016-2017 Seasons.
- F. Amador Senior Center Newsletter for April 2016.
- F. Auditor's check register dated March 23, 2016 totaling \$318,793.59.
- K. Auditor's check register dated March 29, 2016 totaling \$385,929.07.

John Plasse, Chairman
Board of Supervisors

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

**Staff Contacts: Chuck Iley, County Administrative Officer
Jennifer Burns, Clerk of the Board
Sharon Murphy, Deputy Board Clerk III
810 Court Street, Jackson, California 95642
Telephone (209) 223-6470
FAX# (209) 257-0619
www.amadorgov.org**

AGENDA TRANSMITTAL FORM

<input checked="" type="checkbox"/>	Regular Agenda
<input type="checkbox"/>	Consent Agenda
<input type="checkbox"/>	Blue Slip
<input type="checkbox"/>	Closed Session
Meeting Date Requested:	
May 10, 2016	

To: Board of Supervisors
 Date: April 18, 2016

From: Steven A. Zanetta Phone Ext. 371
 (Department Head - please type)

Department Head Signature *Steven A. Zanetta*

Agenda Title: Strauch Brother Incorporation - Public Hearing for a Certificate of Merger

Summary: (Provide detailed summary of the purpose of this item; attach additional page if necessary)
 The subject item is a Public Hearing for a Certificate of Merger. The property is located on the northwesterly corner of the junction of Martell Road with State Route 49, in the Martell area. APN 44-030-004 and 44-030-005

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? Name _____ N/A

Comments: _____

Committee Recommendation: _____

Request Reviewed by:

Chairman _____ Counsel *Ge*
 Auditor *JOR* GSA Director _____
 CAO *R* 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 5-10-16 Time _____ Item # 15

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



SURVEYING DEPARTMENT

COUNTY ADMINISTRATION CENTER

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

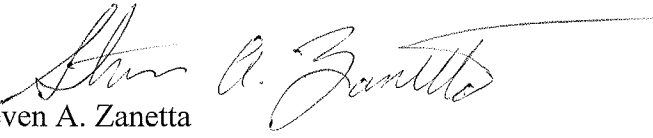
April 18, 2016

AFFIDAVIT OF POSTING

Subject: Certificate of Merger – Strauch Brother Incorporation

We have posted five copies of the attached Public Hearing Notice.

Sincerely,


Steven A. Zanetta
County Surveyor

c.c. Files

SAZ/kg

BOARD OF SUPERVISORS



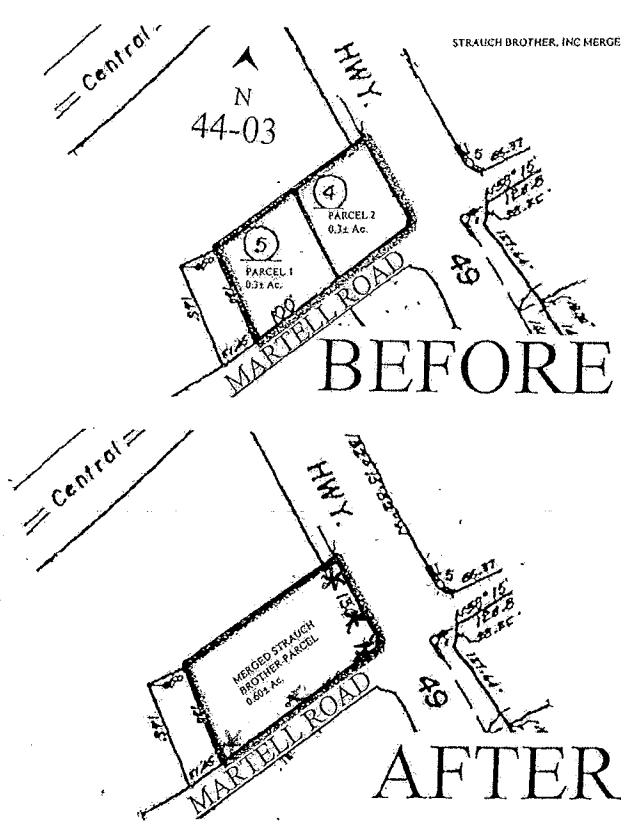
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Supervisors of the County of Amador, State of California, has received a request for a Certificate of Merger from Strauch Brother Incorporation, a California Corporation. The Merger consists of two parcels of real property in the Southwest quarter of Section 17, Township 6 North, Range 11 East, Mount Diablo Meridian, and further described in the Grant Deed from Jolyn Marques, Trustee of the Marques Family Trust dated November 13, 1991, to Strauch Brother Incorporated, a California Corporation, recorded February 16, 2016, as Document 2016-0001114-00, Records of Amador County, California. The Property is located on the northwesterly corner of the junction of Martell Road with State Route 49, in the Martell area.

A Public Hearing to consider said Certificate of Merger will be held at the County Administration Building, 810 Court Street, Jackson, California 95642, on May 10, 2016, 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 Surveying & Engineering (209) 223-6371.

Set NOTICES AT LOCATIONS (5) MARKED by '' 4-21-2016*



Steve Zantto

Requested By:
BOARD OF SUPERVISORS
When recorded return to:
SURVEYING & ENGINEERING

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

IN THE MATTER OF:

RESOLUTION ISSUING CERTIFICATE)
OF MERGER TO STRAUCH BROTHER) RESOLUTION NO. 2016-xxxx
INCORPORATION, A CALIFORNIA CORPORATION)

BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that pursuant to Amador County Code No. 17.94.040 a certificate of merger be approved and hereby is issued to Strauch Brother Incorporation, a California Corporation, for the parcel described in the certificate of merger; and

BE IT FURTHER RESOLVED that the Clerk of said Board be and hereby is directed to record this resolution and certificate of merger.

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 10th day of May, 2016, by the following vote:

AYES: John Plasse, Louis D. Boitano,
Richard M. Forster, Lynn A. Morgan, and Brian Oneto

NOES: None

ABSENT: None

Chairman, Board of Supervisors

ATTEST

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

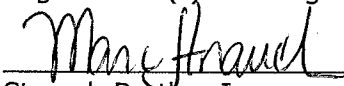
CERTIFICATE OF MERGER INFORMATION

The Board of Supervisors passed Ordinance No. 854, Amador County Code No. 17.94.040 whereby a parcel of land may be merged by a Certificate of Merger.

The owner of contiguous parcels or units of land shall be the only party who may request a Certificate of Merger.

The Certificate of Merger will be submitted to the Board of Supervisors who will set a Public Hearing date. The Public Hearing takes about 45 days because of the notification requirements and agenda scheduling. The Public Hearing Notices will be posted in the field, advertised in the local newspaper and mailed to adjacent property owners. The Board of Supervisors, finding no objection at the public hearing, will approve the Certificate of Merger and transmit a resolution and the certificate to the Amador County Recorder for recording.

The following information is required to process your request for the Certificate of Merger:

1. Owner(s): Strauch Brother Incorporation, a California Corporation
Attn: Marc Strauch, President
2. Mailing Address: 301 Natoma Street, Suite 202, Folsom, CA 95630
3. Phone Number: (916) 257-6497
4. Assessor's Numbers: 044-030-004 and 044-030-005
5. Fee: \$360.00 payable to Amador County Surveyor
6. Certificate of Merger signed and notarized. The Certificate of Merger **must be signed exactly as title to property is held.**
7. Legal description: **metes and bounds**
8. Legal description: (if required) of easements to be abandoned
9. If #8 applies, an additional fee of \$300.00 will be required.
10. Reason for request: Merger for future development
11. Legal owner(s) must sign:


Strauch Brother Incorporation, a California Corporation
by Marc Strauch, President
12. Return all information to the Surveying Department for processing.

Requested by:
Board of Supervisors

Return to:
Surveying and Engineering

CERTIFICATE OF MERGER

I/We, the undersigned owner(s) of record, hereby declare our intention to merge said real property, heretofore known and described as follows:

All that real property situated in the State of California, County of Amador, described as follow:

PARCEL 1:

All that certain piece, parcel or lot of land situated, lying and being at the junction of the County Roads leading from the Town of Sutter Creek to the City of Jackson and from the Town of Ione City to the Oneida Mine in Oneida Valley, in said County of Amador and comprising a portion of the West half of the Southwest quarter of Section 17 in Township 6 North of Range 11 East, Mount Diablo Base and Meridian. The said lot being one hundred and thirty (130) feet in width, on and along said road leading from the Town of Sutter Creek to the City of Jackson, and two hundred and fifty (250) feet in length on and along said road leading from the town of Ione City to the Oneida Mine in Oneida Valley and lies on the Northwesterly side of said junction of said roads, that is to say West of said Sutter Creek and Jackson Road and North of said Ione City and Oneida Valley Road, and is known as "Matt Ryan's Place or Ryan's Place" as shown in that certain Deed recorded in Volume 30 of Deeds, at page 130, et seq.

EXCEPTING THEREFROM that portion shown as Parcel 2 hereinbelow.

ALSO EXCEPTING THEREFROM that portion of said land conveyed to Julius F. Podesta, et al, by deed dated November 17, 1947 and recorded January 3, 1949 in Book 36 at Page 201, Amador County Official Records, and being more particularly described as follows:

That portion of the West ½ of the Southwest ¼ of Section 17, Township 6 North, Range 11 East, Mount Diablo Meridian, being a lot of land 130 feet in length, Northerly and Southerly, and 50 feet in width fronting on the Northerly side of the County Road leading from the Town of Ione to the Oneida Mine in Oneida Valley, said parcel herein described being a strip 50 feet wide in the extreme Westerly portion of the property described in deed from Francis Robinson to Johanna Ryan dated October 20, 1906, recorded October 29, 1906 in Book 30 of Deeds at Page 130, et seq.

APN 044-030-004-000

PARCEL 2

That portion of the West half of the Southwest quarter (W 1/2 of SW 1/4) of Section Seventeen (17), Township Six (6) North, Range Eleven (11) East, M. D. B. & M., particularly described as follows:

Beginning at a point on the Northerly side of the County Road leading from the Town of Ione to the Oneida Mine in Oneida Valley, said point being the Southeasterly corner of that certain lot conveyed by the parties of the first part herein to Julius F. Podesta and W.W. Steele by deed dated November 17, 1947 and recorded in Volume 36 of Official Records at Page 201, Amador County Records and thence run as follows:

1. Easterly, along the Northerly side of said road, a distance of 100 feet, thence
2. Northerly, on a line parallel to the Easterly line of said lot so conveyed to Julius F. Podesta and W.W. Steele, a distance of 130 feet, thence
3. Westerly, 100 feet, to the Northeasterly corner of said lot so conveyed to Julius F. Podesta and W.W. Steele, thence
4. Southerly, along the Easterly boundary line of said latter lot, a distance of 130 feet to the point of beginning.

Being a portion of those certain premises conveyed to the parties of the first part herein by T.M. Ryan, et ux, by Deed dated February 5, 1947, and recorded in Volume 29 of Official Records, page 204, et seq, Amador County Records.

APN 044-030-005-000

Said land to be known hereafter as follows:

(SEE ATTACHED LEGAL DESCRIPTION)

Owner(s) signature:

 _____

Print name/title: Strauch Brother Incorporation, a California Corporation
by Marc Strauch, President

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA

County of SACRAMENTO

On MARCH 30, 2016, before me, KATHLEEN E. HOUSTON, a Notary Public, personally appeared MARC STRAUCH

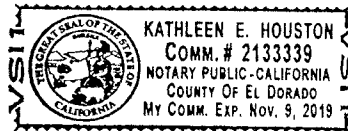
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Kathleen E. Houston

Name KATHLEEN E. HOUSTON
(typed or printed)



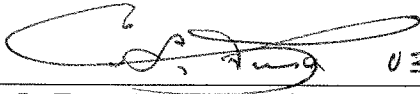
(Area reserved for official notarial seal)

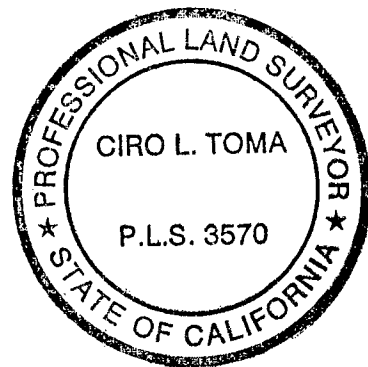
LEGAL DESCRIPTION

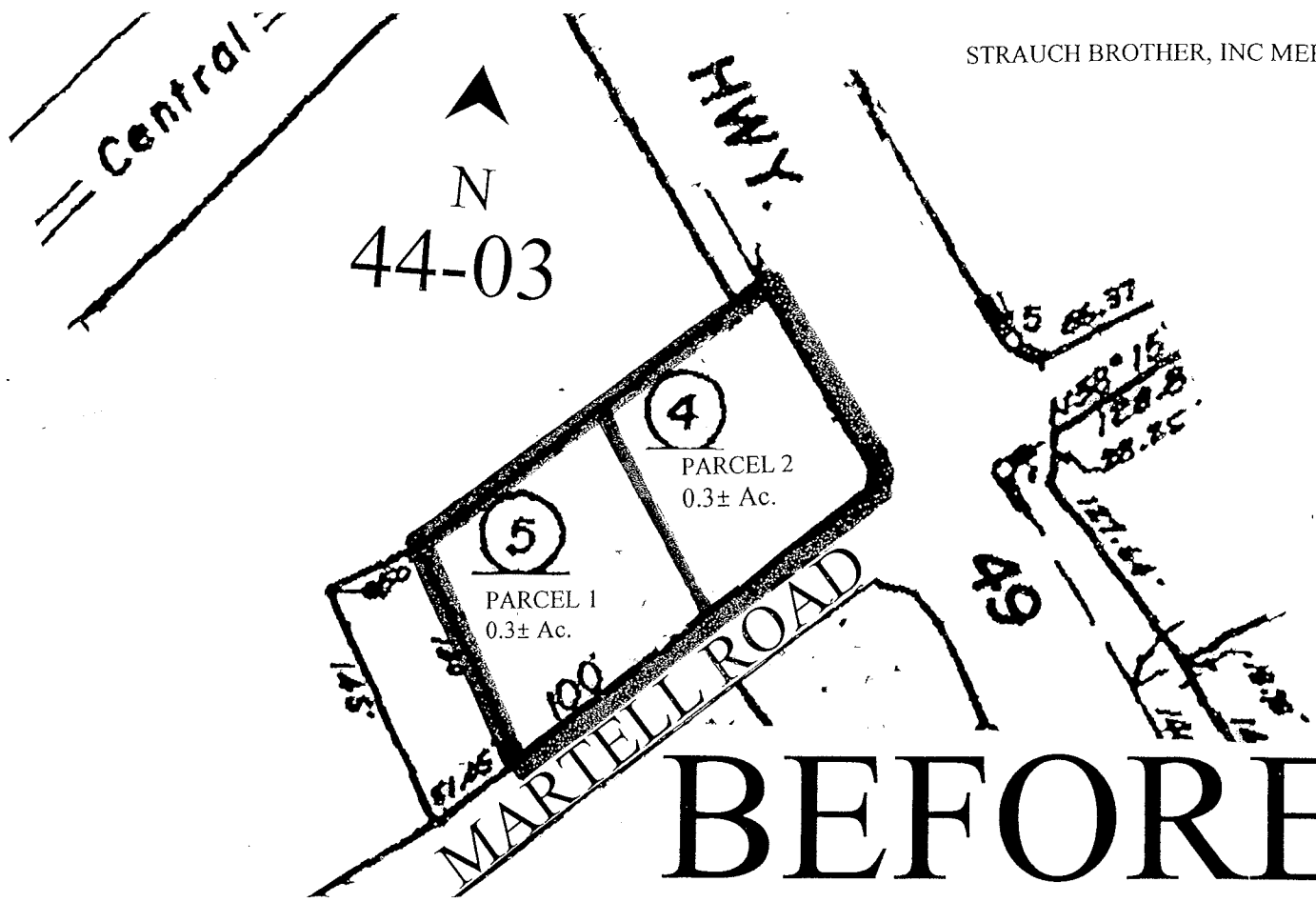
Strauch Brother Inc. Merged Parcel, Martell, Ca.

A parcel of land situated in the County of Amador, State of California, and being those certain two parcels of land conveyed to Strauch Brother Inc. by instrument recorded in the office of the Recorder of Amador County as Document 2016-0001114, and more particularly described as follows:

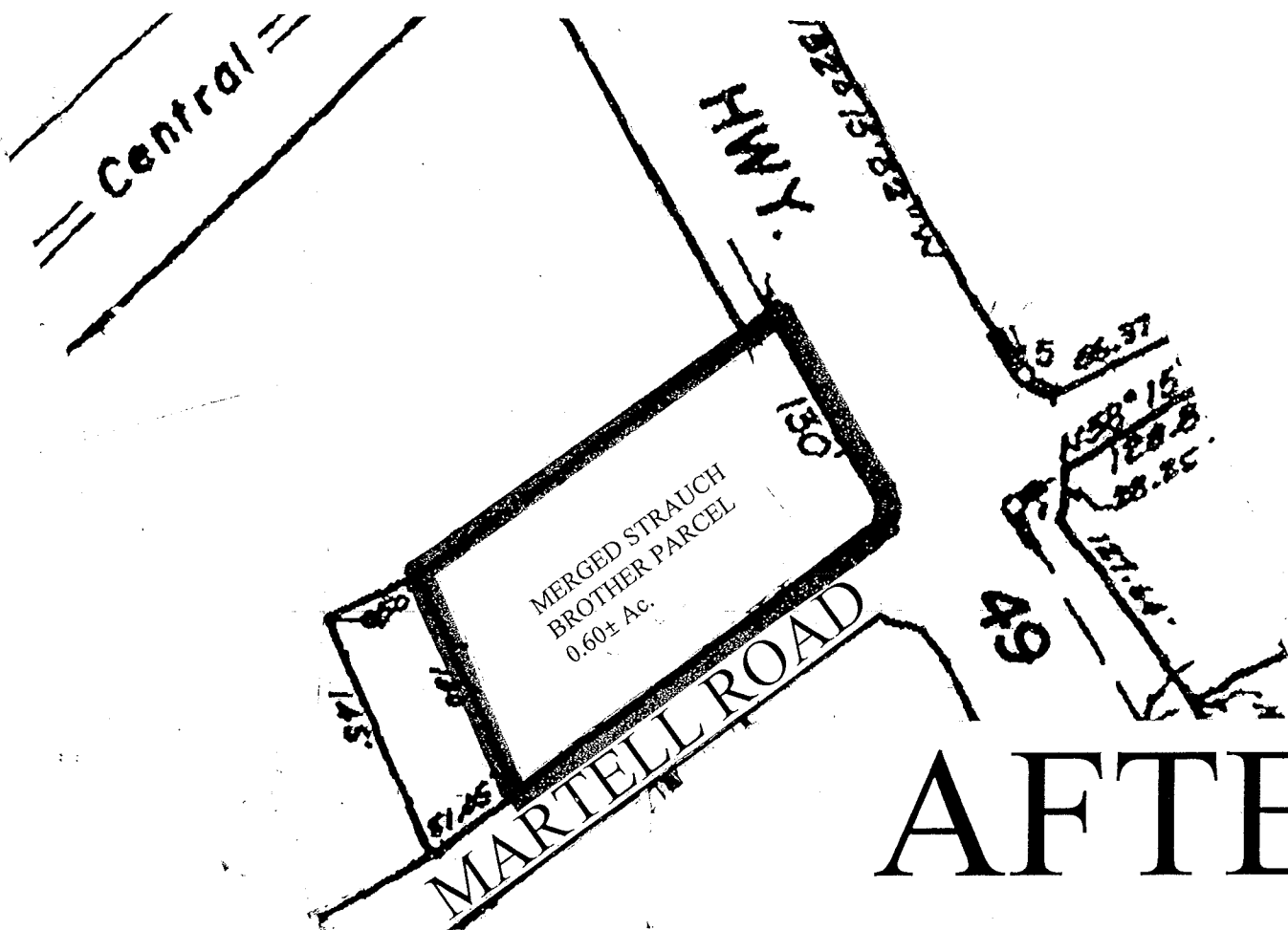
Beginning at the Northwest corner of the Westerly parcel of the hereinabove referred to Strauch Brother Inc. parcels of land, thence, from said point of beginning, along the Northerly line thereof and also the Northerly line of the Easterly parcel of said Strauch Brother Inc. parcels of land, North $58^{\circ} 53' 50''$ East 184.71 feet to the Northeast corner of said Easterly parcel; thence, along the East line of said Easterly parcel, South $32^{\circ} 46' 48''$ East 113.70 feet to the Southeast corner thereof; thence, along the Southerly lines of said Easterly and Westerly parcels of land, South $52^{\circ} 38' 44''$ West 216.95 feet to the Southwest corner of said Westerly parcel of land; thence, along the Westerly line thereof, North $25^{\circ} 26' 24''$ West 137.95 feet to the point of beginning, and containing 0.60 acre of land, more or less.

 03/10/16
Ciro L. Toma PLS 3570 License expires 06/30/16





BEFORE



AFTER