

BOARD OF SUPERVISORS

Dwight Ceresola, Vice Chair 1st District
Kevin Goss, 2nd District
Sharon Thrall, 3rd District
Greg Hagwood, 4th District
Jeff Engel, Chair 5th District

**AGENDA FOR REGULAR MEETING OF MARCH 9, 2021 TO BE HELD AT 10:00 A.M.
IN THE BOARD OF SUPERVISORS ROOM 308, COURTHOUSE, QUINCY, CALIFORNIA**

www.countyofplumas.com

AGENDA

The Board of Supervisors welcomes you to its meetings which are regularly held on the first three Tuesdays of each month, and your interest is encouraged and appreciated.

Any item without a specified time on the agenda may be taken up at any time and in any order. Any member of the public may contact the Clerk of the Board before the meeting to request that any item be addressed as early in the day as possible, and the Board will attempt to accommodate such requests.

Any person desiring to address the Board shall first secure permission of the presiding officer. For noticed public hearings, speaker cards are provided so that individuals can bring to the attention of the presiding officer their desire to speak on a particular agenda item.

Any public comments made during a regular Board meeting will be recorded. The Clerk will not interpret any public comments for inclusion in the written public record. Members of the public may submit their comments in writing to be included in the public record.

CONSENT AGENDA: These matters include routine financial and administrative actions. All items on the consent calendar will be voted on at some time during the meeting under "Consent Agenda." If you wish to have an item removed from the Consent Agenda, you may do so by addressing the Chairperson.



REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (530) 283-6170. Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility. Auxiliary aids and services are available for people with disabilities.

STANDING ORDERS

Due to the Coronavirus disease (COVID-19) Public Health Emergency, dated March 16, 2020, the County of Plumas is making several changes related to Board of Supervisors meetings to protect the public's health and prevent the disease from spreading locally.

California Governor Gavin Newsom issued Executive Order N-29-20 on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic.

Pursuant to the Executive Order, and the Governor's temporary partial exemptions to the Brown Act, and to maintain the orderly conduct of the meeting, the County of Plumas members of the Board of Supervisors may attend the meeting via teleconference or phone conference and participate in the meeting to the same extent as if they were physically present. Due to the Governor's temporary, partial exemption to the Brown Act, the Boardroom will be open to the public but subject to social distancing requirements, which limit the number of people that may enter to 25% of room capacity. Those that wish to attend the Board meeting, will be required to wear a face covering, as required by the local Public Health Officer order. The public may participate as follows:

Live Stream of Meeting

Members of the public who wish to watch the meeting, are encouraged to view it [LIVE ONLINE](#)

ZOOM Participation

The Plumas County Board of Supervisors meeting is accessible for public comment via live streaming at: <https://zoom.us/j/94875867850?pwd=SGISeGpLVG9wQWtRSnNUM25mczlvZz09> or by phone at: Phone Number 1-669-900-9128; Meeting ID: 948 7586 7850. Passcode: 261352

Public Comment Opportunity/Written Comment

Members of the public may submit written comments on any matter within the Board's subject matter jurisdiction, regardless of whether the matter is on the agenda for Board consideration or action. Comments will be entered into the administrative record of the meeting.

Members of the public are strongly encouraged to submit their comments on agenda and non-agenda items using e-mail address Public@countyofplumas.com

10:00 A.M. **CALL TO ORDER/ROLL CALL**

PLEDGE OF ALLEGIANCE

ADDITIONS TO OR DELETIONS FROM THE AGENDA

PUBLIC COMMENT OPPORTUNITY

Matters under the jurisdiction of the Board, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Board for consideration. However, California law prohibits the Board from taking action on any matter which is not on the posted agenda unless it is determined to be an urgency item by the Board of Supervisors. Any member of the public wishing to address the Board during the "Public Comment" period will be limited to a maximum of 3 minutes.

DEPARTMENT HEAD ANNOUNCEMENTS/REPORTS

Brief announcements by, or brief reports on their activities by County Department Heads

ACTION AGENDA

1. **PUBLIC HEALTH AGENCY** – Andrew Woodruff

Report and update on COVID-19; receive report and discussion

2. **CONSENT AGENDA**

These items are expected to be routine and non-controversial. The Board of Supervisors will act upon them at one time without discussion. Any Board members, staff member or interested party may request that an item be removed from the consent agenda for discussion. Additional budget appropriations and/or allocations from reserves will require a four/fifths roll call vote.

A) **AGRICULTURE/WEIGHTS & MEASURES**

Approve and authorize Chair to sign Agreement, between CDFA and Sierra County, administered by Plumas County Department of Agriculture, not to exceed \$31,731, effective January 15, 2021; approved as to form by County Counsel [View Item](#)

B) **PUBLIC WORKS – ROADS**

Approve and authorize Chair to sign Amendment No. 12 to agreement, between County of Plumas and Bender Rosenthal, Inc; approved as to form by County Counsel [View Item](#)

C) **PUBLIC HEALTH**

- 1) Approve and authorize Chair to sign Amendment to agreement with Mountain Valley Living, extending term; approved as to form by County Counsel [View Item](#)
- 2) Approve and authorize Chair to sign the following service agreements related to Ryan White Part C Program for Fiscal Year 2021-2022: Great Northern Services in the amount of \$25,750.00; Karuk Tribe in the amount of \$16,600.00; Lassen County Public Health in the amount of \$12,260.00; Plumas District Hospital in the amount of \$19,000.00; Sierra County Health and Human Services Agency in the amount of \$21,000.00; and Michael Staszek, D.O., P.A. in the amount of \$22,500.00; approved as to form by County Counsel [View Item](#)
- 3) Approve and authorize Chair to sign Memorandum of Understanding, between Plumas County Public Health and Plumas County Environmental Health in the amount of \$15,000.00, effective July 1, 2020; approved as to form by County Counsel [View Item](#)

D) **PUBLIC WORKS – SOLID WASTE**

Approval to revise established “Pledge of Revenue” and Resolution No. 20-8519, adopted September 22, 2020 for Financial Assurance Mechanism to cover Corrective Action costs to Chester Landfill; and adopt **RESOLUTION**, amending Resolution No. 20-8519 Financial Assurance for Corrective Action of the Chester Landfill; approved as to form by County Counsel [View Item](#)

3. **DEPARTMENTAL MATTERS**

A) **FACILITIES** – Kevin Corriera

- 1) Recommendation to deny request of fee waiver for the use of Dame Shirley Plaza, for Saturday Morning Market, as proposed; Discussion and possible action [View Item](#)
- 2) Authorize Facility Service to hire three temporary, extra help; two to assist with grounds keeping during spring, summer and fall; one to replace administrative assistant, created by retirement; these positions are budgeted; Discussion and possible action [View Item](#)

B) **SHERIFF** – Todd Johns

- 1) Authorize supplemental budget request of \$95,290.00, for receipt of unanticipated revenue, from Homeland Security Grant; **Four/Fifths required roll call vote** [View Item](#)
- 2) Authorize Sheriff to recruit and fill vacant, funded and allocated 1.0 FTE Animal Control Officer I/II; Discussion and possible action [View Item](#)
- 3) Discussion and possible action regarding installation of a Solar System at the Sheriff's Office in Quincy [View Item](#)

C) **PUBLIC WORKS-SOLID WASTE** – Robert Perreault

Consideration of a proposed “Pledge of Revenue” to establish a second Financial Assurance Mechanism to cover corrective action costs at Gopher Hill Landfill; and adopt associated **RESOLUTION**; approved as to form by County Counsel; Discussion and possible action [View Item](#)

D) **PUBLIC GUARDIAN** – Neal Caiazzo

Adopt, **RESOLUTION** to transfer Conservatee's fees held by the Public Guardian pursuant to Probate Code Sections 2940 and 7640; Discussion and possible action [View Item](#)

4. **BOARD OF SUPERVISORS**

- A) Correspondence
- B) Weekly report by Board members of meetings attended, key topics, project updates, standing committees and appointed Boards and Associations

1:00 P.M. **AFTERNOON SESSION**

5. **PLANNING** – Tracey Ferguson

PUBLIC HEARING:

- A) Introduce and waive first reading of an **ORDINANCE**, General Plan Amendment Zoning Ordinance, Alec and Rhonda Dieter Rezoning and General Plan Amendment; GPA 8-19/20-21; Roll call vote [View Item](#)
- B) Introduce and waive first reading of an **ORDINANCE**, General Plan Amendment Zoning Ordinance, The Brewing Lair Rezoning and General Plan Amendment; GPA 7-18/19-01; Roll call vote [View Item](#)

2:00 P.M. – **BOARD OF SUPERVISORS**

6. **CLOSED SESSION**

ANNOUNCE ITEMS TO BE DISCUSSED IN CLOSED SESSION

Personnel: Public employee appointment or employment – Clerk of the Board of Supervisors

REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

7. **CLOSED SESSION**

ANNOUNCE ITEMS TO BE DISCUSSED IN CLOSED SESSION

- A. Public Employee appointment or employment – Chief Probation Officer
- B. Public Employee appointment or employment – Director of Public Health
- C. Public Employee appointment or employment – Clerk of the Board of Supervisors

- D. Conference with real property negotiator, Gabriel Hydrick, County Administrator regarding Plumas County Properties, Assessor's Parcel Nos. 117-350-43; 117-350-44; 117-350-46; 117-350-47; 117-350- 48; 117-350-49; 117-350-50; 116-310-01; 117-140-26
- E. Conference with real property negotiator, Gabriel Hydrick, County Administrator regarding facilities: APN 115-023-019, 455 Main Street, Quincy
- F. Conference with Legal Counsel: Claim against the County filed by Plumas Sierra Telecommunications (PST) on February 27, 2020
- G. Conference with Legal Counsel: Existing litigation – Tiffany Wagner, Plaintiff, v. County of Plumas, et al., Defendants, United States District Court, Eastern District of California, Case No. 2:18-cv-03105-KMJ-DMC
- H. Conference with Legal Counsel: Initiating litigation pursuant to Subdivision (c) of Government Code Section 54956.9 (one case)
- I. Conference with Legal Counsel: Significant exposure to litigation pursuant to Subdivision (d)(2) of Government Code Section 54956.9
- J. Conference with Labor Negotiator regarding employee negotiations: Sheriff's Administrative Unit; Sheriff's Department Employees Association; Operating Engineers Local #3; Confidential Employees Unit; Probation; Unrepresented Employees and Appointed Department Heads

REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

ADJOURNMENT

Adjourn meeting to Tuesday, March 16, 2021, Board of Supervisors Room 308, Courthouse, Quincy, California



Willo Vieira
Agricultural Commissioner
Sealer of Weights & Measures
willovieira@countyofplumas.com

Plumas-Sierra Counties

Department of Agriculture



DA

Agriculture Commissioner Sealer of Weights and Measures

208 Fairgrounds Road
Quincy, CA 95971
Phone: (530) 283-6365
Fax: (530) 283-4210

Date: February 26, 2021

To: Honorable Board of Supervisors

From: Willo Vieira, Agricultural Commissioner/ *WV*
Sealer of Weights & Measures

Re: CDFA Agreement #20-1005-000-SA

Recommendation: Approve and authorize the Chair to sign Agreement #20-1001-000-SA between California Department of Food and Agriculture (CDFA) and Sierra County, administered by Plumas County Department of Agriculture.

Background and Discussion: This agreement between CDFA and Sierra County, which will be administered by Plumas County Department of Agriculture, is in the amount of \$31,731.00 which began on January 15, 2021 and continues through June 30, 2022. This agreement is for on the ground field work to control and eradicate non-native invasive weeds designated as noxious by the State of California. Areas that need control are found on both public and private land, including roadside and Right-of-Ways in Sierra County. Approved as to form by County Counsel.

PLUMAS COUNTY DEPARTMENT OF PUBLIC WORKS

1834 East Main Street, Quincy, CA 95971 – Telephone (530) 283-6268 Facsimile (530) 283-6323

Robert A. Perreault Jr., P.E., Director John Mannie, P.E., Asst. Director Joe Blackwell, Deputy Director



CONSENT AGENDA REQUEST

For the March 9, 2021 meeting of the Plumas County Board of Supervisors

Date: March 1, 2021

To: Honorable Board of Supervisors

From: *FDR.* Robert Perreault, Director of Public Works

Subject: **Approval of Proposed Amendment No. 12 to Professional Services Agreement, dated October 20, 2015, with Bender Rosenthal Inc. for Right-of-way Acquisition Services for the Clio Bridge Painting Project.**

John Mannie
Assistant Director

Background:

Proposed project activities include blasting, cleaning, and painting all steel girders and applying methacrylate and/or polyester overlay to the concrete bridge deck. The end treatments for the bridge (approach guard railing) will be upgraded and shoulder backing added to the edge of pavement on approaches. Permanent and/or Temporary Construction Easements will be needed in order to complete construction activities. The project site is located on County Road 115 (Clio-State 40A Road), over the Middle Fork of the Feather River, at post mile 0.1, between the town of Clio and State Route 89.

This project is federally funded through the Federal Highway Bridge Program, which is administered by the California Department of Transportation (Caltrans). The reimbursement rate for this project 100% for participating work.

The attached Amendment No. 12 to the Professional Service Agreement has been approved as to form by the County Counsel's Office.

Recommendation by Public Works:

The Director of Public Works respectfully recommends that the Board of Supervisors authorize the Chair of the Board of Supervisors and the Director of Public Works to execute Amendment No. 12 to the Professional Services Agreement between the County of Plumas and BRI, for Right-of-Way Engineering and Acquisition Services for the Clio Bridge Painting Project not to exceed \$9,060.

Attachment: Amendment No. 12 to the Professional Services Agreement between the County of Plumas and Bender Rosenthal Inc.

**AMENDMENT NO. 12
to the
PROFESSIONAL SERVICES AGREEMENT**

**Right-of-Way Engineering Acquisition Services for
Transportation Improvement Projects in
Plumas County, California**

The October 20, 2015 PROFESSIONAL SERVICES AGREEMENT, by and between the COUNTY OF PLUMAS ("County") and BENDER ROSENTHAL INC. ("Consultant"), is hereby amended as follows:

The "County" has identified the need for professional services on the following project:

Clio Bridge Painting Project

Project Background

Proposed project activities include blasting, cleaning, and painting all steel girders and applying methacrylate and/or polyester overlay to the concrete bridge deck. The end treatments for the bridge (approach guard railing) will be upgraded and shoulder backing added to the edge of pavement on approaches.

The project site is located on County Road 115 (Clio-State 40A Road), over the Middle Fork of the Feather River, at post mile 0.1, between the town of Clio and State Route 89.

Permanent and Temporary Construction Easements will be needed in order to complete construction activities.

This project is federally funded through the Federal Highway Bridge Program, which is administered by the California Department of Transportation (Caltrans).

Scope of Work

The scope of work shall be as specifically set forth in the Scope of Work and Cost Proposal, which is attached hereto as Exhibit "A" and incorporated herein by this reference.

Compensation

Consultant shall be paid in accordance with the Scope of Work and Cost Proposal set forth in Exhibit "A," attached hereto. Consultant's compensation shall in no case exceed Nine Thousand and Sixty Dollars and No Cents (\$9,060.00). Certified payroll shall be submitted for staff employed in activities covered by State or Federal prevailing wage determinations in accordance with the Caltrans Labor Compliance Manual.

Project Schedule

The Consultant shall commence services within five (5) working days of full execution of this Amendment No. 12. The Consultant shall complete the work in accordance with the October 20, 2015 Professional Services Agreement thereafter.

Other Contract Provisions

All other contract provisions set forth in the October 20, 2015 Professional Services Agreement first referenced above remain unchanged.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 12 to be executed by and through their respective authorized officers, as of the date first written above.

COUNTY OF PLUMAS
A political subdivision of the State of California

APPROVED AS TO SCOPE OF WORK:

Director of Public Works

Date: _____

APPROVED AS TO FORM:

Gretchen Stuhr,
County Counsel

Date: 2/22/16 _____

CONCURRENCE BY:

County Purchasing Officer

Date: _____

CONSULTANT
BENDER ROSENTHAL INC.

Signature
Renee Baur, Senior Vice President

Date: _____

Bender Rosenthal Inc. Taxpayer ID Number - 41-2034507

Attachments: Exhibit A - Scope of Work and Cost Proposal

Consultants Initials

Exhibit A

Scope of Work and Cost Proposal

Scope of Work

The specific tasks, outlined below, will be performed in order to deliver right of way consisting of one (1) permanent road and utility easement and one (1) temporary construction easement (TCE) from the Graeagle Land & Water Company.

TASK 1 – RIGHT OF WAY PROGRAM MANAGEMENT

BRI will assign a Project Manager to oversee performance of the Tasks involved in delivery of the Right of Way in the proposed Professional Services Contract between BRI and Plumas County Department of Public Works (County).

TASK 2 – VALUATION SERVICES

BRI will develop a complete valuation for the client utilizing a Waiver Valuation Format described in Caltrans Appraisal Manual Chapter Seven (7) at 7.02.13.01. An appraisal is not considered to be required because the valuation problem is uncomplicated, and the fair market value is estimated at less than \$10,000 based on a review of available data. The \$10,000 amount can include severance damages but excludes any insignificant construction contract work. County acknowledges that a Waiver Valuation is not an appraisal and is to be used merely for documentation in support of the estimated compensation used to develop Just Compensation by the County, to be paid to the property owner.

Assumptions:

- Property owners will be willing sellers. If condemnation services are needed, a full appraisal will be required.
- Appraisal maps, plat maps and legal descriptions will be provided to BRI by others.

Deliverables:

- One (1) Waiver Valuation delivered electronically; hard copies to be provided upon request by County.

TASK 3 - ACQUISITION SERVICES

BRI will develop all acquisition and conveyance documents to be approved by County for use in acquiring real property interests. BRI staff will develop purchase agreements, easement deeds, temporary construction easement documents and escrow instructions etc. prior to the commencement of acquisition negotiations with grantors. BRI will use all necessary documents developed as stated necessary to make offers based on Client's process and specifications. BRI will meet in person if possible and will make up to six (6) contacts in the first sixty (60) days.

Deliverables:

- Acquisition of roadway and utility easement with temporary construction easement from one (1) ownership.

TASK 4 – ESCROW SERVICES

BRI will deliver documents and checks to escrow company, review all documents for submission to escrow companies, review title and escrow documents, and apply extensive acquisition experience so that the project acquires good title and property rights necessary for the completion of the project. BRI will coordinate escrow closings and file all applicable forms and documents with the County Assessor's office.

Tasks to be considered include:

- Order 1 Preliminary Title Report @ \$750 each.
- Work with Title Company to follow through with appropriate lenders, beneficiaries and trustees. Title Company to draft partial release and partial reconveyances.
- Prepare and send Request for Invoice and Demand to the Title Company.
- Copy and forward fully executed purchase agreement from the County.
- Send all executed acquisition documents through escrow and transmit to the appropriate parties, (property owner and the County).
- Prepare transmittal and forward closed files to the County.

Deliverables:

- Facilitate Title and Escrow support as outlined above for one parcel.

TASK 5 – RIGHT OF WAY CERTIFICATION

BRI will prepare the Right of Way Certification per Caltrans requirements.

Deliverables:

- One (1) final Right of Way Certification Document 13-B at certification level 1 or 2.

Cost Proposal

RIGHT OF WAY TASK	DESCRIPTION	SUBTOTALS
1. Right of Way Program Management	3 hours @ \$220/hour	\$660
2. Waiver Valuation	1 @ \$3,000	\$3,000
3. Acquisition Services	1 @ \$3,600	\$3,600
4. Title and Escrow Services	1 @ \$750	\$750
5. Right of Way Certification	1 @ \$750	\$750
	MILEAGE AND MAILING	\$300
	TOTAL BUDGET	\$9,060

The following are the assumptions behind the budget:

1. All right of way activities are to conform to Caltrans Standards, Practices, Policies and Manuals
2. Full documentation to Federal and State standards for all tasks;
3. No expert witness testimony;
4. This proposal assumes one (1) ownership;
5. The actual costs may differ from task to task, but the overall budget will not exceed the "Total Budget" shown above;
6. No Coordination with State or Federal right of way departments, other than listed in scope;
7. This fee assumes that no significant structures or improvements will be acquired;
8. This proposal does not contemplate any eminent domain actions. If condemnation becomes necessary, a separate cost and scope document will be prepared to account for required Right of Way and Right of Way Engineering Services along with expert witness testimony if needed; and
 - a. A change in engineering once the acquisition process has begun;
 - b. Addition of a parcel;
 - c. Addition of easements, or other property rights; and
 - d. Any additional professional expertise.



PCPHA

PLUMAS COUNTY PUBLIC HEALTH AGENCY



Growing Healthy Communities

Date: February 25, 2021

To: Honorable Board of Supervisors

From: Andrew Woodruff

Agenda: Consent Item for March 9, 2021

Recommendation: Approve Agreement Amendment #TURP1721MVL-1 with Mountain Valley Living in the amount of \$8,244.00 for anti-tobacco related advertising in the Mountain Valley Living magazine. Approve by County Counsel.

Background and Discussion: As the Board is aware Plumas County Public Health Agency has the fiscal and administrative responsibilities for a number of different programs with diverse funding sources from the State Department of Health Services, private foundations, local sources, realignment and other county departments. Often, in an effort to work effectively and efficiently with communities, Public Health contracts with providers to evaluate programs and provide services, or educational messages to diverse populations throughout the county.

Due to COVID 19 Public Health is extending this agreement with Mountain Valley Living through December 30, 2021.

Fiscal Impact: There will be no financial impact on the County General Fund, as this contract is fully funded by the Tobacco Use Reduction and Prevention Program through Public Health.

Please contact me should you have any questions, or need additional information. Thank you.



530-283-6337 OFFICE
530-283-6425 FAX



270 County Hospital Rd, Suite 206
Quincy, California 95971



<http://countyofplumas.com/publichealth>

2022



PCPHA

PLUMAS COUNTY PUBLIC HEALTH AGENCY



Growing Healthy Communities

Date: February 22, 2021

To: Honorable Board of Supervisors

From: Andrew Woodruff

Agenda: Consent Item for March 9, 2021

Item Description/Recommendation: Approve and direct the Chair to sign the following service agreements related to the Ryan White Part C Program for Fiscal Year 2021-2022: Great Northern Services, Inc. (PARTC2122GNS) in the amount of \$25,750.00, Karuk Tribe (PARTC2122KARUK) in the amount of \$16,600.00, Lassen County Public Health (PARTC2122LCPH) in the amount of \$12,260.00, Plumas District Hospital (PARTC2122PDH) in the amount of \$19,000.00, Sierra County Health and Human (PARTC2122SCHH) in the amount of \$21,000.00 and Michael Stasz, M.D. (PARTC2122STASZEL) in the amount of \$22,500.00. Approved by County Counsel.

History/Background: As the Board is aware, Plumas County Public Health Agency has served as fiscal and administrative agent for the various HIV/AIDS programs within the five (5) county region of Modoc, Sierra, Lassen, Plumas and Siskiyou counties. Plumas County Public Health Agency will continue to serve to our five county regions for the RW Program.

Ryan White Part C funds provide for direct outpatient HIV primary care that includes HIV counseling, testing & referral, medical evaluation and clinical care, and referral to specialty and other health services. The program maintains four HIV clinic sites within the five county regions to provide these services. Services available to clients include primary medical care, HIV specialty care, laboratory services, medications, dental care, nutrition counseling, psychosocial counseling, health education and risk reduction counseling, medication adherence counseling and nutritional supplements.

Fiscal Impact: There is no fiscal impact to the General Funds as these agreements will be paid with funding from the Ryan White Part C Program (Budget Unit 70560).

Please contact me if you have any questions, or need additional information. Thank you.

C:\Documents and Settings\rosieolney\My Documents\BOS\Agreements Part C 2122.doc



530-283-6337 OFFICE
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270 County Hospital Rd, Suite 206
Quincy, California 95971



<http://countyofplumas.com/publichealth>

2023



PCPHA

PLUMAS COUNTY PUBLIC HEALTH AGENCY



Growing Healthy Communities

Date: February 25, 2021

To: Honorable Board of Supervisors

From: Andrew Woodruff

Agenda: Agenda Item for March 9, 2021

Item Description/Recommendation: Approve a Memorandum of Understanding (LEAD2023PCEH) with Plumas County Environmental Health in the amount of \$15,000.00 to coordinate Lead-related activities, and approve ratification of payments of the services rendered to date. Approved by County Counsel.

Background Information: Plumas County Public Health Agency has been providing lead poisoning prevention services to Plumas County residents for several years. CLPPP provides funding for personnel and operating expenses for Public Health. Funds support staff efforts in surveillance, case finding, specimen collection, and follow-up. Program goals include the early detection of lead poisoned and at risk children, and elimination of lead hazards countywide.

Plumas County Environmental Health will use proactive inspection to identify and reduce lead hazards in high-risk areas to prevent lead-exposure to children.

Fiscal Impact: There will be no financial impact on the County General Fund, as this contract is fully funded by the California Childhood Lead Poisoning and Prevention Program through Public Health.

Please contact me should you have any questions, or need additional information.

Thank you.

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530-283-6337 OFFICE
530-283-6425 FAX



270 County Hospital Rd, Suite 206
Quincy, California 95971



<http://countyofplumas.com/publichealth>

PLUMAS COUNTY
DEPARTMENT OF PUBLIC WORKS
SOLID WASTE DIVISION



1834 EAST MAIN STREET • QUINCY, CA 95971 • (530) 283-6268

Robert A. Perreault, Jr., P.E., Director of Public Works, Heidi H. Putnam, Solid Waste Manager

CONSENT AGENDA REQUEST

for the March 9, 2021 Meeting of the Board of Supervisors

Date: **March 1, 2021**

To: Honorable Board of Supervisors

From: Robert Perreault, Director of Public Works

Subject: Consent to amend established Pledge of Revenue and Resolution No. 20-8519 adopted September 22, 2020. POR to cover corrective action costs at Chester Landfill No. 32-AA-009; Cal-Recycle requires specific edits to Pledge or Revenue Document and Resolution No. 20-8519 prior to approval and signature.

BACKGROUND:

The primary purpose of this Agenda Request, is to enable the Board of Supervisors to receive a report and recommendations from the Department of Public Works pertaining to the amendments of the established Pledge of Revenue and Resolution adopted on September 22, 2020. On October 28th, 2020 an email was received from Cal-Recycle Financial Assurance Unit, Jonalyn Bajurin. The email detailed specific wording to be amended as follows -

- 1) Remove wording "Post Closure Maintenance" from agreement title (as the Pledge of Revenue is for corrective action only).
- 2) In the third paragraph, add post-closure maintenance (this section is a general statement of Title 27 CCR).
- 3) In the sixth paragraph there was a spelling error (replace form to from).
- 4) In the seventh paragraph the regulation section that refers to post closure maintenance needed to be removed (Section 21840 (and/ or))

RECOMMENDATION:

The Director of Public Works respectfully recommends that, the Board of Supervisors vote to adopt the attached amendment to the Pledge of Revenue for Financial assurance Mechanism to cover Corrective Action costs to Chester Landfill, adopted on September 22, 2020, and to adopt the Resolution to amend Resolution 20-8519 therefore.

ATTACHMENTS:

Corrective Action POR & Resolution to Amend Resolution No. 20-8519

Adopted POR & Resolution No 20-8519 dated 09/22/2020

Back-up email documentation

PLEDGE OF REVENUE AGREEMENT BETWEEN PLUMAS COUNTY AND THE CALIFORNIA
DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) FOR
CORRECTIVE ACTION
CHESTER LANDFILL

This agreement establishes a Pledge of Revenue to assure that adequate funds are available to carry out the Corrective Action of the Chester Landfill.

This Agreement shall become effective immediately, and is made and entered into by and between the County of Plumas and the California Department of Resources Recycling and Recovery (CalRecycle).

WHEREAS, Public Resources Code, sections 43500 through 43610.1 and Title 27, California Code of Regulations (Regulations), Division 2, Subdivision 1, Chapter 6, require operators of solid waste landfills to demonstrate the availability of financial resources to conduct closure, postclosure maintenance and corrective action activities; and

WHEREAS, sections 22228 and 22245 of the Regulations specify a Pledge of Revenue as an acceptable mechanism to demonstrate financial responsibility for corrective action costs of a solid waste landfill; and

WHEREAS, the County of Plumas operates the Chester Landfill, a solid waste landfill, in conformance with the findings, conditions, prohibitions and requirements contained in Solid Waste Facilities Permit No. 32-AA-0009 issued by, Plumas County LEA serving as Local Enforcement Agency for CalRecycle; and

WHEREAS, the County of Plumas is pledging an annual amount of \$10,585.00 of net revenues received from Plumas County Solid Waste Franchise Contractors, Intermountain Disposal and Feather River Disposal; and

WHEREAS, the County of Plumas has determined that projected 3.34% of net revenues received through franchise fees during the state mandated corrective action period, shall, during each year of this period be greater than the yearly corrective action costs contained in the most recent cost estimate for Chester Landfill, which has been submitted to CalRecycle in accordance with sections 22100-22103 of the Regulations.

NOW THEREFORE, the County of Plumas and CalRecycle do agree as follows:

1. The County of Plumas hereby establishes a pledge of revenue to demonstrate financial responsibility for corrective action costs of the Chester Landfill in accordance with sections 22228 and 22245 of the Regulations.
2. The County of Plumas agrees to pledge net revenues from solid waste Franchise Contractor Fees as described herein.
3. The amount of the pledged revenue shall be equal to \$10,585.00 per year for the estimated length of the corrective action period, representing the most recent corrective action cost estimate for the Chester Landfill. It is agreed that the amount of this pledge may increase or decrease to match any adjustment to the identified cost estimate, which is mutually agreed to by the County of Plumas and CalRecycle.
5. The Chief Engineer is directed to produce an Annual Certification Report (form CalRecycle 114) as required by Section 22233(b)(4)(B) of the Regulations to demonstrate that the pledged revenue continues to be available when needed and will cover the cost estimates identified in the updated Annual Inflation Report required by Section 22236 of the Regulations. It is understood that copies of the Resolution and Pledge of Revenue Agreement are not required annually, unless amended.

6. If the County of Plumas ceases at any time to retain control of its ability to allocate the pledged revenue as identified herein to pay corrective action costs, the County of Plumas shall notify CalRecycle and the local enforcement agency and shall obtain alternate coverage within sixty (60) days after the control of funds lapses, pursuant to section 22245 of the Regulations.
7. In the event that CalRecycle, RWQCB or LEA staff determine that the County of Plumas has failed, or is failing, to perform corrective actions as required by law, CalRecycle, RWQCB and/or LEA staff shall confer with the County of Plumas and attempt to resolve the alleged violation. If no agreement is reached, the matter shall be presented to CalRecycle which shall give reasonable notice, hold a public hearing, and consider the testimony and documentation submitted by CalRecycle and/or LEA staff, the County of Plumas, and any interested parties, prior to making a determination in the matter. In the event CalRecycle then determines that the County of Plumas has failed, or is failing, to perform corrective action as required by law, CalRecycle may direct the Auditor-Controller to pay the Chief Engineer from the pledged revenues sufficient funds to ensure corrective action, who then shall be obligated to use such funds for corrective action in accordance with the directives of CalRecycle and RWQCB.
8. It is understood that the parties may, by mutual written consent, amend this agreement at anytime. The parties stipulate that in all likelihood the pledge amount may need to increase with time, and the source of revenue may change over time according to the County's financial situation and preferences of the County's voting public.

IN WITNESS HEREOF, the parties have executed this agreement on the date as set forth below.

By County of Plumas this _____ day of _____, 2020

By CalRecycle this _____ day of _____, 20____

STATE OF CALIFORNIA
California Department of Resources
Recycling and Recovery (CalRecycle)

COUNTY OF PLUMAS

By: _____
Authorized Officer of the CalRecycle

By: _____
Chair, Board of Supervisors

APPROVED AS TO FORM
AND PROCEDURE:

By: _____
Authorized Counsel of the CalRecycle

ATTEST:

By: _____
Name Title

APPROVED AS TO FORM
AND PROCEDURE:

By: _____

County Counsel

RESOLUTION 21 - _____

A RESOLUTION AMENDING RESOLUTION 20-8519 "FINANCIAL ASSURANCE FOR CORRECTIVE ACTION OF THE CHESTER LANDFILL"

WHEREAS, it has come to the attention of the Board of Supervisors of the County of Plumas that certain language should be clarified within Resolution 20-8519.

WHEREAS, Public Resources Code sections 43500 through 43610.1 and Title 27, California Code of Regulations (Regulations), Division 2, Subdivision 1, Chapter 6, require operators of solid waste landfills to demonstrate the availability of financial resources to conduct closure, post closure maintenance, and corrective action activities; and

WHEREAS, sections 22228 and 22245 of the Regulations specify a Pledge of Revenue as an acceptable mechanism to demonstrate financial responsibility for financing corrective action costs of a solid waste landfill.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Plumas that:

1. The County of Plumas operates the Chester Landfill, a solid waste landfill, in conformance with the findings, conditions, prohibitions and requirements contained in Solid Waste Facilities Permit No. 32-AA-0009 issued by, Plumas County LEA serving as Local Enforcement Agency for the California Department of Resources Recycling and Recovery (CalRecycle).
2. The County of Plumas shall establish a Pledge of Revenue to demonstrate financial responsibility for corrective action of the Chester Landfill in accordance with sections 22228 and 22245 of the Regulations.
3. Disbursement of funds for corrective action shall be in accordance with the final Corrective Action Plan, as approved by CalRecycle.
4. In the event that CalRecycle determines that the County of Plumas has failed, or is failing, to perform corrective action as required by law, CalRecycle may direct the Plumas County Auditor-Controller to pay to the Chief Engineer from the pledged revenues sufficient funds to ensure corrective action, who then shall be obligated to use such funds for corrective action in accordance with the directives of CalRecycle.
5. The Chief Engineer is directed to produce an Annual Certification Report for transmittal to CalRecycle (form CalRecycle 114) as required by Section 22233(b)(4)(B) of the Regulations to demonstrate that the pledge of revenue continues to be available when needed and will cover the cost estimate identified in the updated Annual Inflation Report required by Section 22236 of the Regulations. It is understood that copies of the Resolution and Pledge of Revenue Agreement for Chester Landfill are not required annually, unless amended.
6. In conjunction with this Resolution, attached is a copy of the revised "Pledge of revenue agreement Between Plumas County and the California Department of Resources Recycling and Recovery (CalRecycle) for Corrective Action Chester Landfill"

7. The number of current members of the Board of Supervisors of the County of Plumas who voted affirmatively when this resolution was adopted.

Ayes:

Noes:

STATE OF CALIFORNIA)
) ss.
COUNTY OF PLUMAS)

I, Nancy DaForno, Clerk of Board of Supervisors of the County of Plumas, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Supervisors at a regular meeting held on March 9, 2021, and duly entered in the minutes of said County.

Kristina Rogers
Clerk

Seal

BACK-UP DOCUMENTATION

Putnam, Heidi

From: Putnam, Heidi
Sent: Monday, November 2, 2020 10:23 AM
To: DaForno, Nancy
Subject: FW: Solid Waste: Resolution re Pledge of Revenue for Corrective Actions for Chester Landfill 20-240
Attachments: 32-AA-0009 Chester POR Resolution 9-23-20.pdf; 32-AA-0009 POR Agreement 9-23-20.pdf

Recycling is a good thing. Please recycle any printed emails.

From: Bajurin, Jonalyn@CalRecycle <Jonalyn.Bajurin@CalRecycle.ca.gov>
Sent: Wednesday, October 28, 2020 2:32 PM
To: Putnam, Heidi <HeidiPutnam@countyofplumas.com>
Subject: FW: Solid Waste: Resolution re Pledge of Revenue for Corrective Actions for Chester Landfill 20-240

Heidi,

Please remove postclosure maintenance (see in red) from the agreement title, as the POR is for corrective action only.

In the third paragraph, please add postclosure maintenance (see in red). This section is a general statement of Title 27 CCR.

In the sixth paragraph, a couple of words (see in red) need to be fixed or removed.

In the seventh paragraph, remove the regulation section (see in red) that pertains to postclosure maintenance (21840).

Let me know if you have any questions.

Jonalyn

From: Putnam, Heidi <HeidiPutnam@countyofplumas.com>
Sent: Tuesday, September 22, 2020 10:58 AM
To: Bajurin, Jonalyn@CalRecycle <Jonalyn.Bajurin@CalRecycle.ca.gov>
Subject: Solid Waste: Resolution re Pledge of Revenue for Corrective Actions for Chester Landfill 20-240

Good Morning Jonalyn,
Please see attached Pledge of Revenue, and Resolution -

Heidi Putnam
Solid Waste Program Manager
Plumas County Department of Public Works
1834 E. Main Street
Quincy, CA 95971

Jonalyn,

I am in the process of getting the historical background on this issue from Vestra and coordinating a meeting with the County Administrator, the Department fiscal Officer, the County Auditor, and County Council, in developing a proposed plan of action to submit to Board of Supervisors. As soon as I have an update on any progress I will let you know.

Heidi Putnam
Solid Waste Program Manager
Plumas County Department of Public Works
1834 E. Main Street
Quincy, CA 95971
Office: (530) 283-6268
Mobile: (530) 394-7963
Fax: (530) 283-6323
HeidiPutnam@countyofplumas.com



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From: Bajurin, Jonalyn<Jonalyn.Bajurin@CalRecycle.ca.gov>
Sent: Monday, July 27, 2020 2:57 PM
To: Putnam, Heidi <HeidiPutnam@countyofplumas.com>
Subject: RE: Log No. 20-240 - . Solid Waste: Resolution re Pledge of Revenue for Corrective Actions for Chester Landfill 20-240

Heidi,

Thank you for the updated drafts, and the updated status. I will review the provided drafts and advise. When does the County anticipate an updated POR Agreement that includes the revenue source?

Thank you again,

Jonalyn

From: Putnam, Heidi <HeidiPutnam@countyofplumas.com>
Sent: Monday, July 27, 2020 11:45 AM
To: Bajurin, Jonalyn<Jonalyn.Bajurin@CalRecycle.ca.gov>
Subject: FW: Log No. 20-240 - . Solid Waste: Resolution re Pledge of Revenue for Corrective Actions for Chester Landfill 20-240

[[EXTERNAL]]

The Notice and Order calls for "acceptable financial assurances demonstration." This is by way of Form 114 (blank copy attached). While this Form 114 mentions providing a Resolution, a new Resolution is only necessary if the prior adopted Resolution is changed. (If no change, attach a copy of the old/current Resolution.) Form 114 also calls for a completed "Pledge of Revenue Agreement" but states this is only necessary if there are changes to the prior approved Pledge of Revenue Agreement. While you have included a draft of the Pledge of Revenue Agreement, it may not be necessary to do a new one. (If no change needed, attach a copy of the old/current Pledge of Revenue Agreement.) I suggest you look at the prior Resolution and Pledge of Revenue Agreement to see if any changes are necessary.

The Notice and Order requires information on the current status of the closure fund balance. I believe this information can be submitted on the Annual Certification by Public Agency (see p. 3 of Form 114).

You will also need to complete and submit the Annual Inflation Factor Report (submit one as of June 1, 2019, and another as of June 1, 2020).

Please contact me if you have any questions.

R. Craig Settlemire
Plumas County Counsel

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Subject: RE: Log No. 20-240 - . Solid Waste: Resolution re Pledge of Revenue for Corrective Actions for Chester Landfill 20-240

Good Afternoon Craig,

Being relatively new to Plumas County, I will have to research a few of your questions and gather a bit more information. I have attached and answered what I can below:

1. In conversation review of the account – the proposed Pledge of Revenue (POR) has not been established for corrective action at this time. There is however a Pledge of Revenue for post closure maintenance (Please see attached Draft (POR) for corrective action)
(** it is my understanding that If the County would like to establish a Pledge of Revenue (POR) for PCM and corrective action, then a new POR Agreement AND a new resolution will need to be established to have exact language included for both Post Closure Maintenance and corrective action. The POR Agreement would say post closure maintenance and corrective action. The resolution would say post closure maintenance and corrective action. Once the new POR is approved, the other resolution would be rescinded. I am not sure if it would be easier to establish a new POR for corrective action since there is

Mobile: (530) 394-7963
Fax: (530) 283-6323
HeidiPutnam@countyofplumas.com



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From: Settlemire, Craig <CSettlemire@countyofplumas.com>
Sent: Wednesday, June 24, 2020 2:55 PM
To: Putnam, Heidi <HeidiPutnam@countvofplumas.com>
Cc: Perreault, Bob <BobPerreault@countyofplumas.com>; Rogers, Kristina <KristinaRogers@countyofplumas.com>
Subject: Solid Waste: Resolution re Pledge of Revenue for Corrective Actions for Chester Landfill [20-240]

Heidi:

I am in receipt of your request to review the above-reference proposed Resolution. In order that I may complete my review, I would appreciate some additional context:

1. The proposed Resolution does not identify the "revenue" that is being pledged. For example, is it property tax revenue? Solid waste franchise fee revenue? Something else? Also, what is the amount being pledged?
2. Did Plumas County receive notification from the State or LEA that the County is out of compliance? If, so, please provide copies.
3. Is a copy of "Solid Waste Facilities Permit No. 32-AA-0009 available? If so, please provide a copy (electronic is fine). Does this include the "final plan" referenced in Item #3 of the proposed Resolution? If not, kindly provide a copy of the "final plan."
4. If readily available, please provide copies of the statutes and regulations referenced in the proposed Resolution.
5. Has the Chief Engineer report referenced in Item 5 of the proposed Resolution been prepared yet? If so, kindly provide a copy. If not, when will it be prepared, and who will prepare it?

Thank you for your assistance in providing the above.

R. Craig Settlemire
Plumas County Counsel

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3A1

DEPARTMENT OF FACILITY SERVICES & AIRPORTS

198 ANDY'S WAY, QUINCY, CALIFORNIA 95971-9645
(530) 283-6299 FAX: (530) 283-6103

Kevin Correira
Director

Board Meeting: March 9, 2021

To: The Honorable Board of Supervisors

From: Kevin Correira, Director

Subject: Recommendation to deny request of fee waiver for the use of Dame Shirley Park as proposed

Background

Facility services has received a request to Waive fees of Dame Shirley Park for (18) Eighteen Saturdays of an event to be held called "Saturday Morning Market".

Facility services normally recommends park fee waivers for youth activities or education or non profit organizations on the simple basis of money, in other words - none of these groups are doing this for a profit.

This new function if allowed is for profit, everyone there participating will be paying for their spot in order to display and sell their products.

Also not mentioned in the proposal are bathroom facilities that must be in place every weekend for 18 weekends which must be rented by the folks that host the event.

Recommendation

Although it is still a good proposal for a new community function, Facility Services cannot recommend that these fees be waived completely. It shall be up to the Board to make the decision on weather to accept, deny or modify the fees for this event.

March 2, 2021

Before you is the presentation of a proposal regarding a new community function to be known as Saturday Morning Market. Starting at the end of May the market would run through the end of September to be located at the Dame Shirley Park.

I present this presentation to the county Board of Supervisors to formally request a place on the agenda for discussion and possible action.

In summary, I am asking for all county fees to be waived for this function for the park and individual vendor fees. The cost breakdown is listed on page one of the presentations.

Supporting information is provided with the specific ordinance and application for park rental.

By waiving all fees, the Saturday Morning Market can accept a larger vendor participation and prime location for downtown foot traffic engaging in commerce.

By lowering the budget, this could provide maximum participation from individual vendors and put more funds towards marketing and advertising in hopes for more vendor partners and more community participation. See current position on page one.

The risk of not cutting fees will prohibit the possibility of having the function, and or reduce vendor participation and will also leave less funds available for advertising.

In conclusion, I am recommending the waiver of all county fees for the Saturday Morning Market.

The timeline for a motion to approve is on or before April 1, 2021 in order to move forward with solicitation of vendor participants and progress with marketing and advertising.

Thank you.

Saturday Morning Market

Dame Shirley Park, Quincy

Lori A Ellermeyer

February 9, 2021



Tue. Feb. 9, 2021

PURPOSE:

- Facilitate plan and organize a community function starting tentatively the end of May through September, all Saturdays. Known as, Saturday Morning Market
- Asking the Plumas County Board of Supervisors to waive county permit fees and county park fees regarding starting a Saturday morning market at Dame Shirley Park.
 - The function would be a hybrid model of Arts, Crafts and flea vendors.
 - *Note: Dates and times with adherence to Public Health guidelines regarding Covid-19 at that time.

CURRENT POSITION:

- County ordinance states that all vendors must apply for an annual permit which the fee is \$200 and have a background check, fee \$25.
- Secondhand vendors fee is \$50 annually.
- Junk vendor is \$25 quarterly.
- Exemption of fees only applies to formerly recognized Art Fairs, Farmers Markets, events held at the fairgrounds or charitable events.
- Fees could also potentially be waived if the function was sponsored by the Quincy Chamber of Commerce or maybe an arts council.
- The fee schedule for Dame Shirley Park is a deposit of \$100 plus \$80 for every day requested and General Liability Insurance for every event carried by the coordinator of the function.
 - The Quincy Chamber of Commerce is not willing to sponsor this function.
 - The arts council has not been contacted.
 - I would prefer to stay independent and not have to rely on an organization for a sponsorship.
 - See attached starting organizational fees.
 - *See attached copy of county ordinance.

GOALS & POTENTIAL POSSIBILITIES

- Bring the community together with focus on connection to one another.
- Improve community moral and mental health.
- Establish a town identity. (I.e., recognize every Saturday morning as an event)
- Start new tradition.
- Showcase and support local business.
- Potential to attract new business.
- Invite tourism and foot traffic to the area.
- Potential to coordinate with other events. Example, car show or motorcycle rally etc.

PROPOSAL

In conclusion, I would like to organize a new community function in downtown Quincy. Providing a centralized location for local people to buy and sell art, crafts and flea market items while supporting our small businesses. In order to accomplish this, I need to lower the cost for startup and to the vendors to have a more productive outcome. I have the time, energy and experience to take on this new adventure and I would really like as much support as possible to be fully successful.

Thank you for your time and consideration.

Lori A Ellermeyer
185 Leonard Ave.
Quincy, CA 95971
(530) 616-0713
msloricann@gmail.com

Other Notes:

This venue is not considered a Farmers Market as that implies the sale of produce, prepared foods and beverages. Sale of any of these items will not be permitted.

A farmer's market also must be permitted through Environmental Health.

Also, the General Liability Insurance is higher.

Exception to this is packaged Honey and horticulture.

Another goal is to support local restaurants, bakeries and coffee shops during this time of the day.

ESTIMATED PERSONAL COSTS FOR START REQUIRED UP FRONT

General Liability Insurance

○ Local Broker \$500- \$750 (annual only)

○ Online Broker \$315 (4 months)

County permit for each vendor \$200 (annual)

Background Check \$25

County Facilities park fee \$1,540

\$100 refundable deposit,

\$80 per each day of use x 18

DBA \$125

BUSSINES CHECKING ACCT. \$25

MARKETING & ADVERTISING \$1,325

KQNY \$200

Wild Hair Signs \$650

1000 flyers \$175

Plumas News \$150

Social Media \$5 per day x 10

Donation for Events Calendar to Plumas Co. Tourism Recreation & Hospitality Council \$100

TOTAL PERSONAL COST \$3,740

TO OFFSET THESE COSTS EACH VENDOR WILL BE CHARGED A FLAT FEE OF \$25 FOR EACH TIME OF PARTICIPATION.

\$3,740 divide by 18 SATURDAYS = 9 VENDORS EVERY SATURDAY

IF THE AMOUNT OF FUNDS EXCEEDS THE COST OF EXPENSES, THE MONEY WILL BE HELD IN A BUSINESS ACCOUNT FOR THE FOLLOWING YEAR TO COVER SAME COSTS.

Sec. 5-1.205. - Exemptions.

A license shall not be required for an itinerant vendor participating in any of the following events with the authorization of the event organizer:

- (a) An outdoor festival operating with a festival license issued in accordance with Chapter 6.
- (b) Any authorized activity which is undertaken completely within the boundaries of the Plumas County Fairgrounds.
- (c) Art fairs formally recognized by the Board.
- (d) Farmers markets formally recognized by the Board.

The license exemption provided by this section shall not exempt a vendor or peddler from any other requirements of local or state law, including, without limitation, collection of applicable sales tax, compliance with requirements for weights and measures, and any applicable public health requirements related to food sales.

(§ 71204, P.C.O.C., as amended by § 1, Ord. 79-354, eff. January 17, 1980; repealed by § 1, Ord. 80-385, eff. July 31, 1980, as amended by § 7, Ord. 2010-1074, adopted July 13, 2010)

Sec. 5-1.206. - Exceptions.

The license requirements of this article shall not apply to persons selling products where the proceeds are to be used for recognized charitable or public purposes provided the person who obtains such proceeds from sales receives no part thereof for his or her services.

(§ 8, Ord. 2010-1074, adopted July 13, 2010)

Sec. 5-1.207. - Authorization from property owner.

It shall be unlawful for an itinerant vendor or peddler to conduct business on any property without having in his or her possession the written authorization of the property owner.

(§ 9, Ord. 2010-1074, adopted July 13, 2010)

Article 3. - Secondhand and Junk Dealers

Footnotes:

— (1) —

Editor's note— Article 3 entitled "Pawnbrokers and Secondhand and Junk Dealers", consisting of Sections 5-1.301 through 5-1.313, recodified from Sections 71300 through 71314, P.C.O.C., as amended by Ordinance 417, amended in its entirety by Ordinance No. 83-539, effective June 2, 1983.

Sec. S-1.301. - Licenses; Fees.

Every person carrying on those businesses defined in Article 3 and 4 of Chapter 9 of Division 8 (commencing with Section 21600) of the Business and Professions Code of the State shall pay to the Sheriff the license fees set forth in this section:

- (a) For the business of secondhand dealer, the license fee shall be Fifty and no/100ths (\$50.00) Dollars per year; and
- (b) For the business of junk dealer, the license fee shall be Twenty-Five and no/100ths (\$25.00) Dollars per quarter.

(§ 1, Ord. 83-539, eff. June 2, 1983)

Sec. 5-1.301. - Licenses: Fees.

Every person carrying on those businesses defined in Article 3 and 4 of Chapter 9 of Division 8 (commencing with Section 21600) of the Business and Professions Code of the State shall pay to the Sheriff the license fees set forth in this section:

- (a) For the business of secondhand dealer, the license fee shall be Fifty and no/100ths (\$50.00) Dollars per year; and
- (b) For the business of junk dealer, the license fee shall be Twenty-Five and no/100ths (\$25.00) Dollars per quarter.

(§ 1, Ord. 83-539, eff. June 2, 1983)



DEPARTMENT OF FACILITY SERVICES & AIRPORTS

198 ANDY'S WAY, QUINCY, CALIFORNIA 95971-9645
(530) 283-6299 FAX: (530) 283-6103

Kevin Correira
Director

~~ALL FEES SHALL BE PAYABLE TO THE COUNTY OF PLUMAS AND ARE TO BE PAID AT
THE LOCATIONS DESIGNATED BELOW~~

Quincy Courthouse & Grounds

Dame Shirley Plaza

Quincy Memorial Hall

Department of Facility & Airport Services
198 Andy's Way, Quincy CA 95971
(530) 283-6299
Monday thru Friday 8:00AM to 5:00PM

Chester Memorial Hall

Chester Park

Almanor Recreation Center

KJ's Cleaning Service
PO Box 426, Chester CA 96020
(530) 258-3203
Monday thru Friday 8:00AM to 5:00PM

Greenville Town Hall

Irene Andrews
Call: (530) 284-1586
Monday thru Friday 8:00AM to 4:00PM

Portola Memorial Hall

Bobby Rodriguez
449 West Sierra Ave
Portola CA 96122
Call: (530) 832-4173
Monday thru Friday 8:00AM to 12:00PM

Taylorsville Campground & Picnic Ground

Barbara Short
Call: (530) 251-7846
April 15 thru October 15

EXHIBIT A

APPLICATION FOR THE USE OF PLUMAS COUNTY FACILITIES AND GROUNDS

Section 1 (All applicants)

Name of requested facility: _____

Name of applicant: _____

Physical Address: _____

Mailing address (if different): _____

Phone number: _____ Message/Work: _____

Date(s) of event: _____

Scheduled time of event from set up through clean up: _____

Type of function: _____

Estimated attendance: _____

Do you need to rent the kitchen? _____ Yes _____ No

Is alcohol going to be on Plumas County property? _____ Yes _____ No

Is alcohol going to be served/sold? _____ Yes _____ No

Is electricity/water required? _____ Yes _____ No

Are minors to be admitted? _____ Yes _____ No

Names of three adult supervisors during use of facilities by youth groups/organizations:

Name of Organization (if applicable)

Section 3 (Office Use Only)

Date rental fee paid: _____ Check # _____ Receipt # _____

Date deposit paid: _____ Check # _____ Receipt # _____

Keys given out on: _____ Set #: _____ Keys to be returned on: _____

Proof of rental of portable restrooms: _____ Yes _____ No _____ N/A

Proof of A.B.C. license (if alcohol will be served) _____ Yes _____ No _____ N/A

Proof of liability insurance (if alcohol will be on property) _____ Yes _____ No _____ N/A

FACILITY USE AGREEMENT

This FACILITY USE AGREEMENT ("Agreement") is made between the COUNTY OF PLUMAS, a political subdivision of the State of California, hereinafter referred to as "COUNTY," and _____, hereinafter referred to as "USER."

1. DESCRIPTION

COUNTY hereby grants a use license to USER for that certain real property located at _____, County of _____, Plumas, State of California, otherwise known as the _____ ("FACILITY"), on the terms and conditions provided herein.

2. TERM

The period for use of the FACILITY is as follows [check applicable box and enter date[s]):

One-time event held on _____, between the hours of _____ and _____.

Ongoing event: Start Date: _____
End Date: _____
Frequency: _____
Event Hours: _____

Licenses for ongoing weekend events (defined as those occurring on a Saturday, Sunday, or consecutive Saturday and Sunday more frequently than once per calendar quarter) are made solely on a contingency basis, with no guarantee of use on any particular weekend date. Should another party reserve a particular weekend date for a one-time event at the FACILITY at least fourteen (14) days prior to such date, then that one-time reservation shall take precedence over the ongoing weekend event and USER shall have no right to use the facility on the date of the conflicting reservation. COUNTY shall notify USER as soon as feasible, and USER shall receive a refund of any previously paid fees associated with such date. USER may resume usage of the FACILITY on the next scheduled date for which no conflicting one-time reservation exists.

3. FEES

The fee for use of the FACILITY for the term as set forth at Paragraph 2 above, is \$_____, per event day. For ongoing events continuing for more than one month, payment of the fees for all event days occurring within a calendar month shall be delivered in advance to the Department of Facility Services on or before the first day of such calendar month. For all other events, payment of all fees shall be made upon execution of this Agreement.

4. SECURITY/CLEANING DEPOSIT

A security/cleaning deposit of \$_____ is due and payable on execution of this Agreement. Costs incurred by the County to return the premises and property to as good a condition as existed prior to the commencement of this Rental Agreement shall be deducted from the Security/Cleaning Deposit. The balance of the Security/Cleaning Deposit, if any, shall be refunded by COUNTY to USER within twenty (20) business days following the event.

In the event USER fails to return the keys to the FACILITY within two (2) business days of the end of the event or termination date of this Agreement, USER agrees to pay \$25.00 per day until the keys are returned to COUNTY. Duplication of keys is prohibited.

5. PARKING

USER's use of the FACILITY shall include any parking lot located on the FACILITY's premises that is designated for the use of visitors to the FACILITY. COUNTY shall not be responsible for damage to property of USER or USER'S guests whether parked in the designated parking area for the FACILITY or any adjacent public parking.

6. USE AND OCCUPANCY

USER is renting the premises in its present condition. USER shall use and occupy the premises for the purpose of as noted on the application, attached hereto for informational purposes only, and not incorporated herein, as Exhibit "A". The premises shall be used for no other purpose without the written consent of COUNTY.

7. UTILITIES

COUNTY shall, at its sole expense, pay all utilities and services furnished to the premises during the term hereof. In the event USER desires telephone or other communication available at the premises, USER shall pay all such expenses.

8. DAMAGES

The USER is responsible for and shall reimburse the COUNTY for any personal injury or property damage, or loss or liability of any kind incurred by COUNTY as a result of any of the activities of USER or of USER'S guests or members, incurred in connection with USER'S use of the premises. This includes, but is not limited to, cost to have chairs cleaned, tables repaired, and custodial time to clean the FACILITY if needed. Such damages shall first be deducted from the Security/Cleaning Deposit, to the extent permitted by law, and the remaining balance shall be invoiced to USER, and shall be due and payable upon receipt.

9. HOLD HARMLESS

USER shall defend, hold harmless, and indemnify COUNTY, its elected officials, officers, employees, agents, and volunteers against all claims, suits, actions, costs, expenses (including, but not limited to, reasonable attorney's fees of County Counsel and counsel retained by County, expert fees, litigation costs, and investigation costs),

damages, judgments, or decrees by reason of any person's or persons' bodily injury, including death, or property (including property of County) being damaged by the negligent acts, willful acts, or errors or omissions of the USER or any officer, employee, agent, or volunteer of USER during the event as set forth above, except when the injury or loss is caused by the sole negligence or intentional wrongdoing of County.

10. INSURANCE

Upon execution of this Agreement, USER shall provide proof of insurance. Insurance coverage must be from an insurance carrier authorized to transact business in the State of California, and shall be maintained continuously during the term of this Agreement.

Such coverage shall be commercial general liability insurance or special event liability insurance with limits of liability of not less than \$1 million combined single limit bodily and property damage; such insurance shall be primary as to any other insurance maintained by the County. All insurance shall include an endorsement or an amendment to the policy of insurance which names COUNTY, its elected officials, officers, employees, agents, and volunteers as additional insured and provides that the coverage shall not be reduced or canceled without 30 days written prior notice certain to the County.

11. RESPONSIBILITY OF USER

The USER agrees to assume full responsibility for the conduct of its members, agents, participants, customers, employees and guests, and all other persons who visit or use the facility in connection with USER's rental thereof.

12. RULES

USER shall comply with the "Rules and Regulations for Plumas County Facilities and Grounds" (Exhibit "B"), which is attached hereto and incorporated herein.

13. ALCOHOLIC BEVERAGES ON PREMISES

If USER wishes to serve alcoholic beverages at the FACILITY, USER shall first obtain all necessary permits from the Department of Alcoholic Beverage Control, or any other agency having jurisdiction over the service of alcohol. USER shall defend and hold harmless the COUNTY against any and all claims suits, actions, costs, expenses, (including, but not limited to, reasonable attorney's fees of County Counsel and counsel retained by COUNTY, expert fees, litigation costs, and investigation costs), damages, judgments, or decrees by reason of any person's or persons' bodily injury, including death, or property damage (including property of COUNTY) arising out of the service and/or consumption of alcoholic beverages at the FACILITY. USER shall maintain liquor liability insurance with limits of liability of not less than \$1 million combined single limit bodily and property damage throughout the period during which alcoholic beverages are served at the FACILITY. Such insurance shall include an endorsement or an amendment to the policy of insurance which names Plumas County, its elected officials, officers, employees, agents, and volunteers as additional insured.

14. SECURITY GUARDS AND CHAPERONES

- Security guards/chaperones are not required.
- Security guards/chaperones are required, and USER agrees to comply with the terms of Exhibit C, attached hereto.

15. CANCELLATION; REVOCATION OF LICENSE

A. By USER.

~~This Agreement may be canceled without penalty if confirmed in writing to the Plumas County Department of Facility Services Works fourteen (14) days prior to the date of the event (or, in the case of ongoing events, prior to the effective termination date). Users who cancel less than fourteen (14) days before the date of a one-time event will forfeit fifty percent (50%) of their rental fee. Renters who cancel less than forty-eight (48) hours in advance of the date of a one-time event shall forfeit the entire rental fee. For events that have not yet occurred, the Security/Cleaning Deposits shall be returned. For ongoing events, any Security/Cleaning Deposit shall be returned in accordance with the terms of Section 4 of this Agreement.~~

B. By COUNTY in an emergency.

COUNTY may require any group using and/or renting the premises to immediately relinquish, without prior notice, the FACILITY in the event of a disaster or emergency as determined by COUNTY, or if the FACILITY is not in normal or usable condition due to situations that are beyond the control of COUNTY (e.g., emergency or mandatory repairs, maintenance work stoppages, natural disasters, etc.). In such instances, COUNTY shall notify USER as soon as possible, either verbally or in writing, and shall return the rental fee allocable to the relinquished dates. For ongoing events, USER may resume use of the FACILITY again once the disaster, emergency, or other situation has been resolved.

C. By COUNTY without cause.

COUNTY may revoke this license for any reason, with or without cause, upon fourteen (14) days written or verbal notice to USER prior to the date of the event (or, in the case of ongoing events, prior to the effective termination date). For events that have not yet occurred, the COUNTY shall refund the use fee and security deposit in full upon revocation. For ongoing events, the COUNTY shall refund any previously paid use fees properly allocable to event dates that will be cancelled, and any Security/Cleaning Deposit shall be returned in accordance with the terms of Section 4 of this Agreement.

D. By COUNTY for cause.

COUNTY may immediately terminate this Agreement and revoke the license granted hereunder if (1) USER fails to timely pay any fees or deposits required by this Agreement, (2) USER violates any of the terms and conditions of this Agreement, or (3) USER violates any of the "Rules and Regulations for Plumas County Facilities and Grounds" (Exhibit "B"). Any fees and deposits shall be returned as though USER voluntarily cancelled this agreement as of the date of the COUNTY's termination, in accordance with Section 14.A. above.

16. NOTICES

All notices required by this Agreement to be given to either party may be given personally or by depositing the same in the United States mail, postage prepaid, and addressed to either party as set forth below and, in that event, notice shall be deemed to have been given three (3) days after mailing.

If to COUNTY:

Department of Facility Services
198 Andy's Way
Quincy, CA 95971

If to USER:

The mailing address listed on Exhibit "A"

17. ASSIGNMENT

USER's rights pursuant to this Agreement shall not be assigned without the written approval of COUNTY.

18. INUREMENT

Subject to the restrictions on assignments as herein contained, this Rental Agreement shall inure to the benefit of, and shall be binding upon the assigns, successors in interest, personal representatives, estates, and heirs of the respective parties hereto.

19. ENTIRE DOCUMENT

This Agreement constitutes the entire agreement between the parties pertaining to the subject matter contained in it as it relates to all prior and contemporary agreements, representations, and understandings of the parties. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing by all of the parties. No waiver of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provisions, nor shall it be binding unless executed in writing by the party making the waiver.

20. ATTORNEY'S FEES AND COSTS

The remedies provided herein are cumulative and may be enforced separately or concurrently. If any action is brought to enforce the obligations or rights of the parties under this Agreement, the prevailing party in the action will be entitled to all costs and expenses, including attorney's fees, including fees of County Counsel, incurred in the action.

By signing below, I certify that I have received a copy of **EXHIBIT B – Rules and Regulations for Plumas County Facilities and Grounds**.

IN WITNESS WHEREOF, the parties have executed this Rental Agreement on this _____ day of _____, 20____.

USER:

COUNTY:

County of Plumas, a political subdivision of
the State of California

By: _____

Name:

Title:

By: _____

Name:

Title:

EXHIBIT B

RULES AND REGULATIONS FOR PLUMAS COUNTY FACILITIES AND GROUNDS

INTRODUCTION

1. These rules are applicable to all persons and organizations using COUNTY facilities and/or grounds.
2. This rental agreement for use of COUNTY facilities and/or grounds is in the nature of a revocable license.
3. All persons using COUNTY facilities and /or grounds do so at their own risk.
4. At all times, users shall obey all federal, state and local laws applicable to the proposed use.
5. Failure to obey all laws, or to meet any obligation under this agreement, shall be good cause for the COUNTY to refuse to issue similar permission to the user in the future. Any infraction of these regulations shall be cause for refusal of any further use of any facilities and/or grounds, and/or revocation of the license to use said location. County reserves the right to request any location be vacated, when in its sole discretion, it makes a determination that such action is needed as a result of non-compliance with these rules or the potential for injury to persons or property.

DEFINITIONS

6. "Community Groups" are pre-existing, local organizations with some common tie or bond, such as a religious, social, political or service orientation. "Community Groups" include and would be similar in nature to the following organizations: Lions, Soroptimists, League of Women Voters, Republican/Democratic Parties, Elks, Kiwanis, Sorority Groups, Rainbow Girls, Daughters of American Revolution, etc. "Dances (civic community groups)" are defined as dances held by an organization meeting the above definition. Community Groups shall also include various nonprofit corporations and associations whose services or functions are for the overall benefit of the community.
7. "Commercial Enterprises" are functions held with a commercial or profit-oriented goal, and would normally have established costs or fees for participants or attendees.

FEES

8. All Plumas County organizations, whose memberships consist exclusively of U.S. Veterans groups, and all authorized auxiliary units of these organizations, shall have use of the Memorial Halls without charge
9. County and City Government agencies shall have use of any location, without charge, for official meetings, elections, town meetings, and similar activities, providing said use is scheduled according to these regulations
10. The Plumas County Board of Supervisors, upon formal request, reserves the right to waive any facility rental fees or deposits for Community Groups as defined above where such waiver will not result in a gift of public funds under California law. Both the request for and Board consideration of the request for waiver of rental fees must be made in advance before the proposed event. Requests for fee waivers may be made to the Clerk of the Board at pcbs@countyofplumas.com.
11. All other users, whether public or private, individuals or groups, must pay for the use of the facilities and/or grounds according to the current COUNTY rate schedule.
12. All fees shall be payable to the County of Plumas and are to be paid at the locations designated below:

Facility/Grounds

Payment Location or Mailing Address

a) Quincy Memorial Hall	Dept. of Facility Services (530) 283-6299 M-F
County Courthouse & grounds	Dept. of Facility Services (530) 283-6299 M-F
Dame Shirley Plaza	Dept. of Facility Services (530) 283-6299 M-F
b) Chester Memorial Hall, Chester Park & Almanor Recreation Center	Kim Lund (530) 258-9568 KJ's Cleaning Service
c) Greenville Town Hall	Irene Andrews (530) 284-1586 8:00 am-4:00 pm M-F
d) Portola Memorial Hall	Bobby Rodriguez (530) 832-4173 8:00am-1:00pm M-F
e) Taylorsville Picnic area	Mike or Barbara Short (530) 251-7846 April 15-Oct 15 only

RESERVATIONS AND SCHEDULING

13. All Plumas County organizations, whose memberships consist exclusively of U.S. Veterans, and all authorized auxiliary units of these organizations, shall have priority with respect to scheduling and use of the Memorial Halls. This priority does not permit reservation of a facility after the County's receipt of rental fees from another party for use on a given date.
14. Reservations for use shall be accepted on a first come, first serve basis. Applications for use and payment are to be received at least ten (10) business days in advance of the event and are subject to refund should the date not be used. To receive a refund, cancellations must be made at least ten (10) business days prior to the event.

ENTRY AND USE

15. The Applicant and event organizers are responsible for ensuring that persons attending the event comply with all rules and regulations set forth herein.
16. Entry and use of the facility/grounds is limited to only the area scheduled and approved for use.
17. If the event attendance exceeds 200 persons, and no restrooms are provided at the location, user shall provide portable restroom facilities. In this case, one (1) unit per fifty (50) persons attending the event shall be provided.

18. If user requires electrical power or water for events scheduled on the grounds of the County Courthouse or Dame Shirley Plaza, arrangements must be made with the Dept. of Facility Services at least five (5) days in advance.
19. Rice is not permitted to be thrown at weddings. Birdseed may be used.
20. Building furnishings, property, or equipment shall not be removed from any facility, nor shall same be loaned for use elsewhere, or altered or changed. User shall not change or disturb equipment, trees, plants or other landscaping.
21. No tape, glue or staples are to be used on any painted surfaces or marble surfaces.
22. Kitchens in the Memorial Halls and the Greenville Town Hall may not be rented or leased by individuals for commercial purposes unless said kitchens are in compliance with the "California Restaurant Act," commencing with Section 28520 of the Health and Safety Code. This requirement shall not apply to the following:
 - (a) Churches, church societies, private clubs or other non-profit associations of a religious, philanthropic, civic improvement, social, political, or educational nature, which purchase food for sale at a reasonable charge to their members or the general public at occasional (less than three (3) per year) fund raising events.
 - (b) ~~Churches, church societies, private clubs or other non-profit associations of a religious, philanthropic, civic improvement, social, political, or educational nature, which purchase food or beverages, or receive donations of same, for service without charge to their members.~~

23. Adult supervision must be maintained by at least three adults who must be on hand at all times during any use of the building or portion thereof, by youth groups or organizations.

ALCOHOL USE

24. All applicants that wish to sell alcohol at their event must obtain a special daily license from the Department of Alcoholic Beverage Control.
25. There shall be no alcoholic consumption by minors.
26. The user understands that they are responsible for any personal injury or property damage that occurs during or after the event which is related to alcohol being served and consumed at the event.
27. The minimum amount of \$1,000,000 (one million dollars) in general liability insurance covering the use of alcoholic beverages is required prior to any event serving alcohol. The COUNTY shall be named as additionally insured. The COUNTY prior to the event shall receive a certificate of insurance. The user and user's insurance shall defend the COUNTY and hold it harmless of any and all claims.

AFTER THE EVENT

28. Upon leaving the building, a check shall be made for any fire hazard, lights must be turned off and all doors and windows must be securely locked.
29. All persons and organizations using the facility and/or grounds will be held responsible for IMMEDIATE CLEAN UP AND FOR THE REMOVAL OF THEIR PROPERTY AFTER THE EVENT. The user shall immediately pick up and remove any trash, litter, debris, or personal property remaining at the conclusion of the event.
30. Any birdseed thrown outside any facility for weddings shall be cleaned up prior to the security deposit being released. All decorations shall be removed at the end of the event.
31. The County is in no way responsible for any personal or other property being brought into or left at the facility and/or grounds.
32. Keys are to be returned on first business day following the event before 4:00 p.m. Keys shall be returned to the location from which the keys were obtained.

RETURN OF DEPOSIT/DAMAGE CLAUSE

33. All persons or organizations having use of any facility and/or grounds or any portion thereof will be held strictly responsible financially for any damage.
34. The person signing this agreement for the user shall be personally responsible to the COUNTY for any failure by the user to faithfully perform his/her obligations, as described herein and in the agreement for use of the COUNTY facilities/grounds. The COUNTY may hold the person liable for any damages incurred.

PLUMAS COUNTY FACILITY AND GROUNDS USE RATES

MEMORIAL AND TOWN HALLS

ORGANIZATION TYPE	EVENT TYPE	STANDARD RENTAL RATE	KITCHEN RENTAL RATE	REFUNDABLE CLEANING / SECURITY DEPOSIT
VETERAN'S GROUPS	ALL	NO CHARGE	NO CHARGE	N/A
COUNTY DEPTS OR ORGANIZATIONS	MEETINGS / TRAINING	NO CHARGE	NO CHARGE	N/A
CIVIC COMMUNITY GROUPS	MEETINGS	\$15/HR - \$75/DAY	\$35	\$100
CIVIC COMMUNITY GROUPS	DANCES / DINNERS / RECEPTIONS	\$100	\$35	\$200
PRIVATE GROUPS	MEETINGS RECEPTIONS	\$100	\$35	\$200
COMMERCIAL USE	DANCES	\$400	\$50	\$200
COMMERCIAL USE	KITCHEN ONLY	N/A	\$35 / HR	\$100
COMMERCIAL USE	ALL OTHER	\$300	\$50	\$100
INSTRUCTIONAL CLASSES	DANCE/GYMNASTICS/AEROBICS ETC	\$20 / HR	N/A	\$100

DOWNTOWN QUINCY

FACILITY OR GROUNDS	EVENT TYPE	RATE		REFUNDABLE DEPOSIT
COURTHOUSE FACILITY	PER APPROVED POLICY	\$135+\$30/ADDT'L HR		\$250
COURTHOUSE GROUNDS	ALL	\$80		\$100
DAME SHIRLEY PLAZA	ALL	\$80		\$100

TAYLORSVILLE CAMPGROUND

GROUNDS AREA	EVENT TYPE	RATE		REFUNDABLE DEPOSIT
CAMPSITES	ALL	\$20 / NIGHT		\$200 per HORSE
PICNIC AREA RESERVATIONS	ALL \$75			

CHESTER PARK

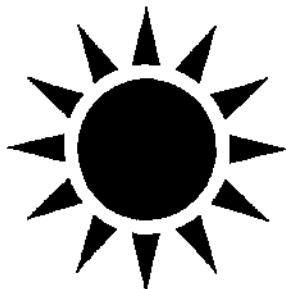
GROUNDS AREA	EVENT TYPE	RATE		REFUNDABLE DEPOSIT
SOFTBALL & LITTLE LEAGUE TEAMS	PER TEAM / SEASON/ TOURNAMENT	\$20 \$150		\$100
PARK RESERVATIONS	PICNICS / SHOWS ETC	\$75		
COMMERCIAL USE	ALL	\$100		\$100
PAVILLION RENTAL BALL FIELD LIGHTING COURT LIGHTING CONCESSION RENTAL	ALL	\$25 \$8 / NIGHT \$8 / NIGHT \$25		

Saturday Morning Market

Dame Shirley Park, Quincy

Lori A Ellermeyer

February 9, 2021





3AA

DEPARTMENT OF FACILITY SERVICES & AIRPORTS

198 ANDY'S WAY, QUINCY, CALIFORNIA 95971-9645
(530) 283-6299 FAX: (530) 283-6103

Kevin Correira
Director

Board Meeting: March 9, 2021

To: The Honorable Board of Supervisors

From: Kevin Correira, Director

Subject: Authorize Facility services to hire their three temporary part time workers for the season. These positions are budgeted

Background

Every year Facility services hires two temporary part time workers to assist us with grounds keeping during the spring, summer and fall, we would like to start them now due to Cal Fire not being available to help us with cleaning up Taylorsville campground before the season opening.

The other temporary part time position will be to replace our administrative assistant Debbie Smith who will be leaving us soon to go back into retirement, this is a 29hrs per week position all year. These items are all budgeted.

Recommendation

This is already a budgeted item since it is reoccurring and has been this way for a number of years now. Please authorize Facility Services to hire two temporary part time workers for the season and one temporary part time admin assistant to replace Debbie.



Office of the Sheriff

Office of Emergency Services

3B1

1400 E. Main Street, Quincy, California 95971 • (530) 283-6375 • Fax 283-6344

TODD JOHNS
SHERIFF/CORONER
DIRECTOR

Memorandum

DATE: February 24, 2021

TO: Honorable Board of Supervisors

FROM: Sheriff Todd Johns 

RE: Agenda Items for the meeting of March 9, 2021

RECOMMENDATION:

Approve a supplemental budget request in the amount of \$95,290.00 for the Homeland Security Grant budget for the 2020 Grant Award.

BACKGROUND & DISCUSSION:

The 2020 Homeland Security grant award is \$95,290.00. This supplemental budget is necessary at this time to allow the Sheriff's Office to make the purchases approved under the grant award and to maximize the use of the funding.

In the space below, state (a) reason for request, (b) reason why there are sufficient balances in affected accounts to finance transfer, (c) why transfer cannot be delayed until next budget year (attach memo if more space is needed) or (d) reason for the receipt of more or less revenue than budgeted.

A) SUPPLEMENTAL BUDGET REQUEST FOR 2020 HOMELAND SECURITY GRANT

B) N/A

C) EXPENSES BEING INCURRED FOR GRANT FUNDING PERIOD

D) UNANTICIPATED REVENUE 2020 HOMELAND SECURITY GRANT AWARDED AFTER BUDGET ADOPTION

Approved by Department Signing Authority: Ron Jaworsky

Approved/ Recommended

Disapproved/ Not recommended

Auditor/Controller Signature: _____

Board Approval Date: _____

Agenda Item No _____

Clerk of the Board Signature: _____

Date Entered by Auditor/Controller: _____

Initials _____

INSTRUCTIONS:

Original and 1 copy of ALL budget transfers go to Auditor/Controller. If supplemental request they must go to the Auditor/Controller. Original will be kept by Auditor, copies returned to Department after it is entered into the system.

Supplemental transfer must have Auditor/Controllers signature. Auditor/Controller will forward all signed, supplemental transfers to the Board for approval.

If one copy of agenda request and 13 copies of Board memo and backup are attached, the entire packet will be forwarded, after all signatures are obtained, to the Clerk of the Board. If only the budget form is sent, it will be returned to the Department after all signatures are obtained.

Transfers that are going to be submitted to the Board for approval:

- A. Must be signed by the Auditor/Controller; if supplemental must be signed by the Auditor/Controller.

GAVIN NEWSOM
GOVERNOR

MARK S. GHILARDUCCI
DIRECTOR



October 23, 2020

Todd Johns
Sheriff-Coroner
Plumas County
1400 East Main Street
Quincy, CA 95971

SUBJECT: NOTIFICATION OF SUBRECIPIENT SUBAWARD APPROVAL

Fiscal Year (FY) 2020 Homeland Security Grant Program (HSGP)
Subaward #2020-0095, Cal OES ID#063-00000
Subaward Period of Performance: 09/01/2020-05/31/2023

Dear Sheriff Johns:

We are pleased to announce the approval of your FY 2020 HSGP subaward in the amount of \$95,290. Once the completed application is received and approved, reimbursement of eligible subaward expenditures may be requested using the California Governor's Office of Emergency Services (Cal OES) Financial Management Forms Workbook. Failure to provide documentation in a timely manner could result in a hold on funding, pursuant to Title 2, Code of Federal Regulations (CFR), Sections 200.338(a) and 200.207(b)(1)-(2).

This subaward is subject to requirements in 2 CFR, Part 200, including the Notice of Funding Opportunity (NOFO), the Preparedness Grants Manual, the California Supplement to the NOFO, and all applicable federal, state, and local requirements. All activities funded with this subaward must be completed within the subaward period of performance.

Subrecipients must obtain additional written approval **prior** to incurring costs for activities such as aviation, watercraft, allowability request logs, noncompetitive procurement, and projects requiring Environmental Planning and Historic Preservation review. Additionally, all projects falling under the National Priority Investment Justifications must be reviewed and approved for effectiveness by the



3650 SCHRIEVER AVENUE, MATHER, CA 95655

www.caloes.ca.gov

Todd Johns
October 23, 2020
Page 2 of 2

Federal Emergency Management Agency (FEMA), prior to the obligation, and expenditure of funds for those projects.

Your organization will be required to prepare and submit the Biannual Strategy Implementation Report (BSIR) to Cal OES via the FEMA Grants Reporting Tool (GRT) semi-annually for the duration of the subaward period of performance or until all activities are completed and the subaward is formally closed. Failure to submit required reports could result in subaward reduction, suspension, or termination. Throughout the subaward cycle, milestones set in the GRT will be used as indicators of project feasibility, performance, and grant management capacity. This information may also be used in assessing proposals in future grant opportunities.

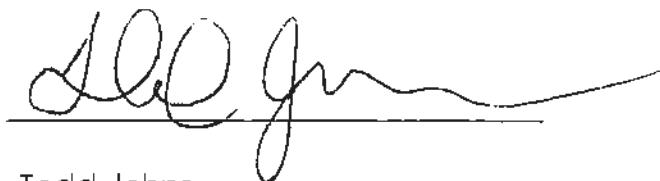
A Conditional Hold has been placed on your subaward; five percent of the subaward must be allocated to each of the four National Priority Investment Justifications for a total of twenty percent of the award. To release this hold, additional information is required for the investments identified which must be submitted in the December 2020 BSIR in a manner consistent with Grants Program Directorate Information Bulletin No. 447.

Your dated signature is required on this letter. Please sign and return the original to your Cal OES Program Representative within 20 calendar days upon receipt and keep a copy for your records. For further assistance, please contact your Cal OES Program Representative.

Sincerely,



MARK S. GHILARDUCCI
Director



Todd Johns
Plumas County

10/27/2020

Date



332

Office of the Sheriff

Office of Emergency Services

1400 E. Main Street, Quincy, California 95971 • (530) 283-6375 • Fax 283-6344

TODD JOHNS
SHERIFF/CORONER
DIRECTOR

Memorandum

DATE: February 25, 2021
TO: Honorable Board of Supervisors
FROM: Sheriff Todd Johns ~~✓~~
RE: Agenda Item for the meeting of March 9, 2021

RECOMMENDATION:

Authorize the Sheriff fill vacant Animal Control Officer I/II position as soon as possible.

BACKGROUND & DISCUSSION:

The position of Animal Control Officer I/II is vacant because of a resignation.

Animal Control operates with minimal staffing levels. The budget has two (2) FTEs and an extra help shelter attendant. The resignation of the previous Animal Control Officer in January has resulted in staffing shortages in that department.

The Animal Control Supervisor cannot patrol the entire county, respond to calls & complaints, handle public access to the animal shelter, care for the animals housed at the shelter, etc, without the assistance of an Animal Control Officer.

The cost for this position is allocated and budgeted the Animal Control budget and is sufficient to cover this request.

CRITICAL STAFFING QUESTIONS- ALLOCATED POSITION

DEPARTMENT TITLE: ANIMAL CONTROL DEPT: 20428

POSITION TITLES: ANIMAL CONTROL OFFICER I/II

FTE: 1

ALLOCATED? YES BUDGETED? YES

Is there a legitimate business, statutory or financial justification to fill the position?

ANIMAL CONTROL IS MANDATED BY STATE & LOCAL LAWS

FILLING THIS POSITION WILL HELP TO MITIGATE OVERTIME COSTS

Why is it critical that this position be filled at this time? **ANIMAL CONTROL OPERATES WITH TWO (2) FTEs, & ONE EXTRA HELP POSITION - 24 hrs A DAY, 7 DAYS A WEEK. ONE PERSON IS INSUFFICIENT TO PATROL ALL OF PLUMAS COUNTY, HANDLE COMPLAINTS, RESPOND TO CALLS, FEED & CARE FOR ANIMALS AT THE SHELTER, HANDLE LICENSES AND SHELTER PAPERWORK & ALL OTHER DUTIES AS NEEDED.**

How long has the position been vacant? **VACANCY CREATED BY RESIGNATION ON JANUARY 8, 2021**

Can the department use other wages until the next budget cycle? **NO**

What are staffing levels at other counties for similar departments and/or positions? **EQUAL TO OR HIGHER THAN PLUMAS COUNTY**

What core function will be impacted without filling the position prior to July 1?

ANIMAL CONTROL PATROLS, RESPONDING TO CALLS/COMPLAINTS, PUBLIC ACCESS TO THE SHELTER

What negative fiscal impact will the County suffer if the position is not filled prior to July 1?

ADDITIONAL OVERTIME FOR ANIMAL CONTROL SUPERVISOR TO HANDLE ALL NECESSARY DUTIES

Does the department expect other financial expenditures which will impact the general fund and are not budgeted such as audit exceptions? **NO**

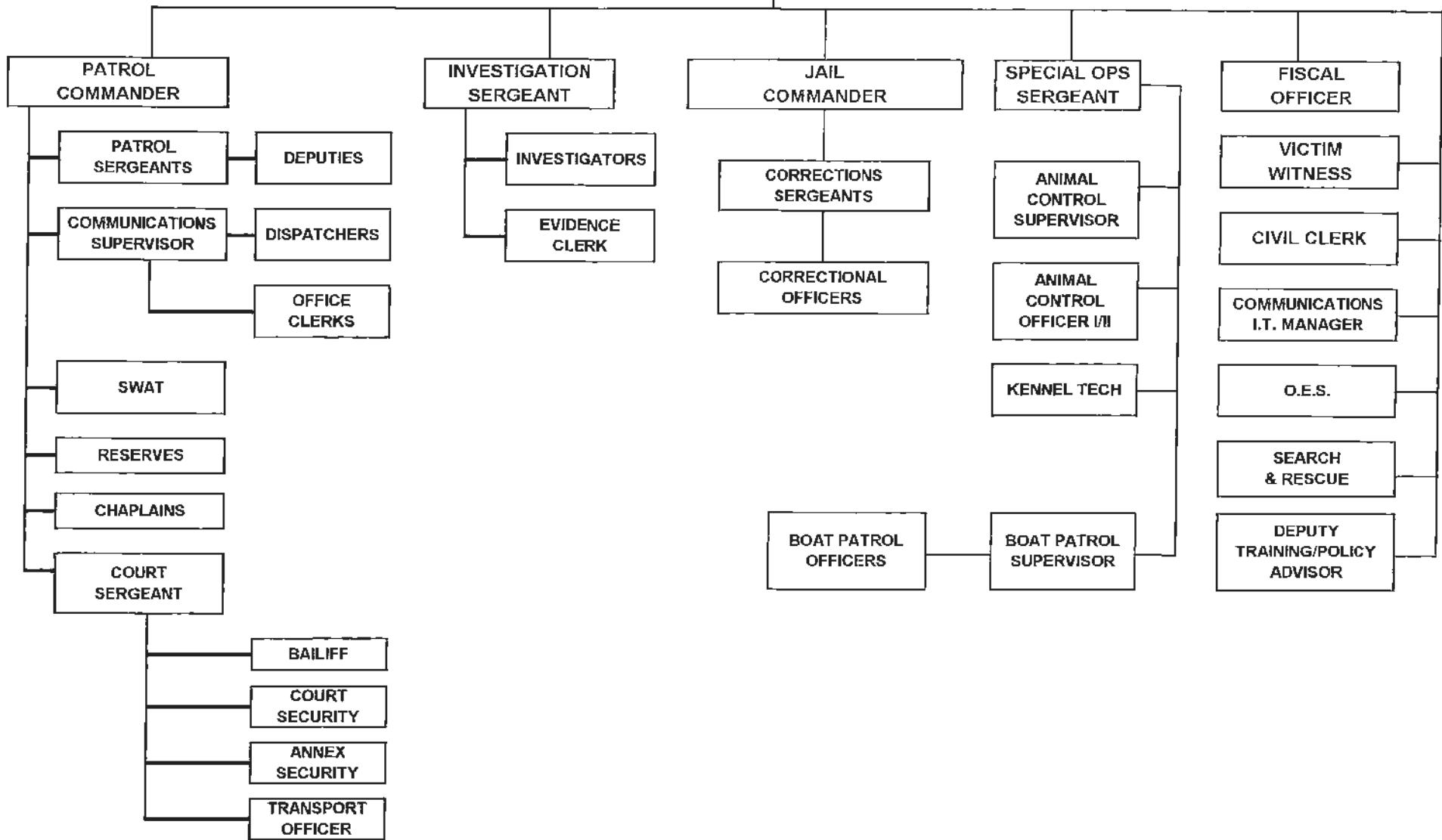
Does the budget reduction plan anticipate the elimination of any of the requested positions? **N/A**

Departments shall provide an estimate of future general fund support for the next two years and how the immediate filling of this position may impact, positively or negatively, the need for general fund support? **ANIMAL CONTROL IS 100% GENERAL FUND. THE MAJORITY OF THE COSTS ARE FOR STAFFING & MAINTAINING THE SHELTER**

Does the department have a reserve? If yes, provide the activity of the department's reserve account for the last three years? **NO**

SHERIFF

UNDERSHERIFF





Office of the Sheriff

Office of Emergency Services

3B3

1400 E. Main Street, Quincy, California 95971 • (530) 283-6375 • Fax 283-6344

TODD JOHNS
SHERIFF/CORONER
DIRECTOR

Memorandum

DATE: February 25, 2021

TO: Honorable Board of Supervisors

FROM: Sheriff Todd Johns *(Signature)*

RE: Agenda Item for the meeting of March 9, 2021

RECOMMENDATION:

Discussion and possible direction regarding the installation of solar system at the Plumas County Sheriff's main office located at 1400 E. Main Street in Quincy.

BACKGROUND & DISCUSSION:

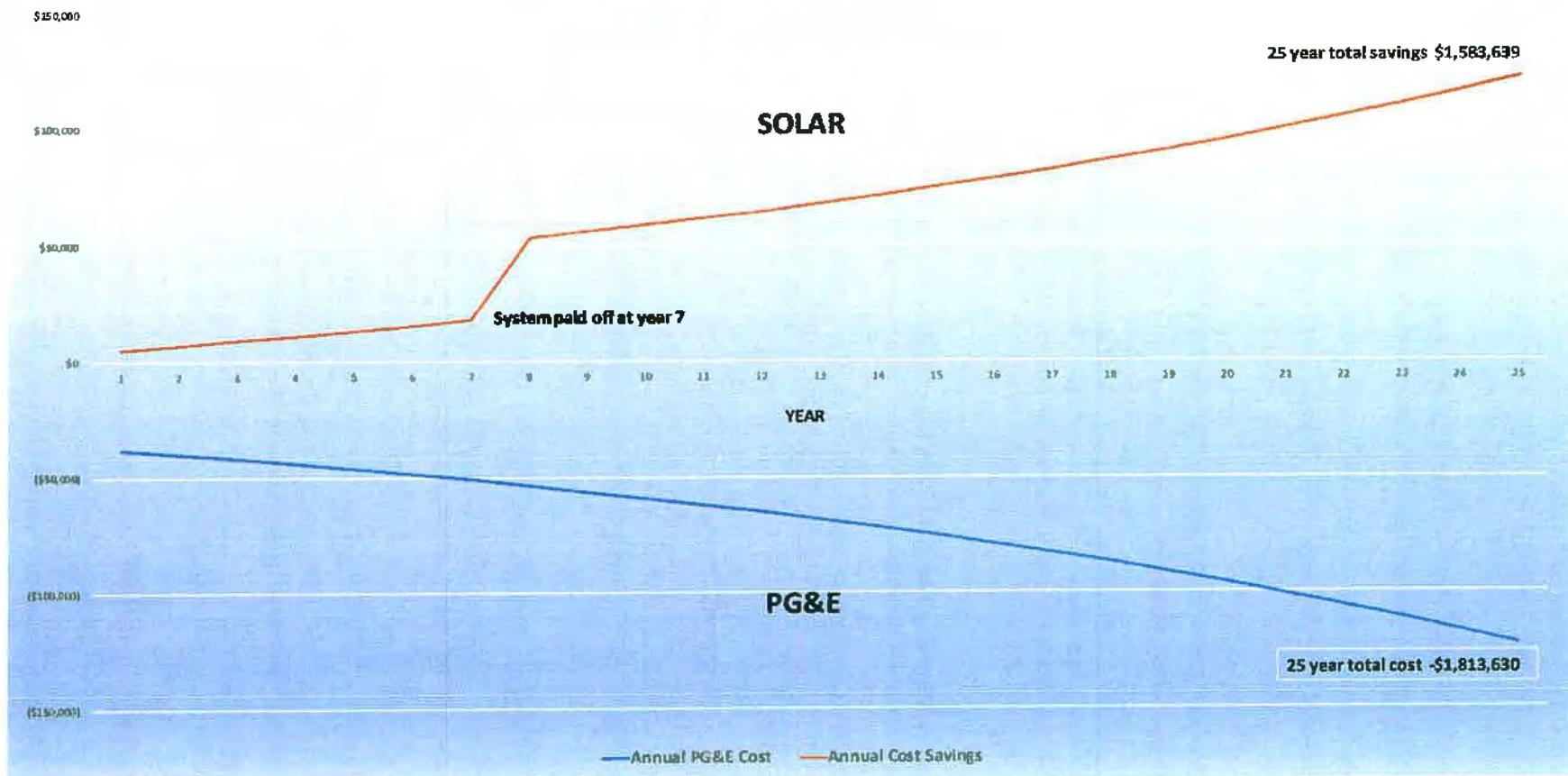
The Sheriff's Office current electricity bill averages approximately \$3,000.00 per month. It is anticipated that PG&E rates will continue to increase 4% - 6% each year. Based on this trend, the potential savings to the county for the life of a solar system (25+ years) would be well over \$1.5 million dollars.

The Sheriff has received preliminary estimates that the installation of a solar system at the Sheriff's Office would cost approximately \$230,000.00. This could be paid in a lump sum or by low interest loan which would be paid off in seven years. Based on PG&E's projected increases, the savings to the county in the first seven years would be approximately \$79,000. Solar systems last an average of 25 years. The potential savings to the county between year seven and twenty-five could be \$1,277,000.00.

At this time the Sheriff is requesting direction from the Board and County Counsel regarding feasibility and next steps for this project.

SHERIFF'S OFFICE

PG&E Cost vs Solar Savings



PROJECTIONS BASED ON 5% AVERAGE PG&E
INCREASE PER YEAR.

SHERIFF'S OFFICE SOLAR PROJECT

Year	Annual PG&E Cost (assumes 5% increase per year)	Annual Cost Savings	Cumulative PG&E Cost	Cumulative Loan Cost
1	\$38,000	\$5,144	\$38,000	\$32,856
2	\$39,900	\$7,044	\$77,900	\$65,712
3	\$41,895	\$9,039	\$119,795	\$98,568
4	\$43,990	\$11,134	\$163,785	\$131,424
5	\$46,189	\$13,333	\$209,974	\$164,280
6	\$48,499	\$15,643	\$258,473	\$197,136
7	\$50,924	\$18,068	\$309,396	\$229,992
8	\$53,470	\$20,614 Loan Payoff in Year 7		
9	\$56,143	\$56,143		
10	\$58,950	\$58,950		
11	\$61,898	\$61,898		
12	\$64,993	\$64,993		
13	\$68,243	\$68,243		
14	\$71,655	\$71,655		
15	\$75,237	\$75,237		
16	\$78,999	\$78,999		
17	\$82,949	\$82,949		
18	\$87,097	\$87,097		
19	\$91,452	\$91,452		
20	\$96,024	\$96,024		
21	\$100,825	\$100,825		
22	\$105,867	\$105,867		
23	\$111,160	\$111,160		
24	\$116,718	\$116,718		
25	\$122,554	\$122,554		
	\$1,813,630	\$1,550,783		

Todd,

Souther

Sorry for the delay. If you do the (simplified) math, at a cost of \$230,000 and a rate of interest of 3.3% in an unsecured loan from Feather River Solar Electric, the system is paid for in about 7 years as long as you continue to pay FRSE what you are currently paying PG&E. After this 7 years with the financing paid off, your electric bill would continue to be offset by the solar electric system making your electric bill somewhere around \$0.00/month for the duration of the life of the system (see below) AS LONG AS your kwhr power consumption stays about the same as it is now. If your power consumption increases, your bill would show a slight charge. Systems like these expect to see a life of about 25 years at which point they are still functioning but at an output of about 80-83% of new. At the end of this 25 years this would also mean you would have a small electric bill due to this decrease in output.

To be sure everybody is on the same page, if I am asked to install this system more research would have to been done to assure that your current power infrastructure can handle the back-feeding of this much power without too many changes to your main distribution panel. If changes were necessary this could possibly mean the payback period may be longer such as 7.5 ~ 8 years.

However, either way the county does not pay for this system upfront, the only change would be to make monthly payments to Feather River Solar Electric instead of PG&E until the loan is paid for. To be clear, you would still have to have a PG&E account enabling you to be able to backfeed your solar power to them for which there is a nominal monthly fee (less than \$100).

Historically, PG&E rates have gone up about 6%/year. Let's just round off and call your current PG&E payments at \$3K, that means next year you would be paying them \$3,180, the next year \$3,371 until 8 years from now when you would be paying FRSE the same loan rate of \$3k, but if you were still paying PG&E the monthly bill would be about \$4,510. Of course that's assuming their rates don't increase even faster with all their lawsuits and distribution upgrades for fire.

I hope this helps. If you want me to attend the meeting with the county to help this sell, let me know.

Thanks,

- ADDITIONAL INFORMATION -

Which Would You Choose?



Solar

Utility Company

Predictable bills (budgetable)	Unpredictable bills
Equal/flat monthly payments	Monthly bills fluctuate
Protection against future rate increases	No protection against rate increases
Adds value and marketability to your home	No value added to your home
Return on investment	0% return on investment
Take advantage of 26% Federal Tax Credit	No Federal Tax Credit
Environmentally friendly	Dirty power
Own your own power source	Rent your power
Ability to pay off your solar system and not have a monthly electric bill	Never ending electric bill

ADDITIONAL INFORMATION



How Solar Works

① Solar Panels

Solar panels convert sunlight to DC electricity.

② Conversion of Energy

The inverter converts DC electricity to AC.

③ Electric Distribution

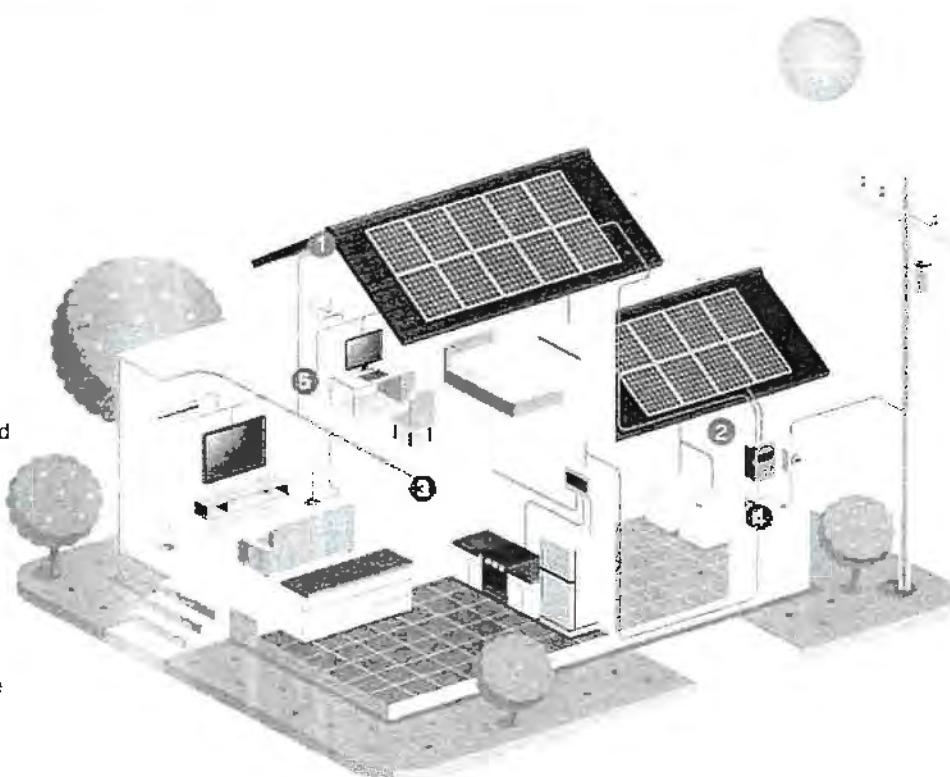
Power is distributed and consumed throughout your household. Any excess power is sent back to the grid for your neighbors use.

④ Energy Metering

This measures the amount of power produced during the day.

⑤ System Monitoring

This tracks your energy efficiency and helps gauge how effective your solar panels are working.



Solar Home Value



- Buying a solar energy system will likely increase your home's value. A recent study found that solar panels are viewed as upgrades, just like a renovated kitchen or a finished basement, and home buyers across the country have been willing to pay a premium of about \$15,000 for a home with an average-sized solar array. Additionally, there is evidence homes with solar panels sell faster than those without. In 2008, California homes with energy efficient features and PV were found to sell faster than homes that consume more energy. Keep in mind, these studies focused on homeowner-owned solar arrays.



<https://emp.lbl.gov/sites/default/files/lbnl-1002778.pdf>

The Mendocino Voice | (<https://mendovoice.com/2020/12/pge-will-increase-rates-8-for-all-customers-march-1-part-of-1-15-billion-in-hikes/>)

PG&E will increase rates 8% for all customers March 1 — part of \$1.15 billion in hikes



C O U N C I L
Mendocino County

Thanks to our community partner sponsors

By Lana Cohen, Staff Reporter | December 14, 2020



The PG&E logo

LITTLE RIVER 12/14/2020 — If you're a PG&E customer, you should start preparing yourself for an increase in your electricity bill. ~~On Jan. 1, 2021, the rate hike will go into effect~~

The boost was approved by the California Public Utilities Commission, a state agency which regulates California's utilities, on December 3, after a years long battle between the utility company and multiple consumer advocacy groups. According to reporting done by the Associated Press (<https://apnews.com/article/wildfires-california-fires-coronavirus-pandemic-238069147d42a0316aef62233254660>), the rate hike will bring up residential customers monthly bills by an average of \$13.44 per month, which comes out to an average of \$161.28 per year.

California Public Utilities is allowing the increase under a negotiated agreement that allows PG&E to implement \$1.15 billion in rate hikes from March 2021 until December 31, 2022. The hikes will provide the utility company with additional revenue they say they need to update outdated equipment and provide safe and reliable electricity. PG&E cannot use any of the \$1.15 billion for executive salaries or to dig itself out of bankruptcy (<https://www.nbc.org/tv/news/economy/pge-reaches-bankruptcy-deal-with-california-governor>).



PG&E wins California regulator OK for 2021-22 rate increases

Dec. 03, 2020 4:15 PM ET | PG&E Corporation (PCG) | By: Carl Surran, SA News Editor | 8 Comments

- PG&E (NYSE:PCG) says the California Public Utilities Commission approved most aspects of its 2020 general rate case multi-party settlement agreement reached in 2019, which will allow for necessary investment in PG&E's electric and gas distribution systems and power generation infrastructure, including investments to reduce the risk of catastrophic wildfires.
- The CPUC approved an increase in revenue PG&E collects from customers by 6.9%, or \$584M, in 2020 to fund operations and make wildfire safety investments, which the company says means the average monthly bill for a typical residential electric and gas customer will increase by \$13.44/month.
- The 2020 GRC rate change, which incorporates bill impacts for 2020 and 2021, will take effect March 1, 2021 and will impact rates until Dec. 31, 2022.
- PG&E also says it has identified an estimated average savings of \$1B/year in operational costs through 2025 from various cost savings initiatives, including the sale of its San Francisco headquarters and move to Oakland.
- **Now read:** Eversource Energy: A Lot Of Potential In Renewables And Could Be Cheap

Comments (8)

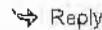
Newest  

 Cliffhanger55

03 Dec. 2020

Comments (155)

Speaking as a PG&E customer, I hope the new charge will actually go toward the necessary infrastructure so we can keep the lights on.

 Reply  Like (1)

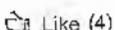


WhiteGoodman

03 Dec. 2020

Comments (38)

Bought 100 shares for \$6.99 over the summer. Knew this would happen plus add in the 21 billion slush fund for utilities that start fire in the future by the state of CA. Will be a big winner on that buy.

 Reply  Like (4)



Craig69

04 Dec. 2020

Comments (1.03K)

@WhiteGoodman

Agreed.

 Reply  Like



Craig69

03 Dec. 2020

PLUMAS COUNTY
DEPARTMENT OF PUBLIC WORKS
SOLID WASTE DIVISION



1834 EAST MAIN STREET • QUINCY, CA 95971 • (530) 283-6268

Robert A. Perreault, Jr., P.E., Director of Public Works, Heidi H. Putnam, Solid Waste Manager

AGENDA REQUEST

for the March 9, 2021 Meeting of the Board of Supervisors

Date: **March 1, 2021**

To: Honorable Board of Supervisors

From: Robert Perreault, Director of Public Works

Subject: Consideration of a proposed Pledge of Revenue to establish a second Financial Assurance Mechanism to cover corrective action costs at Gopher Hill Landfill No. 32-AA-008; and consideration of associated resolution; for discussion and possible action.

PREFACE:

As discussed at the Board of Supervisors meeting held on September 22nd, 2020, pertaining to the Corrective Action, Pledge of Revenue for the Chester Landfill, it was explained that the County would need to address 3 separate financial assurance mechanisms.

Chester Landfill - Funding of Financial assurances for 2 Pledge of Revenues

1. Pledge of Revenue for Post Closure maintenance (PCM)- annual costs for PCM are estimated at \$36,191.39 (the 30 year multiplier brings that cost to \$1,085,742.00)
 - a) There is a current fund balance as the closure and PCM are ongoing and require continued funding as it will continue to have annual inflation costs.
2. The County Adopted Resolution 20-8519 and Pledge of Revenue for Water Release Corrective Action Plan (WRCAP) on September 22, 2020

Gopher Hill Landfill – (Closed – with ongoing post closure maintenance, & water sampling)

- *Pledge of Revenue for Post Closure Maintenance was updated in 2014 as a part of the 5 year review. Post closure maintenance was estimated at \$330,000.00 in 2014, with annual inflation added to date this cost is now at \$362,959.00 (2020 Dollars). This should be covered under its closure costs.*

Agenda Request

Gopher Hill Landfill - Pledge of Revenue – Corrective Action

Page 2

3. The County will need to establish a Pledge of Revenue for Gopher Landfill Corrective Action.
 - a) The Pledge of Revenue (POR) for the Gopher Hill Landfill is required to be established in support of non-water corrective action. Currently, Plumas County does not have a water-related corrective action plan submitted to CalRecycle. Since the non-water estimate is the only approved corrective action estimate, the POR will be established in support of non-water corrective action and the revenue will be in the amount pledged for the entire non-water corrective action cost estimate
 - b) The Non-water Release Corrective Action Plan (NWRCAP) had a cost estimate that was prepared for the Gopher Hill Landfill that was updated as part of the 5 year review in 2014. The (NWRCAP) cost estimate for corrective action was \$34,520 at that time. *(Inflation from 2014 to date is not factored into this cost, spreadsheet showing this calculation attached)*

BACKGROUND:

The primary purpose of this Agenda Request, is to enable the Board of Supervisors to receive a report and recommendations from the Department of Public Works pertaining to establishing a second Pledge of Revenue to demonstrate the ability to provide financial assurances for the cost of initiating and completing corrective action for all known or reasonably foreseeable non-water releases from the Gopher Hill Landfill facility 32-AA-008, in at least the amount of the current corrective action plan as approved by CalRecycle and the California Regional Water Quality Control Board (RWQCB), in compliance with California Code of Regulations (27 CCR) Regarding Corrective Action Financial Assurances.

The Gopher Hill Landfill is located in Plumas County, approximately 5 miles west of Quincy on Snake Lake Road north of Bucks Lake Road. The landfill is located on public land administered by the United States Department of Agriculture, Forest Service (USFS).

The Gopher Hill Landfill was closed in the summer of 2005, and has been in post-closure maintenance since that time. The post-closure maintenance and non-water release corrective action costs were updated as a part of the facilities 5 year review process in November of 2014. The updated costs were approved by CalRecycle and Central Valley Regional Water Quality Control Board.

The Corrective Action costs updated in November of 2014 had a cost estimate for corrective action in case of a non-water release for Gopher Hill Landfill was \$34,520.00 in 2014. Base cost is currently \$37,968.00 (2020 dollars)

Therefore the financial assurance mechanisms for Closure/ Post-closure Maintenance, and corrective action as of 2020 Inflation Calculation are as follows:

Chester Landfill (2020) –

Closure Cost	\$6,083,796.00
Post Closure Maintenance	\$293,667.00
Corrective Action	\$317,552.00

Gopher Hill Landfill (2020) –

Post Closure Maintenance	\$362,959.00
Corrective Action	\$37,968.00

\$7,095,942.00

FUNDING OF POR:

Pledges of Revenue requires that a sufficient funds be escrowed by the Plumas County Auditor in order to be made immediately available in the event that such funds are needed for a corrective action expenditure. The base cost is estimated at \$37,968.00. The non-water corrective action cost estimate is not an annual estimate. It is a one-time estimate to fix damage from a particular causal event (high precipitation storm according to the plan). Non-water is not prorated over 30 years. It is the whole amount at once should the event occur. The current approved non-water corrective action cost estimate is \$34,520 (11/18/2014 plan) adjusted for inflation is \$37,968 (2020 dollars).

In conjunction with the Pledge of Revenue base amount, CalRecycle requires that operator/owners of landfills, submit an annual Certification (for your reference the last Form 114 from 2019 attached) to demonstrate the POR continues to be available when needed and will cover the [post-closure maintenance and/ or corrective action] cost estimate(s) identified in the updated Annual Inflation Report (an annual cost of inflation based on information CalRecycle obtains from the U.S. Department of Commerce, Bureau of Economic Analysis).

Agenda Request

Gopher Hill Landfill - Pledge of Revenue – Corrective Action

Page 4

RECOMMENDATION:

The Director of Public Works respectfully recommends that, the Board of Supervisors vote to adopt the attached proposed 2nd Pledge of Revenue to establish a Financial Assurance Mechanism to cover Corrective Action Costs at Gopher Hill Landfill, No. 32-AA-008 in the base estimated amount of \$37,968.00 (2020 dollars), and to adopt attached Resolution therefore.

ATTACHMENTS:

Pledge of Revenue & Resolution

Annual Inflation Chart

RESOLUTION 20-_____

FINANCIAL ASSURANCE FOR
CORRECTIVE ACTION
OF THE GOPHER HILL LANDFILL

WHEREAS, Public Resources Code sections 43500 through 43610.1 and Title 27, California Code of Regulations (Regulations), Division 2, Subdivision 1, Chapter 6, require operators of solid waste landfills to demonstrate the availability of financial resources to conduct closure, postclosure maintenance, and corrective action activities; and

WHEREAS, sections 22228 and 22245 of the Regulations specify a Pledge of Revenue as an acceptable mechanism to demonstrate financial responsibility for financing corrective action costs of a solid waste landfill.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Plumas that:

1. The County of Plumas operates the Gopher Hill Landfill, a solid waste landfill, in conformance with the findings, conditions, prohibitions and requirements contained in Solid Waste Facilities Permit No. 32-AA-0008 issued by, Plumas County LEA serving as Local Enforcement Agency for the California Department of Resources Recycling and Recovery (CalRecycle); and
2. The County of Plumas shall establish a Pledge of Revenue to demonstrate financial responsibility for corrective action of the Gopher Hill Landfill in accordance with sections 22228 and 22245 of the Regulations.
3. Disbursement of funds for corrective action shall be in accordance with the final corrective action plan, as approved by CalRecycle.
4. In the event CalRecycle determines that the County of Plumas has failed, or is failing, to perform corrective action as required by law, CalRecycle may direct the Auditor-Controller to pay to the Chief Engineer from the pledged revenues sufficient funds to ensure corrective action, who then shall be obligated to use such funds for corrective action in accordance with the directives of CalRecycle.
5. The Chief Engineer is directed to produce an Annual Certification Report (form CalRecycle 114) as required by Section 22233(b)(4)(B) of the Regulations to demonstrate that the pledged revenue continues to be available when needed and will cover the cost estimates identified in the updated Annual Inflation Report required by Section 22236 of the Regulations. It is understood that copies of the Resolution and Pledge of Revenue Agreement are not required annually, unless amended.
6. In conjunction with this Resolution, attached is a copy of the "Pledge of Revenue Agreement Between Plumas County and the California Department of Resources Recycling and Recovery (CalRecycle) for Corrective Action Gopher Hill Landfill"

7. The number of current members of the Board of Supervisors of the County of Plumas who voted affirmatively when this resolution was adopted:

Ayes:

Noes:

* * * * *

STATE OF CALIFORNIA)
)
) ss.
COUNTY OF PLUMAS)

I, Nancy DaForno, Clerk of the Board of Supervisors of the County of Plumas, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Supervisors at a regular meeting held on _____, 20____, and duly entered in the minutes of said County.

Nancy DaForno
Clerk

S E A L

PLEDGE OF REVENUE AGREEMENT BETWEEN PLUMAS COUNTY AND THE CALIFORNIA
DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) FOR
CORRECTIVE ACTION
GOPHER HILL LANDFILL

This agreement establishes a Pledge of Revenue to assure that adequate funds are available to carry out the Corrective Action of the Gopher Hill Landfill.

This Agreement shall become effective immediately, and is made and entered into by and between the County of Plumas and the California Department of Resources Recycling and Recovery (CalRecycle).

WHEREAS, Public Resources Code, sections 43500 through 43610.1 and Title 27, California Code of Regulations (Regulations), Division 2, Subdivision 1, Chapter 6, require operators of solid waste landfills to demonstrate the availability of financial resources to conduct closure, postclosure maintenance, and corrective action activities; and

WHEREAS, sections 22228 and 22245 of the Regulations specify a Pledge of Revenue as an acceptable mechanism to demonstrate financial responsibility for post-closure maintenance and corrective action costs of a solid waste landfill; and

WHEREAS, the County of Plumas operates the Gopher Hill Landfill, a solid waste landfill, in conformance with the findings, conditions, prohibitions and requirements contained in Solid Waste Facilities Permit No. 32-AA-0008 issued by, Plumas County LEA serving as Local Enforcement Agency for CalRecycle; and

WHEREAS, the County of Plumas is pledging an amount of \$37,968 of net revenues received by Plumas County Solid Waste Franchise Contractors, Intermountain Disposal and Feather River Disposal; and

WHEREAS, the County of Plumas has determined that net revenues received through franchise fees during the state mandated corrective action period, shall, during each year of this period be greater than the corrective action costs contained in the most recent cost estimate for Gopher Hill Landfill, which has been submitted to CalRecycle in accordance with sections 22100-22103 of the Regulations.

NOW THEREFORE, the County of Plumas and CalRecycle do agree as follows;

1. The County of Plumas hereby establishes a pledge of revenue to demonstrate financial responsibility for corrective action costs of the Gopher Hill Landfill in accordance with sections 22228 and 22245 of the Regulations.
2. The County of Plumas agrees to pledge net revenues from solid waste Franchise Contractor Fees as described herein.
3. The amount of the pledged revenue shall be equal to \$37,968.00, representing the most recent corrective action cost estimate for the Gopher Hill Landfill. It is agreed that the amount of this pledge may increase or decrease to match any adjustment to the identified cost estimate, which is mutually agreed to by the County of Plumas and CalRecycle.
4. The Chief Engineer is directed to produce an Annual Certification Report (form CalRecycle 114) as required by Section 22233(b)(4)(B) of the Regulations to demonstrate that the pledged revenue continues to be available when needed and will cover the cost estimates identified in the updated Annual Inflation Report required by Section 22236 of the Regulations. It is understood that copies of the Resolution and Pledge of Revenue Agreement are not required annually, unless amended.

5. If the County of Plumas ceases at any time to retain control of its ability to allocate the pledged revenue as identified herein to pay corrective action costs, the County of Plumas shall notify CalRecycle and the local enforcement agency and shall obtain alternate coverage within sixty (60) days after the control of funds lapses, pursuant to section 22245 of the Regulations.
6. In the event that CalRecycle, RWQCB or LEA staff determine that the County of Plumas has failed, or is failing, to perform corrective actions as required by law, CalRecycle, RWQCB and/or LEA staff shall confer with the County of Plumas and attempt to resolve the alleged violation. If no agreement is reached, the matter shall be presented to CalRecycle which shall give reasonable notice, hold a public hearing, and consider the testimony and documentation submitted by CalRecycle and/or LEA staff, the County of Plumas, and any interested parties, prior to making a determination in the matter. In the event CalRecycle then determines that the County of Plumas has failed, or is failing, to perform corrective action as required by law, CalRecycle may direct the Auditor-Controller to pay the Chief Engineer from the pledged revenues sufficient funds to ensure corrective action, who then shall be obligated to use such funds for corrective action in accordance with the directives of CalRecycle and RWQCB.

IN WITNESS HEREOF, the parties have executed this agreement on the date as set forth below.

By County this _____ day of _____, 20____

By CalRecycle this _____ day of _____, 20____

STATE OF CALIFORNIA
California Department of Resources
Recycling and Recovery (CalRecycle)

COUNTY OF PLUMAS

By: _____
Authorized Officer of the CalRecycle

By: _____
Chair, Board of Supervisors

APPROVED AS TO FORM
AND PROCEDURE:

ATTEST:

By: _____
Authorized Counsel of the CalRecycle

By: _____
Name Title

APPROVED AS TO FORM
AND PROCEDURE:

By: _____

County Counsel

Gopher Hill Corrective Action Cost Calculation

Year	Inf. Factor	Plan Cost	Cost Date (year)	Current Cost
2009	1.012		2009	\$0
2010	1.01		2010	\$0
2011	1.021		2011	\$0
2012	1.018		2012	\$0
2013	1.015		2013	\$0
2014	1.015	\$34,520	2014	\$34,520
2015	1.01		2015	\$35,038
2016	1.013		2016	\$35,388
2017	1.018		2017	\$35,848
2018	1.022		2018	\$36,493
2019	1.018		2019	\$37,296
2020	0		2020	\$37,968



DEPARTMENT OF SOCIAL SERVICES AND PUBLIC GUARDIAN

30

Courthouse Annex, 270 County Hospital Road, Suite 207, Quincy, California 95971

(530) 283-6350

Fax: (530) 283-6368

Toll Free: (800) 242-3338

NEAL CAIAZZO
DIRECTOR

DATE: MARCH 4, 2021

TO: HONORABLE BOARD OF SUPERVISORS

FROM: NEAL CAIAZZO, DIRECTOR
DEPARTMENT OF SOCIAL SERVICES

SUBJ: BOARD AGENDA REQUEST FOR MARCH 9, 2021

RE: ADOPT A RESOLUTION TO TRANSFER CONSERVATEE AND
REPRESENTATIVE PAYEE FUNDS INTO AN INSURED ACCOUNT

It is Recommended that the Board of Supervisors

Approve a resolution to allow the Plumas County Public Guardian/Conservator to move the Conservatee and Representative Payee funds into an insured account in a financial institution in order to better meet the Plumas County Public Guardian/Conservator's fiduciary duties.

Background and Discussion

The Plumas County Public Guardian/Conservator has maintained the funds of individuals under conservatorship with the Plumas County Treasurer pursuant to California Probate Code section 2940 and 7640. This arrangement does not provide for the most efficient and responsible distribution of Conservatee and Representative Payee funds.

Plumas County Public Guardian/Conservator now seeks to move the Conservatee and Representative Payee funds into an insured account in a financial institution in order to better meet the Plumas County Public Guardian/Conservator's fiduciary duties

Financial Impact

There is no impact to the County's General Fund as a result of this approval.

Other Agency Involvement

The Office of County Counsel has reviewed the proposed resolution and has approved it as to form.

Copies: PCDSS Management

Enclosure



BOARD OF SUPERVISORS STAFF REPORT

TO: Honorable Board of Supervisors

FROM: Tim Evans, Associate Planner *(Signature)*

MEETING DATE: March 9, 2021

SUBJECT: Public Hearing for Dieter General Plan Amendment
(GPA 8-19/20-01)

Rhonda and Alec Dieter, property owners/applicants

PROJECT LOCATION: 533 River Run, Whitehawk Ranch, Clio, Unincorporated Plumas County, CA; Assessor's Parcel Number 133-130-111; Township 21 North/Range 13 East/Section 5, MDM

ACTIONS FOR CONSIDERATION:

Staff recommends that the Board of Supervisors:

- I. Hold the public hearing on Negative Declaration No. 676 and the proposed General Plan Amendment and Zone Change.
- II. Introduce and waive the first reading of the ordinance.
- III. Schedule hearing for adoption of General Plan Amendment and rezone by resolution and ordinance at the next regularly scheduled Board of Supervisors meeting.

BACKGROUND:

The project is a General Plan Amendment and Zone Change to change the Plumas County 2035 General Plan (General Plan) land use designation and zoning of the property located at S33 River Run, Whitehawk Ranch, Clio, CA and owned by Rhonda and Alec Dieter.

The property's existing General Plan land use designation is Suburban Residential and the zoning is S-1 (Suburban) which permit residential uses. The property owners' proposal is to use the property and existing steel building "as a secure place to store vehicles, equipment, and supplies for a yard maintenance business."

The purpose of the General Plan Amendment and Zone Change is to change the Suburban Residential land use designation and S-1 (Suburban) zoning to the Commercial land use designation with C-2 (Periphery Commercial) zoning, while retaining the Scenic Road land use designation, SP-ScR (Special Plan Scenic Road) zoning, and the F (Farm Animal Combining) zoning.

The existing steel building that will be used for the yard maintenance business' vehicles, equipment, and supplies was constructed under building permit #18-937. Prior to the issuance of the building permit, Planning staff contacted the property owners to discuss the proposed use of the structure. At the time, Planning staff was informed the structure would be used for the keeping of rabbits and chickens as well as a motorhome, gardening implements, and equipment necessary for the maintenance of the property. The building permit was subsequently issued on April 19, 2019, with the Certificate of Occupancy being issued on June 5, 2020. Shortly after the building permit was issued, the property owners changed the proposed use for the property and structure and subsequently submitted an application for the General Plan Amendment and Zone Change on August 27, 2019 (Attachment 1).

On October 15, 2020, the members of the Planning Commission and staff visited the site for the proposed General Plan Amendment and Zone Change. During the site visit staff informed the members of the Planning Commission of the proposed project and had the opportunity to assess the site prior to the Planning Commission holding a hearing on the project.

On November 19, 2020, the public hearing was held by the Planning Commission for the proposed General Plan Amendment and Zone Change. At the hearing, the Planning Commission unanimously passed Resolution 2020-2 (Attachment 6) recommending the Board of Supervisors adopt Negative Declaration No. 676 and approve the General Plan Amendment and Zone Change.

ANALYSIS:

As previously discussed, the project is for a General Plan Amendment and Zone Change from the Suburban Residential land use designation and Suburban (S-1) zoning to the Commercial land use designation and Periphery Commercial (C-2) zoning to allow for the storage of a yard maintenance business' equipment and supplies in an existing permitted structure.

The project site is located in the developed Master Planned Community of Whitehawk Ranch as detailed in the following excerpt from the Plumas County 2035 General Plan:

"Master Planned Community: Representative areas include Lake Almanor West, Gold Mountain, Valley Ranch, Grizzly Ranch and Whitehawk Ranch. Master Planned Community boundaries have been described or prescribed through their approvals and/or environmental documentation. Planning area and master planned community boundary are one in the same. There is no identified expansion area, as development potential has been specifically defined."

The Master Planned Community of Whitehawk Ranch was developed by Mohawk Valley Ranch, Inc., in multiple phases under a Planned Development Permit (Attachment 3) and Development Agreement (Attachment 4), which were originally approved in 1982. The Planned Development Permit and Development Agreement for Whitehawk Ranch expired on May 1, 2009 causing the zoning to revert back to the original zoning. However, per page 25 and 28 of the Development Agreement (Attachment 4), the phase (Phase XI) in which the parcel is located was designated with the following commercial uses:

Commercial Lodge
Project Storage
Project Maintenance
Recreational Vehicle Storage
Boat Storage
Mini-storage
Golf Maintenance
Storage Facility

“Project,” as defined in the Development Agreement, is “the development approved by County, namely a Planned Unit Development, consisting of 455 residential units with various recreational, limited commercial, and service facilities.”

Furthermore, per page 23 of the Development Agreement, “The Golf Maintenance location shall be for a permanent golf course maintenance facility and other uses permitted by the zoning or Exhibit G. Space for the temporary parking of landowners’ motor homes, travel trailers, campers or other recreational vehicles may be incorporated in the maintenance facility complex.”

Therefore, the project is consistent with the original uses intended for the property in the Development Agreement, which were taken into consideration in the original environmental document (Environmental Impact Report 38) for Whitehawk Ranch.

The uses set forth within the Development Agreement are very similar to those set forth in the existing C-2 (Periphery Commercial) zoning (Attachment 2). The purpose of the Periphery Commercial (C-2) zone is defined in Plumas County Code Sec. 9-2.2001, *Purpose*, as the following:

The purpose of the Periphery Commercial Zone (C-2) is to provide for major commercial uses near large population centers with provisions for adequate access and parking.

Per Sec. 9-2.2002, *Uses*, of Plumas County Code, Periphery Commercial zoning permits the following uses by right and with a special use permit:

Sec. 9-2.2002. - Uses. (C-2).

(a) The following uses shall be permitted in the Periphery Commercial Zone (C-2):

- (1)Building supply, business offices, child day care homes, limited child day care homes, child day care facilities, gas stations, health services, heavy equipment sales, heavy equipment services, lodging facilities, personal services, places of assembly, postal services, prefabricated building sales, recreation facilities, restaurants, retail stores, self-service facilities, taverns, vehicle sales, vehicle services, wholesale commercial supply, and parking lots;
- (2)One dwelling unit, including additional quarters, where the residential use does not exceed the floor area of the commercial use or one dwelling unit, including additional quarters, on the rear fifty (50%) percent of the parcel; and
- (3)Dwelling units on the second floor if the entire first floor is in commercial use.

(b)The following uses shall be permitted subject to the issuance of a special use permit:

- (1)Alcohol and drug recovery facilities, animal breeding and boarding, camp grounds, community care facilities, limited electric generation, mining, public service facilities, public utility facilities, recycling facilities, schools, indoor shooting ranges, storage, transport stations, undertaking, used goods sales, veterinary services, warehousing, and wholesaling; and
- (2)Assembly, manufacturing, and processing which are based upon materials which are already in processed form.

The project, which entails the storage of a yard maintenance business' equipment and supplies, is consistent with the uses permitted by the C-2 zoning as detailed by Sec. 9-2.2002(a) of Plumas County Code.

The proposed use of a yard maintenance business would be considered as "wholesale commercial supply" under Plumas County Code, which is a use permitted by right in the C-2 zoning. Plumas County Code Sec. 9-2.299.4 defines "wholesale commercial supply" as "a service for stocking and supplying materials, machines, and products essential to businesses or services in the vicinity."

GENERAL PLAN CONSISTENCY:

The Plumas County 2035 General Plan defines commercial uses as the following:

"Commercial Uses: A land use classification that permits facilities for the buying and selling of commodities and services. Commercial uses include businesses or activities at a scale greater than home business involving retail or wholesale marketing of goods and services."

The Plumas County 2035 General Plan contains a variety of policies related to commercial development. Two specific policies and implementation measures address commercial

development being located adjacent to or within existing planning areas. The following two policies and implementation measures address commercial development being located adjacent to or within commercial areas:

Policy

LU

1.1.1 *Future Development*

The County shall require future residential, commercial and industrial development to be located adjacent to or within existing Planning Areas; areas identified on Plumas County's General Plan Land Use Maps as Towns, Communities, Rural Areas or Master Planned Communities (see Figures 9-15) in order to maintain Plumas County's rural character with compact and walkable communities. Future development may also be approved within areas for which Community Plans or Specific Plans have been prepared. Small, isolated housing tracts in outlying areas shall be discouraged as they disrupt surrounding rural and productive agricultural lands, forests, and ranches and are difficult and costly to provide with services. Land division may be allowed outside of Planning Areas only when the resulting development complies with all applicable General Plan Policies and County Codes.

Land Use Implementation Measure #1 implementing LU 1.1.1: Encourage all new residential development projects to be located within or adjacent to mapped Planning Areas where basic infrastructure, services, and adequate response times for such services as water, wastewater disposal, utilities, fire protection, police and emergency medical, and commercial services typical for the planning area type, exist or require that the project provide its own internal infrastructure and services that are bonded for long term maintenance.

Policy

LU

1.1.2 *Infill Development*

The County shall plan to concentrate new growth both within and contiguous to existing Towns and Communities and require expansion of existing infrastructure as needed to efficiently and safely serve the new growth.

Land Use Implementation Measure #2 implementing LU 1.1.2: Establish a database which identifies vacant and underutilized parcels within existing developed areas. Make this information available to the public. The permitting process shall be streamlined for projects meeting in-fill goals.

The project is consistent with General Plan Policy LU 1.1.1, *Future Development*, and LU 1.1.2, *Infill Development*, due to the project being located within an existing Planning

Area and within the developed community of Whitehawk Ranch. Although the project is located within the Master Planned Community of Whitehawk Ranch, which has a Planned Development Permit and Development Agreement, the Development Agreement, as mentioned previously, expired on May 1, 2009 causing the general plan land use designation and zoning for the entire Whitehawk Ranch development to revert back to the original zoning.

In addition to LU 1.1.1, *Future Development*, and LU 1.1.2, *Infill Development*, the Plumas County 2035 General Plan also contains two goals, three policies, and three implementation measures related to commercial development. The goals, policies, and implementation measures are set forth as follows:

GOAL 1.6 Commercial and Industrial Development

To designate lands for commercial and industrial development appropriate for these uses and facilitate business and industrial opportunities. Encourage compact development contiguous to existing urban centers, active transportation corridors, or resource production areas. Discourage linear and leapfrog development patterns. Facilitate the re-use of abandoned industrial sites as appropriate.

Policy

LU

1.6.1 Land for Commercial and Industrial Uses

The County shall provide adequate amounts of land in and adjacent to Identified Towns and Communities and within Rural Places to be designated and zoned to allow for and support commercial and industrial development.

GOAL 1.8 Land Use Pattern that Minimizes Travel

To develop land use patterns which minimize travel to jobs and services.

Policy

LU

1.8.1 Land for Large-scale Commercial and Industrial Uses

The County shall require that sites for moderate-to large-scale industrial and commercial development be located within or near the Town and Community areas; within areas for which Specific Plans or Master Plans have been prepared; or within areas that contain, or are capable of containing, infrastructure adequate to support the use of the property for more intensive non-residential purposes, such as abandoned mill sites. Additionally, the County shall consider the location of such land uses where appropriate to reduce travel and commute times.

Land Use Implementation Measure #16 implementing LU 1.8.1: Incorporate within the Land Use and Zoning Map appropriate industrial and commercial uses within proximity to residential uses to minimize travel times and trip lengths.

Although LU 1.8.1, *Land for Large-Scale Commercial and Industrial Uses*, is specific to large-scale commercial uses and the project is more of a small-scale commercial use, the project is still consistent with the intent of Implementation Measure #16 for LU 1.8.1 as the project will reduce travel time for the yard maintenance business due to having the equipment and supplies centrally located within the areas served.

Policy

LU

1.8.2 *Land for Small-scale Commercial and Industrial Uses*

The County shall provide for opportunities for small scale businesses and industrial uses through appropriate zoning.

Land Use Implementation Measure #17 implementing LU 1.8.2: Undertake necessary and appropriate zoning code and zoning map changes to promote and encourage small-scale business and industrial land use growth.

Overall, when compared to the applicable goals, policies, and implementations measures of the Plumas County 2035 General Plan, the project is consistent with all of the goals, policies, and implementation measures.

CEQA COMPLIANCE AND DETERMINATION:

Negative Declaration No. 676 (Attachment 5) was prepared for the proposed General Plan Amendment and Zone Change and is being recommended for adoption at this public hearing. Based on the project description, the Initial Study, and the County, state, and federal laws and regulations that govern the project, it was determined that there will not be a significant impact on the environment.

Negative Declaration No. 676 was sent to the Governor's Office of Planning and Research (OPR) State Clearinghouse (SCH # 2020050438) for circulation and a 30-day agency and public review period (April 16, 2020 to May 16, 2020). No comments were received as a result of the 30-day review of Negative Declaration No. 676.

Consultation notifications were sent to local tribes prior to circulation of Negative Declaration No. 676 as required by Senate Bill 18. None of the tribes sent notifications requesting consultation.

NOTICING:

The General Plan Amendment and Zone Change application was received by Planning on August 27, 2019 from Rhonda Dieter. Notice of receipt of the application was sent to all neighboring property owners within 300 feet of the exterior property boundaries on September 13, 2019.

Prior to the 30-day review period for Negative Declaration No. 676, a notice detailing the intent to adopt Negative Declaration No. 676 was sent to every property owner within Whitehawk Ranch on May 19, 2020. Additionally, the notice was posted in the Plumas County Clerk-Recorder's Office, on Plumas County's website, and was posted on the Whitehawk Ranch Community Bulletin Board on May 19, 2020.

The notice for the public hearing held by the Planning Commission was sent to neighboring property owners within 300 feet on November 10, 2020 and posted on the Courthouse Bulletin Board, Planning and Building's Bulletin Board, Whitehawk Ranch's Community Bulletin Board, Plumas News' website, Plumas County's website, and at the project site on November 5, 2020.

The notice for the Board of Supervisors public hearing was sent to neighboring property owners within 300 feet and posted on the Courthouse Bulletin Board, Planning and Building's Bulletin Board, Whitehawk Ranch's Community Bulletin Board, Plumas News' website, Plumas County's website, and at the project site on February 4, 2021.

ATTACHMENTS:

1. Application for General Plan Amendment from Rhonda and Alec Dieter submitted August 27, 2019
2. Plumas County Code Title 9, Chapter 2, Article 20 Periphery Commercial Zone (C-2)
3. Planned Development Permit
4. Development Agreement
5. Negative Declaration No. 676
6. Planning Commission Resolution 2020-2

All attachments are on file with the Clerk of the Board for public review.

GENERAL PLAN AMENDMENT ZONING ORDINANCE
ALEC AND RHONDA DIETER REZONING AND GENERAL PLAN AMENDMENT
GPA 8-19/20-01
ORDINANCE NO. 2021-_____

**AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA,
REZONING CERTAIN REAL PROPERTY CONSISTENT WITH
GENERAL PLAN AMENDMENT ENACTED BY RESOLUTION NO. 2021-_____**

The Board of Supervisors of the County of Plumas, State of California, DOES ORDAIN as follows:

Section 1. The real property enumerated in Exhibit "A", particularly described therein by Assessor's Parcel Number 133-130-111-000, is hereby rezoned to C-2 (Periphery Commercial) while retaining the SP-ScR (Special Plan Scenic Road) and F (Farm Animal Combining) zoning classifications enumerated in Plumas County Code Section 9-2.301; Section 9-2.301 and described in Title 9, Chapter 2, Article 21, Code Sections 9-2.2101 through 9-2.2107, and Code Sections 9-2.3701 through 9-2.3704, and Code Sections 9-2.4001 through 9-2.4002, implemented by Exhibit "A" attached hereto.

Section 2. This rezoning is consistent with and will serve to implement General Plan Amendment enacted by Resolution No. 2021-_____.

Section 3. Environmental considerations related to this rezoning have been addressed in Negative Declaration 676 which was approved after a noticed public hearing by the Plumas County Board of Supervisors on March 9, 2021 and was deemed to satisfy the requirements of the California Environmental Quality Act as certified in Resolution No. 2021-_____.

Section 4. The Plumas County Planning Director is hereby directed to reflect the zoning as provided for in this ordinance and pursuant to Section 9-2.302 of the Plumas County Code.

Section 5. This ordinance shall not be codified.

Section 6. This ordinance shall be published, pursuant to Section 25124(a) of the Government Code of the State of California, before the expiration of fifteen (15) days after the passage of the ordinance, with the names of the supervisors voting for and against the ordinance in a newspaper of general circulation in the County of Plumas.

Section 7. This ordinance shall become effective thirty (30) days from the date of the final passage.

The foregoing ordinance was introduced on March 9, 2021, and duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, on _____, 2021 by the following vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Jeff Engel, Chair Board of Supervisors

ATTEST:

Kristina Rogers, Clerk of the Board of Supervisors

Exhibit "A"

GPA 8-19/20-01-Alec and Rhonda Dieter, owners

Assessor's Parcel Number 133-130-111-000; 533 River Run, Whitehawk Ranch, Clio; T21N/R13E/Section 5, MDM; Lat. 39.712514, Long. -120.534262.

Amend the General Plan designation and zoning applied to the property from Suburban Residential and S-1 (Suburban) zoning to Commercial and C-2 (Periphery Commercial) zoning, retaining the existing Scenic Road designation and SP-ScR (Special Plan Scenic Road) zoning and the F (Farm Animal Combining Zone) zoning.



BOARD OF SUPERVISORS STAFF REPORT

TO: Honorable Board of Supervisors

FROM: Rebecca Herrin, Assistant Planning Director *W*

MEETING DATE: March 9, 2021

SUBJECT: Public Hearing for The Brewing Lair General Plan Amendment and Rezoning and Negative Declaration 677
(GPA 7-18/19-01)

Planning Commission Recommendation to the Board of Supervisors-Proposed Amendment from Rural Residential (R-10 zoning) to Commercial (C-3 zoning), retaining the Scenic Road designation and SP-ScR zoning.

Richard and Susan DeLano and Mountain Goat Farmstead, LLC, property owners/applicants.

PROJECT LOCATION: 67007 and 67163 State Route 70, near Blairsden, unincorporated Plumas County, CA; Assessor's Parcel Numbers 123-150-024-000 and 123-150-025-000; Township 22 North/Range 12 East/Section 10, MDM

ACTIONS FOR CONSIDERATION:

Staff recommends that the Board of Supervisors:

- I. Hold the public hearing on Negative Declaration No. 677 and the proposed General Plan Amendment and Zone Change.
- II. Introduce and waive the first reading of the ordinance.
- III. Schedule hearing for adoption of General Plan Amendment and rezone by resolution and ordinance at the next scheduled Board of Supervisors meeting

BACKGROUND:

The Board of Supervisors established County policy that allows revisions to the General Plan to be proposed by the County by Resolution of Intention or by private parties two times per year in the Winter and in the Summer. Special General Plan amendments may be processed outside of this schedule at the discretion of the Board of Supervisors. However, California Government Code restricts amendment to any mandatory general plan element to no more than four times per calendar year.

The project is a General Plan Amendment and Zone Change to change the Plumas County 2035 General Plan (General Plan) land use designation and corresponding zoning of the property located at 67007 and 67163 State Route 70, near Blairsden, unincorporated Plumas County, CA and owned by Richard and Susan DeLano (Mountain Goat Farmstead, LLC). The property is occupied by an existing non-conforming business known as The Brewing Lair, a brewery with tasting room and associated recreational component.

The property's existing General Plan land use designation is Rural Residential and the zoning is R-10 (Rural) which permits various residential uses. The General Plan amendment and Zone Change application is intended to bring the existing operation into compliance with the General Plan and zoning.

Applicants had previously discussed the application process with Planning staff, beginning in 2010. The County began the General Plan update process in 2009. During the update, no applications for General Plan amendments were accepted. There was discussion about processing a special use permit, but it was determined that a General Plan Amendment and zone change would be most appropriate in order to bring the property into compliance. An application for the General Plan amendment and Zone Change was filed on July 10, 2018 (Attachment 1).

Owners/applicants desire to keep the existing brewery operational and possibly expand the operation to include a restaurant and additional outdoor recreational activities, such as disc golf.

On October 15, 2020, members of the Commission and staff visited the site for the proposed General Plan Amendment and Zone Change. During the site visit staff discussed the proposed project and Commissioners had the opportunity to assess the site prior to the Commission holding a public hearing on the project.

As per Senate Bill 18, Government Code 65352.3 and 65352.4, as well as Assembly Bill 52, Public Resources Code Sections 21080.1, 21080.3.1 and 21080.3.2, local governments are required to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans and Community Plans. The County contacted the tribes on July 7, 2020. No comments or concerns were raised during the consultation process and none of the California Native American tribes traditionally and culturally affiliated with the project area have requested consultation (See Attachments 4, 5, 6 and 7).

A public hearing was held before the Planning Commission on November 19, 2020. At the close of the public hearing, the Commission voted to recommend approval of the Negative Declaration 677 prepared for the project as well as approval of the proposed General Plan Amendment and rezoning. Planning Commission Resolution Number 2020-03 (Attachment 3).

ANALYSIS:

The project is a General Plan Amendment and Zone Change from the Rural Residential land use designation and Rural (R-10) zoning to the Commercial land use designation and Convenience Commercial (C-3) zoning in order to bring the existing commercial operation located on the property into conformance with the General Plan and zoning code.

The purpose of the Convenience Commercial (C-3) zone is defined in Plumas County Code Sec. 9-2.2101, *Purpose*, as the following:

The purpose of the Convenience Commercial Zone (C-3) is to provide for commercial uses serving small population centers, highway-oriented commercial uses, commercial-recreation developments, and commercial uses as an integral part of residential developments.

Per Sec. 9-2.2102, *Uses*, of Plumas County Code, Convenience Commercial zoning permits the following uses by right and with a special use permit:

Sec. 9-2.2102. - Uses. (C-3).

- (a) The following uses shall be permitted in the Convenience Commercial Zone (C-3):
 - (1) Building supply, business offices, child day care homes, limited child day care homes, child day care facilities, gas stations, heavy equipment services, farm supply sales, health services, Laundromats, lodging facilities, personal services, places of assembly, limited recycling facilities, postal services, recreation facilities, restaurants, retail stores, taverns, parking lots and vehicle services;
 - (2) One dwelling unit, including additional quarters, where the residential use does not exceed the floor area of the commercial use or one dwelling unit, including additional quarters, on the rear fifty (50%) percent of the parcel; and
 - (3) Dwelling units on the second floor if the entire first floor is in commercial use.

- (b) The following uses shall be permitted subject to the issuance of a special use permit:
 - (1) Alcohol and drug recovery facilities, animal breeding and boarding, camp grounds, community care facilities, limited electric generation, mining, public service facilities, public utility facilities,

schools, storage, used goods sales, veterinary services, and transport stations.

The highlighted sections, above, show that The Brewing Lair activities can be seen to fall under several permitted uses listed under the Convenience Commercial (C-3) zoning category. The project, therefore, is consistent with the uses permitted by the C-3 zoning as detailed by Sec. 9-2.2102(a)(1) of Plumas County Code.

GENERAL PLAN CONSISTENCY:

The Plumas County 2035 General Plan defines commercial uses as follows:

“Commercial Uses: A land use classification that permits facilities for the buying and selling of commodities and services. Commercial uses include businesses or activities at a scale greater than home business involving retail or wholesale marketing of goods and services.”

The Plumas County 2035 General Plan contains a variety of policies related to commercial development. Two specific policies and implementation measures address commercial development being located adjacent to or within existing planning areas. The following policies and implementation measures address commercial development being located adjacent to or within commercial areas:

1.1.1 Future Development

The County shall require future residential, commercial and industrial development to be located adjacent to or within existing Planning Areas; areas identified on Plumas County’s General Plan Land Use Maps as Towns, Communities, Rural Areas or Master Planned Communities (see Figures 9-15) in order to maintain Plumas County’s rural character with compact and walkable communities. Future development may also be approved within areas for which Community Plans or Specific Plans have been prepared. Small, isolated housing tracts in outlying areas shall be discouraged as they disrupt surrounding rural and productive agricultural lands, forests, and ranches and are difficult and costly to provide with services. Land division may be allowed outside of Planning Areas only when the resulting development complies with all applicable General Plan Policies and County Codes.

Land Use Implementation Measure #1 implementing LU 1.1.1: Encourage all new residential development projects to be located within or adjacent to mapped Planning Areas where basic infrastructure, services, and adequate response times for such services as water, wastewater disposal, utilities, fire protection, police and emergency medical, and commercial services typical for the planning area type, exist or require that the project provide its own internal infrastructure and services that are bonded for long term maintenance.

1.1.2 *Infill Development*

The County shall plan to concentrate new growth both within and contiguous to existing Towns and Communities and require expansion of existing infrastructure as needed to efficiently and safely serve the new growth.

Land Use Implementation Measure #2 implementing LU 1.1.2: Establish a database which identifies vacant and underutilized parcels within existing developed areas. Make this information available to the public. The permitting process shall be streamlined for projects meeting in-fill goals.

1.5.1 *Use of Existing Infrastructure*

The County shall require the use of existing infrastructure for new development whenever feasible.

1.5.2 *Cost Effective Land Use Pattern*

The County shall develop a land use pattern that, to the maximum extent feasible, will facilitate the delivery of community services in the most cost-effective manner for water, sewer, flood control, public safety services, and road construction and maintenance.

GOAL 1.6 Commercial and Industrial Development

To designate lands for commercial and industrial development appropriate for these uses and facilitate business and industrial opportunities. Encourage compact development contiguous to existing urban centers, active transportation corridors, or resource production areas. Discourage linear and leapfrog development patterns. Facilitate the re-use of abandoned industrial sites as appropriate.

1.6.1 *Land for Commercial and Industrial Uses*

The County shall provide adequate amounts of land in and adjacent to identified Towns and Communities and within Rural Places to be designated and zoned to allow for and support commercial and industrial development.

GOAL 1.8 Land Use Pattern that Minimizes Travel

To develop land use patterns which minimize travel to jobs and services.

1.8.1 *Land for Large-scale Commercial and Industrial Uses*

The County shall require that sites for moderate-to large-scale industrial and commercial development be located within or near the Town and Community areas; within areas for which Specific Plans or Master Plans have been prepared; or within areas that contain, or are capable of containing, infrastructure adequate to support the use of the property for more intensive non-residential purposes, such as abandoned mill sites. Additionally, the County shall consider

the location of such land uses where appropriate to reduce travel and commute times.

Land Use Implementation Measure #16 implementing LU 1.8.1: Incorporate within the Land Use and Zoning Map appropriate industrial and commercial uses within proximity to residential uses to minimize travel times and trip lengths.

Although LU 1.8.1, *Land for Large-Scale Commercial and Industrial Uses*, is specific to large-scale commercial uses and the project is more of a small-scale commercial use, the project is still consistent with the intent of Implementation Measure #16 for LU 1.8.1 as the project will reduce travel time to the areas served and the tourist population.

1.8.2 *Land for Small-scale Commercial and Industrial Uses*

The County shall provide for opportunities for small scale businesses and industrial uses through appropriate zoning.

Land Use Implementation Measure #17 implementing LU 1.8.2: Undertake necessary and appropriate zoning code and zoning map changes to promote and encourage small-scale business and industrial land use growth.

5.9.2 *Land Use Density*

The County shall encourage compact residential and commercial uses that reduce travel, infrastructure and energy use.

The project is consistent with General Plan Policy LU 1.1.1, *Future Development*, and LU 1.1.2, *Infill Development*, due to the project being located within an existing Planning Area boundary, the Town of Graeagle as designated in the 2035 General Plan update.

The project site is served by existing infrastructure although the site is not located within any services district providing water and sewage disposal services.

The uses proposed under the Commercial designation and the Convenience Commercial (C-3) zoning are limited to those serving small population centers and residential developments. The purpose of the C-3 zone is “to provide for commercial uses serving small population centers, highway-oriented commercial uses, commercial-recreation developments and commercial uses as an integral part of residential developments”. The location of the project site within the Town of Graeagle, along State Route 70 with access directly adjacent to the intersection of State Route 70 with State Route 89 will serve to reduce Vehicle Miles Traveled (VMT).

When compared to the applicable goals, policies, and implementation measures of the Plumas County 2035 General Plan, the project is consistent with all of the goals, policies, and implementation measures.

OUTSTANDING OPERATIONAL ISSUES:

The purpose of the General Plan Amendment and Zone Change is to bring The Brewing Lair brewery and tasting facility into compliance with general plan and zoning requirements. The Brewing Lair will need to be fully permitted in order to be operational should the General Plan Amendment and Zone Change be approved by the Plumas County Board of Supervisors.

- All appropriate building permits shall be obtained for the structures located on the project site.
- An encroachment permit shall be obtained from the California Department of Transportation which may include improvement of the driveway approach.

Once all these remaining issues are addressed, The Brewing Lair will be in full compliance with local and state requirements.

NOTICING:

Notice of this public hearing the application was sent to all neighboring property owners within 300 feet of the exterior property boundaries, was posted on the Courthouse bulletin board, the Plumas County Permit Center bulletin board, the Plumas News website, Plumas County website and at the project site prior to ten days before the hearing.

Prior to the 30-day review period for Negative Declaration No. 677, a notice detailing the intent to adopt Negative Declaration No. 677 was posted on the Plumas County website under "Public Document and CEQA Posting". Additionally, the notice was posted on the bulletin board outside the Plumas County Permit Center at 555 Main Street, Quincy and at the Plumas County Courthouse, Quincy.

Negative Declaration No. 677 was circulated for public review from August 18, 2020 through September 18, 2020 (SCH #202000802271).

PROCEDURE:

The Planning Commission is charged with rendering a decision on the General Plan Amendment and Zone Change in the form of a written recommendation to the Board of Supervisors as per Plumas County Code Sections 2-2.107 and 2-2.108.

Per Plumas County Code Sections 9-2.905 and 9-2.906, the Planning Commission's duties include providing recommendations to the Board of Supervisors on zoning code changes after holding a noticed public hearing.

Once the Planning Commission has made a recommendation, the Board of Supervisors holds a public hearing and takes action on the General Plan Amendment and Zone Change application.

ATTACHMENTS:

1. Application for General Plan Amendment from Richard and Susan DeLano for The Brewing Lair submitted on received on July 10, 2018.
2. Negative Declaration No. 677.
3. Planning Commission Resolution 2020-3.
4. Letter from Native American Heritage Commission, dated July 1, 2020.
5. Copy of letter sent from Plumas County to tribes requesting consultation on July 7, 2020.
6. Letter from Mooretown Rancheria dated July 22, 2020.
7. Email from Darrel Cruz, Director, Washoe Tribe of NV & CA dated August 13, 2020.

CEQA COMPLIANCE AND DETERMINATION:

Negative Declaration No. 677 (Attachment 2) was prepared for the proposed General Plan Amendment and Zone Change and is proposed to be recommended for adoption to the Board of Supervisors by the Planning Commission at this hearing. Based on the project description, the Initial Study, and the County, State, and Federal laws and regulations that govern the project, it was determined that there will not be a significant impact on the environment.

ACTIONS FOR CONSIDERATION:

Staff recommends that the Board of Supervisors:

- I. Hold the public hearing on Negative Declaration No. 677 and the proposed General Plan Amendment and Zone Change
- II. Introduce and waive the first reading of the ordinance.
- III. Schedule hearing for adoption of General Plan Amendment and rezone by resolution and ordinance at the next scheduled Board of Supervisors meeting

**GENERAL PLAN AMENDMENT ZONING ORDINANCE
THE BREWING LAIR REZONING AND GENERAL PLAN AMENDMENT
GPA 7-18/19-01
ORDINANCE NO. 2021-_____**

**AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA,
REZONING CERTAIN REAL PROPERTY CONSISTENT WITH
GENERAL PLAN AMENDMENT ENACTED BY RESOLUTION NO. 2021-_____**

The Board of Supervisors of the County of Plumas, State of California, DOES ORDAIN as follows:

Section 1. The real property enumerated in Exhibit "A", particularly described therein by Assessor's Parcel Numbers 123-150-024-000 and 123-150-025-000, is hereby rezoned to C-3 (Convenience Commercial) while retaining the SP-ScR (Special Plan Scenic Road) zoning classifications enumerated in Plumas County Code Section 9-2.301; Section 9-2.301 and described in Title 9, Chapter 2, Article 21, Code Sections 9-2.2101 through 9-2.2107, and Code Sections 9-2.3701 through 9-2.3704 implemented by Exhibit "A" attached hereto.

Section 2. This rezoning is consistent with and will serve to implement General Plan Amendment enacted by Resolution No. 2021-_____.

Section 3. Environmental considerations related to this rezoning have been addressed in Negative Declaration 677 which was approved after a noticed public hearing by the Plumas County Board of Supervisors on March 9, 2021 and was deemed to satisfy the requirements of the California Environmental Quality Act as certified in Resolution No. 2021-_____.

Section 4. The Plumas County Planning Director is hereby directed to reflect the zoning as provided for in this ordinance and pursuant to Section 9-2.302 of the Plumas County Code.

Section 5. This ordinance shall not be codified.

Section 6. This ordinance shall be published, pursuant to Section 25124(a) of the Government Code of the State of California, before the expiration of fifteen (15) days after the passage of the ordinance, with the names of the supervisors voting for and against the ordinance in a newspaper of general circulation in the County of Plumas.

Section 7. This ordinance shall become effective thirty (30) days from the date of the final passage.

The foregoing ordinance was introduced on March 9, 2021, and duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, on _____, 2021 by the following vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Jeff Engel, Chair Board of Supervisors

ATTEST:

Kristina Rogers, Clerk of the Board of Supervisors

Exhibit "A"

GPA 7-18/19-01- The Brewing Lair-Richard and Susan DeLano and Mountain Goat Farmstead, LLC, owners; Assessor's Parcel Numbers 123-150-024-000 and 123-150-025-000; 67007 and 67163 State Route 70, Blairsden, CA; T22N/R12E/Sec.10, MDM; Lat. 39.783329 and Long. -120.614222.

Amend the General Plan designation and zoning applied to the properties from Rural Residential and R-10 (Rural) zoning to Commercial and C-3 (Convenience Commercial) zoning, retaining the existing Scenic Road designation and the SP-ScR (Special Plan Scenic Road) zoning.

DEPARTMENTAL USE ONLY
Initial Completeness Verified by _____
Date Rec'd 7/10/18
Receipt No. 1038603 \$ 1,658.00
File No. GPA 7-18/19-01

GENERAL PLAN AMENDMENT

Instructions to applicant (s):

1. Complete the form and mail or take to: Planning & Building Services
555 Main Street
Quincy, CA 95971
2. Pay the filing fee set forth in the fee schedule (attached).
3. Make the check payable to Planning & Building Services.

APPLICATION FOR:

GENERAL PLAN MAP AMENDMENT
 For a residential development with at least 25% low or moderate income housing

GENERAL PLAN TEXT AMENDMENT

ZONE CHANGE
 Petition by property owner, or
 Resolution of intention requested

A. Applicant (s)

Name Richard & Susan Delano THE BREWING LAIR
Mailing Address PO Box 1651 Grizzly CA 96103
Telephone 530 394 0940

B. Owner (s)

Name Richard & Susan DELANO
Mailing Address 10275 WINTERGREEN, PORTOLA CA 96122
Telephone 530 832 4187

C. Property

Street Address 67007 + 67163 Hwy 70
Nearest Town BLAIRSDEN
Assessor's Parcel Number(s) 123-150-024 + 123-150-025 Acreage 30

D. Applicants Interest in Property

OWNER
 OWNER'S AGENT
 OTHER (Specify) _____

EXHIBIT 1

Use additional sheets of paper as necessary to complete the information requested.

List the existing and proposed General Plan designation and the existing and proposed zoning.

EXISTING GENERAL PLAN DESIGNATION R10 RURAL RESIDENTIAL

PROPOSED GENERAL PLAN DESIGNATION COMMERCIAL

EXISTING ZONING R10

PROPOSED ZONING C-3

REASON FOR REQUEST BUSINESS HAS EXPANDED BEYOND A HOME INDUSTRY. WE NEED TO ADDRESS + COMPLY WITH ADA PARKING + PERMITTING OF BUSINESS-SUPPORTING STRUCTURES.

SUPPORTING INFORMATION The Planning Department can provide information on the necessary supporting information for each possible General Plan Amendment.

HOW WOULD THE AMENDMENT BE OF ECONOMIC, SOCIAL, AND ENVIRONMENTAL BENEFIT TO THE COUNTY?

THE BREWING LAIR HAS BECOME A TOURIST DESTINATION, WE CURRENTLY EMPLOY 8 PEOPLE AND BRING IN APPROXIMATELY \$500,000 IN YEARLY REVENUE. ENVIRONMENTALLY, WE HAVE DEVELOPED LOW IMPACT RECREATION FOR OUR GUESTS WITH TRAILS + DISC GOLF; KEEPING THE FOREST; PLUMAS COUNTY BEAUTIFUL.

If this is an amendment for a residential development with at least 25% low or moderate income housing, describe how occupation by or availability to persons and families of low or moderate income shall be assured.

If this application for a General Plan Amendment within the Sierra Valley Groundwater Management District, attach a groundwater supply evaluation which meets the standards of that district.

CERTIFICATE AND WAIVER

I, the applicant, certify that the information provided is correct and waive any action against the County of Plumas in the event the County's action is set aside due to erroneous information provided herein; and I, as an owner of the property affected by this amendment, petition for this amendment.

Susan Dolan

Date

8 July 2018

R.R.

Date

July 8, 2018



Plumas County

Negative Declaration Number # 677

for

General Plan Amendment/Zone Change

GPA 7-18/19-01

The Brewing Lair

Richard and Susan DeLano, applicants

Plumas County, CA

Filed:

Review Period:

From: , 2020 through , 2020

APPROVED/CERTIFIED:

Negative Declaration

It is found, based on this Initial Study, that this project would not have a significant impact on the environment.

An attached copy of the Initial Study documents reasons supporting the finding.

Determination by: Rebecca Herrin

Written by: Rebecca Herrin

Title: Asst. Planning Director

Title: Asst. Planning Director

Date: July 17, 2020

EXHIBIT 2

Initial Study

1. **Project Title:** Summer 2018 General Plan Amendment/Zone Change-GPA 7-18/19-01
Doing business as The Brewing Lair, Inc. and Mountain Goat Farmstead, LLC; Richard and Susan DeLano
2. **Date of Initial Study Preparation:** July, 2020
3. **Lead Agency Name and Address:** Plumas County Planning and Building Services, 555 Main Street, Quincy, CA 95971
4. **Prepared By:** Rebecca Herrin, Assistant Planning Director
5. **Project Location:** 67007 and 67163 Highway 70, Blairsden, CA; Assessor Parcel Numbers 123-150-024-000 and 123-150-025-000; T22N/R12E/Sec.10, MDM; 39.783329 and -120.614222.
5. **Project Sponsor:** N/A
6. **General Plan Designation:** Rural Residential, Scenic Road; within the boundary of the Graeagle Town Planning area
7. **Zoning:** R-10 (Rural), SP-ScR (Special Plan Scenic Road)
8. **Project Description:** The Board of Supervisors has established county policy that allows revisions to the general plan to be proposed by the county by resolution of intention or by private parties two times per year in the Winter and in the Summer. Existing Government Code somewhat restricts the revision process by permitting the actual adoption of amendments to any mandatory element to no more than four times per calendar year. However, the Board of Supervisors is free to accumulate numerous amendments in each such revision. This application was submitted July 10, 2018 therefore it is considered part of the Summer 2018 General Plan Amendment although the project will be brought before the Board of Supervisors in 2020.

The project is a General Plan Amendment and Zone Change to change the general plan designation from Rural Residential and Scenic Road to Commercial, retaining the Scenic Road designation and to amend the zoning from R-10 (Rural) to C-3 (Convenience Commercial), retaining the SP-ScR (Special Plan Scenic Road) zoning.

The current zoning category of R-10 (Rural) allows the existing business as a "Home industry" subject to the issuance of a special use permit and in conjunction with a dwelling unit. The business located on the property has expanded beyond the home industry classification and commercial usage of the property has triggered additional requirements that are not complementary to the residential zoning and general plan designation. Owner/operators desire to keep the existing brewery operational and perhaps expand with a restaurant and additional outdoor recreational activities.

9. Surrounding Land Uses and Setting: The southern property boundary consists of right-of-way of State Route 70. Both properties have access off the State highway; one with a dedicated easement and one with an improved encroachment. Directly to the south of the highway lies the Rural Place of Blairsden with various commercially designated properties zoned C-2 (Periphery Commercial).

To the west lies another commercially designated property zoned C-3 (Convenience Commercial). To the north and east lies property designated Rural Residential and Limited Access Residential and zoned R-10 and R-20, respectively. There is also some land designated Timber Resource lands and zoned GF (General Forest) to the north owned by Graeagle Land and Water Company. The water supply tank for the Blairsden Water Users Association is located on this property.

10. Relationship to Other Projects: Although this General Plan Amendment and Zone Change was submitted as part of the Summer 2018 General Plan Amendments, it will be considered along with another General Plan Amendment application submitted August, 2019 (GPA 8-19/20-01; Dieter). These applications were submitted at various times in the application cycle however the two will be considered as one General Plan Amendment and corresponding zoning change as permitted under State law.

11. Other public agencies whose approval is required: Plumas County Board of Supervisors.

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? None of the California Native American tribes traditionally and culturally affiliated with the project area have requested consultation pursuant to Public Resources Code section 21080.3.1.

Environmental Factors Potentially Affected: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” and subject to mitigation as indicated by the checklist on the following pages.

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

DETERMINATION:

On the basis of this initial evaluation:

I find that, based on the initial study and the county and state regulations that govern the General Plan Amendment and zoning change, there will not be a significant effect on the environment. Therefore, a Negative Declaration will be prepared.



Name: **Rebecca Herrin**

Title: **Assistant Planning Director**

Date: **July 17, 2020**

INITIAL STUDY AND CHECKLIST

Purpose of Initial Study:

An initial study, after a project is determined not exempt from the California Environmental Quality Act (CEQA), is to be prepared and completed according to CEQA Guidelines Section 15063 to determine if the project will have a significant effect on the environment. All phases of project planning, implementation, and operation will be considered within this Initial Study. The information, analysis, and conclusions contained in this Initial Study will be utilized to determine whether to prepare an Environmental Impact Report (EIR), Mitigated Negative Declaration, or Negative Declaration. If the Initial Study reveals that an EIR should be prepared, the information contained in the Initial Study will be used to focus the EIR on the effects determined to be potentially significant.

1. AESTHETICS.

Environmental Setting: Plumas County is located within the Sierra Nevada mountain range. The County consists of a variety of aesthetic characteristics; rural, natural and historic characteristics are predominant throughout the County. The rural, natural, and historic character is due to the County's many valleys, ridgelines, varying types of vegetation, watercourses, travel routes, and historic residential neighborhoods. Scenic resources within the County include mountains, hills, geologic features and formations, rivers, streams, and natural vegetation. Historic and cultural resources also contribute to the aesthetics of the County. Historical and cultural resources are sites, structures, features, objects, and properties being of nationwide, statewide, or local significance and having architectural, engineering, scientific, economic, agricultural, educational, social, political, military, cultural or other values. Examples of historical and cultural resources are ranch home sites, barns, historic residential neighborhoods, ceremonial and/or sacred sites, quarries, mills, and cemeteries.

The aesthetic character of the county is most often viewed from the County's roads and highways. The Plumas County General Plan designates scenic roads and applies design standards to those county-designated scenic roads.

State Route 70, in the project vicinity, is designated as a Scenic Road in the Plumas County General Plan. The Scenic Road policy applies standards for development, which includes a prohibition of off-premise advertising signs and sign size limitation of 100 square feet for commercial signs. There is also a fifty foot building exclusion area measured from the banks of any perennial stream that crosses the highway. No amendment to the Scenic Road designation or to the Special Plan Scenic Road (SP-ScR) zoning is proposed and the Scenic Road standards for development will remain in place.

Scenic areas throughout the County play a major role in the rural, natural character of the County. The Plumas County specifically identifies scenic areas. The scenic areas identified by the General Plan are designed to maintain the natural, rural characteristics, preserve historic lifestyles, and to attract tourists. In addition, the Plumas County General Plan sets forth requirements for protection and preservation of cultural and historic resources.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion: Although the site fronts State Route 70, the developed portions of the property are not visible by the public from any roadways. The access and highway encroachment are existing and have not impacted any resources within the state scenic highway. Future improvements may be necessary to bring the access up to standards, but these improvements are not anticipated to impact any scenic resources within the state scenic highway.

No advertising signs are allowed within the CALTRANS highway right-of-way.

Future construction may include the addition of new light sources (i.e., interior and exterior building lighting) that would introduce additional nighttime lighting to the project site and vicinity. This impact can be seen as *less-than-significant* due to the site's remote location. Plumas County

Code Section 9-2.411 requires that all lighting be installed to focus away from adjoining properties.

Therefore, impacts to Aesthetics would be *less-than-significant*.

2. AGRICULTURE/FOREST RESOURCES.

Environmental Setting: Agriculture and forest resource lands comprise a major portion of Plumas County. The total acreage dedicated to agriculture and forest lands are approximately 159,200 acres and 1.4 million acres, respectively. Agriculture has been and is a significant part of the economy in Plumas County. Livestock-raising, hay production, and pasture uses comprise a majority of the agricultural land uses, with the remaining land being used for nurseries, apiary, seed, fruit, potatoes and grains. Of the approximate 159,000 acres used for agriculture, approximately 109,658 acres are under Williamson Act contracts. Agricultural areas throughout the state, and those in Plumas County, may be studied by the California Department of Conservation to determine the land classification under the Farmland Mapping and Monitoring Program. Currently, Plumas County is not mapped under the Farmland Mapping and Monitoring Program, with the exception of the Sierra Valley.

Agricultural lands are the second largest land use in the county, with forest resource lands being the first. The 1.4 million acres of forest resource lands in the county are comprised of private, State and federal lands. Of those 1.4 million acres of forest resource land, approximately 1.0 million acres are National Forest System lands. Timber production is the primary forest product generated on private and public lands. Public lands include the National Forests, such as Plumas, Lassen, Toiyabe and Tahoe.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of

Forestry and Fire Protection
regarding the state's inventory of
forest land, including the Forest and
Range Assessment Project and
Forest Legacy Assessment project;
and forest carbon measurement
methodology provided in Forest
Protocols adopted by the California
Air Resources Board. Would the
project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non- forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion: Plumas County is not mapped as part of the Farmland Mapping and Monitoring Program, with the exception of the Sierra Valley. The project would not conflict with existing zoning for agricultural use, or a Williamson Act Contract. It would not involve any other

changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland to non-agricultural uses. The nearest agriculturally zoned land is located almost three miles from the project site.

As this project involves an existing property that has been developed as commercial and residential use, with structures, driveways, and parking areas, it can be assumed that it has already undergone a conversion of forest land to non-forest use in conformance with the Z'Berg-Nejedly Forest Practice Act pursuant to Public Resources Code 714 when the property was cleared for the original building construction. The remaining undeveloped property will undergo the same process when and if it is developed for use in the future.

Any removal of naturally occurring commercial tree species would be required to obtain approval from the California Department of Forestry and Fire Protection which would be regulated under provisions of the Z'Berg-Nejedly Forest Practice Act pursuant to Public Resources Code 714. "Commercial species" include Ponderosa and Jeffrey Pine, Sugar Pine, Red and White Fir, Douglas fir, and Incense Cedar, which are present on portions of the site.

Although the property to the north of this project site is zoned General Forest (GF) and contains timber resources, the project does not conflict with existing zoning or cause rezoning of forest land or timber land due to the lack of development potential for that area. This property is removed from existing service providers and does not have sufficient road access for development. The Plumas County General Plan contains numerous policies constraining conversion of agricultural and timber resource lands located outside designated planning areas such as this property.

A "no comment" was received from Katherine Carpenter, Environmental Coordinator, Plumas National Forest Supervisor's Office (Exhibit 3).

Therefore, there are *no impacts* to Agriculture and Forest Resources.

3. AIR QUALITY.

Environmental Setting: Plumas County's topography greatly influences its climate, which results in disproportionate levels of precipitation throughout the County. More commonly known as the rain shadow effect, this condition is created by the Sierra Nevada crest which acts as a barrier to storm systems between the western and eastern portions of the County. Consequently, while the western side of the Sierra Nevada range receives over 90 inches of rain annually, areas east of the Sierra crest receive only 11 inches, with the majority occurring from October to April. Throughout the year, average temperatures, as measured at Portola, can range over 80 degrees Fahrenheit during the summer months to 18 degrees during the winter months.

Plumas County is located within the Mountain Counties Air Basin, which is a relatively large air basin located entirely within the Sierra Nevada. The Northern Sierra Air Quality Management District (NSAQMD) regulates air quality conditions within the Mountain Counties Air Basin. Plumas County is in attainment or unclassified for all federal Ambient Air Quality Standards (AAQS); however, the United States Environmental Protection Agency (EPA) is considering designating the Portola Valley as being in non-attainment for PM_{2.5}, which consists of dust/particulate matter 2.5 microns in diameter or smaller, based on federal standards. Plumas

County is currently designated as non-attainment for PM_{2.5} and PM₁₀ based on state standards administered by the California Air Resources Board (CARB). Recorded trends are likely to continue because the primary causes of PM₁₀, such as road dust and wildfires, are not expected to decrease. These designations are based on annually collected data from three air quality monitoring stations located in the County. The County's largest sources of particulate matter are road dust from unpaved roads, prescribed burning and residential fuel. Primary activities contributing to these pollutant emissions include wildfires, use of woodstoves, forestry management burns, residential open burning, vehicle traffic, and windblown dust. The varying topography of the air basin also contributes to localized air quality issues within the valley areas.

The Plumas County 2035 General Plan includes eight (8) policies regarding air quality. One of those policies, *COS 7.9.4 Vehicle Trip Reduction Measures*, "shall encourage new developments that reduce the length and frequency of vehicle trips through land use and transportation decisions that encourage mixed-use developments and compact development patterns in areas served by public transit and alternative modes of travel."

The Northern Sierra Air Quality Management District has adopted various rules to control air pollution. Among the rules that would apply to the project, two of the rules are Rule 226: Dust Control and Rule 205: Nuisance. Rule 226 is intended to reduce and control fugitive dust emissions to the atmosphere due to the operation of machines and equipment. Rule 205 is intended to prohibit the discharge of air contaminants from any source to any considerable amount of the public or which cause injury or damage to business or property.

Sensitive receptors are locations where individuals are more sensitive to the adverse effects of pollutants. The sensitivity to air pollution can be caused by health problems, prolonged exposure to air pollutants, or an increased susceptibility due to factors such as age. Sensitive receptors are considered residences, day care providers, hospitals, schools, housing for the elderly, and convalescent facilities.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion: The project would not result in greenhouse gas emissions, either directly or indirectly, that would have a significant environmental impact, and would not conflict with any applicable plan, policy or regulation to reduce greenhouse gas emissions. The commercial usage of the properties would produce greenhouse gas emissions due to vehicle traffic. However, the vehicle traffic is anticipated to be no more than what is currently experienced as the purpose of the general plan amendment and zone change is to bring the existing operation into conformance. Furthermore, the operation of equipment on the site is limited and not anticipated to contribute emissions.

The dry, windy climate throughout the County during the summer months creates a potential generation of dust when soil is disturbed. The Northern Sierra Air Quality Management District (NSAQMD) has not adopted any attainment plans for PM_{2.5} or PM₁₀. Although the proposed Portola Fine Particulate Matter (PM_{2.5}) Attainment Plan that the NSAQMD is considering for adoption considers fugitive dust insignificant and does not establish a budget for that pollutant. Long-term emissions impacts caused by vehicles accessing the site and limited operation of equipment would be minimal.

After the project information was reviewed by the NSAQMD, the following comment was provided by Sam Longmire, APCS, Northern Sierra Air Quality Management District, on August 17, 2018 (Exhibit 4):

“The Northern Sierra Air Quality Management District (NSAQMD) has reviewed the Preliminary Review & Consultation for a General Plan Amendment and Rezone of 67007 & 67163 SR 70- The Brewing Lair, and has no comment”.

The general plan amendment and zone change resulting in the existing business operation coming into zoning compliance would not violate any air quality standard or contribute substantially to any air quality violations.

The project would not create substantial pollutant concentrations due to the limited operation of equipment and vehicles; therefore there would be no measurable impact. If further development involving construction of buildings or other improvements occurred, it would not be expected to result in a cumulatively considerable increase of any criteria pollutants due to the construction

being temporary. In any event, the rules adopted by the Northern Sierra Air Quality Management District are in effect and applicable to the project, such as Rule 226: Dust Control.

Sensitive receptors are locations where individuals are more sensitive to the adverse effects of pollutants, such as residences, day care providers, hospitals, schools, elderly housing, and convalescent facilities. Pollutant concentrations would minimally increase during the Brewing Lair operations and with visitors to the site; however, there are no sensitive receptors located within close proximity to the project resulting in no impact to sensitive receptors.

Due to the nature of the existing business and the project location, there would be no issues with objectionable odors.

In addition to the information previously discussed regarding air quality, the following General Plan policies are considered “mitigating policies” for mitigation of potential air quality impacts:

1.1.1 Future Development

The County shall require future residential, commercial and industrial development to be located adjacent to or within existing Planning Areas; areas identified on Plumas County's General Plan Land Use Maps as Towns, Communities, Rural Areas or Master Planned Communities (see Figures 9-15), in order to maintain Plumas County's rural character with compact and walkable communities. Future development may also be approved within areas for which Community Plans or Specific Plans have been prepared. Small, isolated housing tracts in outlying areas shall be discouraged as they disrupt surrounding rural and productive agricultural lands, forests, and ranches and are difficult and costly to provide with services. Land division may be allowed outside of Planning Areas only when the resulting development complies with all applicable General Plan Policies and County Codes.

1.1.2 Infill Development

The County shall plan to concentrate new growth both within and contiguous to existing Towns and Communities and require expansion of existing infrastructure as needed to efficiently and safely serve the new growth.

The project consists of a proposal for a general plan amendment and zone change to allow commercial development with a Planning Area boundary (Town of Graeagle).

1.5.1 Use of Existing Infrastructure

The County shall require the use of existing infrastructure for new development whenever feasible

1.5.2 Cost Effective Land Use Pattern

The County shall develop a land use pattern that, to the maximum extent feasible, will facilitate the delivery of community services in the most cost-effective manner for water, sewer, flood control, public safety services, and road construction and maintenance.

The project site is served by existing infrastructure although the site is not located within any services district providing water and sewage disposal services. If the general plan amendment and zone change is approved, a contract for structural fire protection and emergency services provision will be necessary for operation of the existing business.

5.9.2 Land Use Density

The County shall encourage compact residential and commercial uses that reduce travel, infrastructure and energy use.

The uses proposed under the Commercial designation and the Convenience Commercial (C-3) zoning are limited to those serving small population centers and residential developments. The purpose of the C-3 zone is “to provide for commercial uses serving small population centers, highway-oriented commercial uses, commercial-recreation developments and commercial uses as an integral part of residential developments”. The location of the project site within the Town of Graeagle, along State Route 70 with access directly adjacent to the intersection of State Route 70 with State Route 89 will serve to reduce Vehicle Miles Traveled (VMT).

Therefore, it can be seen that there are *no impacts* to Air Quality.

4. BIOLOGICAL RESOURCES

Environmental Setting: Plumas County encompasses a range of habitat types, many of which influence the water quality and quantity of the Feather River watershed. These habitats, or vegetation communities, provide food, shelter, movement corridors, and breeding opportunities for a variety of wildlife species, many unique to the Feather River watershed and the larger Sierra Mountain region. Conifer, including Mixed Conifer, habitat types comprise approximately 72% of land coverage in the County and are habitats commonly found at higher elevations. Plants characteristic of this habitat include a variety of pines and firs. The common pines and firs begin to disappear as distance is increased from the higher elevation Sierra region. The greater distances from the higher elevation Sierra region give rise to sagebrush, annual grasslands, and the freshwater emergent wetland habitat types more common at lower elevations.

Plumas County and the larger Feather River watershed area contain aquatic habitats such as small alpine streams, natural ponds, lakes, reservoirs, and rivers. Two types of fisheries found within the County are cold water river/stream species and warm water lake/reservoir species.

Special-status species are plants or animals that are legally protected under the State and/or federal Endangered Species Acts (ESAs) or other regulations, and species that are considered by the scientific community to be sufficiently rare to qualify for such listing. The California Department of Fish and Wildlife has documented habitat for over 90 different species of special concern in the County. These include several amphibians, such as the red-legged frog, bald eagle, osprey, several mammals, and plant/wildlife species associated with wetland habitats.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion: According to maps in the 2035 General Plan Environmental Impact Report, the project site is classified as Conifer and Mixed Conifer habitat area, consisting of Ponderosa pine, Incense cedar and Douglas fir with a limited amount of willow and aspen along a perennial watercourse. 72% of the County land coverage falls into this habitat classification.

The project site is also within a designated Deer Winter Range. A letter submitted by James L. Lidberg, Certified Wildlife Biologist, on March 21, 2008 (Exhibit 5).

"The site has a very limited understory component consisting of bitterbrush, Greenleaf manzanita, ceanothus, and western serviceberry. There are pockets of relatively dense trees/shrub habitats that are suitable for winter thermal cover, but most of the area is quite open. There is a relatively limited forage base which reduces the overall habitat quality for deer."

"During my site visit, deer use was evident, with numerous tracks of both adults and fawns crisscrossing the area.

"Although this site has evident deer use, I don't believe that permitting this parcel split will cause a significant adverse impact to the winter range of the Sloat deer herd."

While there are remaining areas on the project site that could be developed could access be found, the site is occupied by The Brewing Lair, a brewery and tasting facility, which includes several structures and parking areas. The adjacent parcel to the east that is part of the project is not yet developed, but it is served by a driveway and road.

Both parcels were created by a parcel map for Robert and Jean Blount which was approved in 2008 and recorded at Book 12 of Parcel Maps at Pages 103-105. There were no limitations on building areas based on the review of biological resources impacts at that time.

The project would not have a substantial adverse impact, directly or indirectly, on any species, habitat, or community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

According to the 2035 General Plan Environmental Impact Report, several special-status species have the potential to occur in this area. Several special status plant species have high potential to occur on the project site as ideal habitat conditions exist or known populations occur in the immediate area. According to monitoring surveys conducted on the Plumas National Forest, the following plant species populations are considered stable: Constance's rock cress and Feather River stonecrop. The Northern goshawk has potential to occur on site but the species tends to be in an upward trend on the Plums National Forest.

Most of the special status plants tend to occur in wetland areas or seeps. The likelihood of such occurrences are low.

As stated above, the project site has already been disturbed and it is unlikely that a great deal more commercial development will occur, mainly due to poor access to the properties. Both properties

could support a limited amount of development near State Route 70 and each could have a dwelling unit on the rear half.

The California Department of Fish and Wildlife did not respond with any concerns to the preliminary review request for information. As discussed above, Mr. James L. Lidberg determined that there was no significant impacts to the Sloat deer herd.

The following mitigating policies are designed to protect sensitive open space areas, species, and wildlife movement corridors:

7.2.1 Habitat Protection

The County shall protect areas that have significant habitat and wetland values, including riparian corridors, wetlands, grasslands, and creeks and rivers, from incompatible rural development. The County shall also support their protection as a method to provide carbon sequestration for GHG emissions under applicable State programs.

7.2.2 Species and Habitat Avoidance

The County shall require new development projects to avoid or minimize adverse impacts to threatened, rare, or endangered species and critical, sensitive habitat, as defined by appropriate local, state, and federal agencies, through proper project location and design. In the event that avoidance is not feasible, the County shall require a "no-net-loss" of these sensitive natural plant or habitat communities. Wildlife habitat will be preserved and managed in a manner that will not lead to the listing of additional species as threatened and endangered or negatively impact listed threatened or endangered species.

As the parcels involved in the general plan amendment and zone change are existing properties with developed access and one of the properties is occupied by The Brewing Lair, a brewery and tasting facility, which includes several structures and parking areas, there are no proposals to impact any of the listed habitat areas. Any development proposals will be reviewed to ensure compatibility with the goal of habitat protection.

7.2.3 Land Use Management

The County shall restrict the density and intensity of development in wildlife habitat areas to the extent needed to avoid significant interference with the habitat. These restrictions shall include, but not necessarily be limited to, maintenance of large parcel sizes, increasing building setback lines, limiting building and fencing, and designating open space corridors.

Both parcels were created by a parcel map for Robert and Jean Blount which was approved in 2008 and recorded at Book 12 of Parcel Maps at Pages 103-105. There were no limitations on building areas based on the review of biological resources impacts at that time.

The project is not anticipated to have a substantial adverse effect on federally protected wetlands.

The project is not anticipated to interfere substantially with any migratory fish or wildlife species, or wildlife migration corridors due to the location and nature of the project.

The project does not conflict with any local policies or ordinances protecting biological resources, or with any provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan due to none of these plans existing on or near the project site.

No new impacts have been identified through this Initial Study. The Department of Fish and Wildlife did not identify any concerns with the project.

7.2.9 Wildlife Fencing

The County shall discourage the use of fencing in rural areas that is exclusionary or dangerous to wildlife, except when necessary for property protection, human safety, crop protection, or domestic animal containment through its discretionary project review and implementation process. Where fencing is necessary, wildlife friendly standards will be considered to the extent feasible.

The Board of Supervisors approved a wildlife-friendly fencing ordinance in 2019 which will apply to any fencing installed on the project site.

7.2.11 Density Transfers

The County shall permit density transfers and other TDRs as a means of protecting wildlife migration routes and habitats where such transfers will not adversely affect the adjacent wildlife area due to spill-over effect.

The project is a general plan amendment and zone change involving existing parcels and none of the issues triggering density transfers were identified during the previous environmental review in 2008.

The following mitigating policy was identified as a result of the environmental analysis and is required to mitigate an adverse impact on special status species:

7.2.13 Biological Resource Maps

The County shall maintain and consult biological resource maps during the discretionary permit review process in order to identify habitat concerns and guide mitigations that will reduce biological resource impacts. Additionally, the County shall require that any development project that could potentially impact a special-status species or sensitive natural community shall be required to conduct a biological survey of the site. If special-status species or sensitive natural communities are found on the site, the project biologist shall recommend measures necessary to avoid, minimize, and/or compensate for identified impacts to special-status and sensitive natural communities.

Staff consulted biological resource maps during this discretionary permit review process. The development project involving existing parcels, one parcel already developed, is not anticipated to

have any potential impacts on special-status species. Therefore no biological survey is required. The impacts to **Biological Resources** can be seen as *less-than-significant*.

5. CULTURAL RESOURCES.

Environmental Setting: The cultural resources located throughout Plumas County can be attributed to the rich history of the county. The history of Plumas County begins from the time that the glaciers receded from the Sierra Nevada and the Cascades. Due to the glacial recession, for thousands of years, humans migrated into the foothills and higher elevations' protected valleys. Humans have been utilizing the Sierra and Cascade ranges for thousands of years.

The Mountain Maidu is the tribal group whose people were present in Plumas County when European migrants started to settle. Depending on what source is relied upon, the Mountain Maidu people have lived in various locations in Plumas County from hundreds to thousands of years and still do today. Other tribes, such as the Washoe, and the Paiute most likely utilized the area while not settling permanently. When weather permitted, the Maidu maintained permanent villages along the timbered edges of glacial valleys. From early spring to late fall, smaller groups traveled to upper Sierra ridge tops and valleys, setting up open air brush shelters. Villages were occupied during winter months and relied mostly on stored and preserved food. The Mountain Maidu people most likely existed in small, scattered, familial groups in the valleys of Plumas County.

Their existence was suddenly disturbed in the spring of 1850 when a flood of gold-seeking miners poured into the canyons and valleys of the region in search of a fabled "Gold" Lake. Overnight, mining camps sprang to life. Rivers were turned from their beds, ditches were dug to bring water from distant sources to the diggings and the land was turned upside down.

One of the larger groups to settle in Plumas County during the Gold Rush years were the Chinese. After the decline of the mining industry in Plumas County around the 1900s, most of the Chinese population left the area.

The North, Middle, and South forks of the Feather River were named in 1821 by Captain Luis Arguello as the *Rio de las Plumas* ("River of Feathers") after the Spanish explorer saw what looked like bird feathers floating in the water. "Plumas", the Spanish word for "feathers", later became the name for the county. The river's forks were the primary sites of early mining activity, with many smaller camps located on their tributaries. Over the next five decades, gold mining remained the main industry of the county.

Ranching operations in the area also began during the Gold Rush years, with several large ranches established in the valleys of Plumas County. Dairies provided milk, butter, and cheese to the gold fields and later provided dairy products to the silver mining operations in Northern Nevada. Many of the Swiss and Italian families who settled and worked the local meadows and valleys have third and fourth generations living and ranching their agricultural lands in the county today.

In 1850, the famous mountain man James P. Beckwourth, discovered the lowest pass across the Sierra Nevada and the following year navigated a wagon trail for California-bound emigrants from western Nevada, through Plumas County, to the Sacramento valley.

In March of 1854, Plumas County was formed from the eastern portion of Butte County. After a heated election, the town of Quincy was selected as the county seat. In 1864, a large part of northern Plumas County was split off to form Lassen County. Shortly after, a portion of Sierra County was annexed to Plumas County, which included the mining town of La Porte.

After the construction of the Western Pacific Railroad in 1910, the timber industry emerged as the primary economic force in the county. Before the railroad, lumber was milled for local use. The completion of the railroad gave the ability for local mills to distribute their lumber nationwide. In March, 1905, President Theodore Roosevelt established the Plumas National Forest, with boundaries roughly encompassing the branches of the Feather River.

Along with the railroad's construction, up the Feather River Canyon came some of the earliest tourists to the county. Resorts and lodges popped up at intervals along the "Feather River Route" to accommodate fishermen, hikers, and sightseers. The last passenger train ran in 1970, and the line is now devoted to freight traffic only. In 1937, the Feather River Highway, touted as an "all weather route," was completed through the Feather River Canyon from Oroville to Quincy, linking Plumas County year-round to the Sacramento valley. The railroads that were once utilized as a main source of transportation in the county have left a legacy of notable bridges and other historic railway features throughout the county.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

An archaeological inventory survey was prepared by James A. Cullum in November, 2006 for the previous project; a parcel map that resulted in the creation of the two parcels that are involved in the general plan amendment and zone change. In the report submitted for the project, it was stated that no prehistoric period sites were identified during a pedestrian survey. However, one collapsed homestead/house and accessory debris was located on the site. The report stated that this debris was most likely part of the Old Bonta Ranch that was subdivided

into different ownerships over the last 100 years. No recommendations were made to preserve this homestead and accessory debris.

Although no archaeological or prehistoric sites were discovered as a result of the pedestrian survey, prehistoric sites have been located within the project vicinity in the past.

A mitigation measure for protection of Cultural Resources was made part of the project approval in 2008 and is listed on the Additional Information Map recorded with the Blount parcel map at Book 12 of Parcel Maps at Pages 103 through 105:

“All building and development plans shall include the following note:

‘Should development activities reveal the presence of cultural resources (i.e., artifact concentrations, including arrowheads and other stone tools or chipping debris, cans, glass, etc.; structural remains; human skeletal remains), work within 50 feet of the find shall cease immediately until a qualified professional archaeologist can be consulted to evaluate the remains and implement appropriate mitigation procedures. Should human skeletal remains be encountered, State law requires immediate notification of the County Coroner. Should the County Coroner determine that such remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State law, to arrange for Native American participation in determining the disposition of such remains.’”

This mitigation measure imposed for the Parcel Map remains in effect for any development proposals on both parcels. Therefore, impacts to **Cultural Resources** are *less-than-significant*.

6. ENERGY

Environmental Setting: The main source of energy production and use in Plumas County is for electricity. Depending upon the location in Plumas County, electricity may be provided by Pacific Gas & Electric (PG&E), Plumas Sierra Rural Electric Cooperative, Liberty Utilities, or Sierra-Pacific Power.

Located within Plumas County are thirteen power plants, which produce about 666 megawatts (MW) of electricity as of September 2009. The facilities include one biomass plant, one oil/gas plant, and eleven hydroelectric plants. Energy consumption in Plumas County is almost entirely electricity use because there are no natural gas service lines within the County although some residents and businesses use propane tank services. In 2007, the total non-residential consumption was 109 megawatt hours (MWhs) and residential consumption equaled 105 MWhs for a total of 214 MWhs. This is a decrease from 2006 when the total electricity consumption in the County was 224 MWhs. The lower consumption in 2007 was driven by a fall in nonresidential consumption. Therefore, in Plumas County the total supply of electricity produced in the County exceeds the demand for electricity. Potential for additional hydroelectric power generation in Plumas County may be limited because of the 30 megawatt capacity limit for “small” hydroelectric plants and the requirement that the water travel through existing man-made conduits. The County does have potential for additional solar energy production. According to the California Energy Commission staff paper California Solar Resources, the photovoltaic potential of Plumas County is estimated to be 71,626 megawatts.

A report from the Center for Economic Development indicates that Plumas County has very little potential for large scale geothermal production. Plumas County's greatest asset for renewable energy production lies in the County's forests, where bio-fuels proliferate and where vegetation management for forest fire hazard reduction has potential to create an ongoing source of fuel for power generation plants.

Other types of energy consumption in Plumas County are through the use of propane, heating oils, and other petroleum fuels. Propane and heating oils are used as a significant source of heat and are provided by companies such as Suburban Propane, High Sierra Propane, and Hunt & Sons, Inc. Other petroleum fuels include gasoline and diesel used for the operation of equipment and vehicles.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Impact Discussion: As the project consists of a general plan amendment and zone change, the project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources.

The project will not conflict with or obstruction of a state or local plan for renewable energy or energy efficiency would not occur.

Therefore, there would be *no impact* to Energy.

7. GEOLOGY AND SOILS

Environmental Setting: The risk of seismic hazards to residents of Plumas County is based on the approximate location of earthquake faults within and outside of the County. Several potentially active faults pass through Plumas County. The Almanor Fault, Butt Creek Fault Zone, Mohawk Valley Fault and the Indian Valley Fault are known active or potentially active faults within the County. Additionally, the Honey Lake and Fort Sage Faults are two active faults located east of the County. Although several faults are within and near the County, seismic hazard mapping indicates that the County has low seismic hazard potential.

Additionally, the County is not located within a delineated Alquist-Priolo Earthquake Fault Zone. The risks associated with earthquakes, such as surface fault rupture, within the County are considered low.

While Plumas County contains varying soils types, the majority of the County consists of denser granular soils and bedrock at shallow depths; therefore, liquefaction potential is considered low.

The County is located in an area with varying topography and slopes, with elevations ranging from approximately 1,800 feet in the Feather River canyon to 8,300 feet near the summit of Mount Ingalls. Areas with steep slopes in the County could be prone to landslides, mud slides, and avalanches. Landslides, or ground failure, are dependent on slope, geology, rainfall, excavation or seismic activity. Mud slides are often caused by heavy rainfall. Areas that have recently been subject to wildfire are susceptible to mud slides. Avalanches consist of a rapid flow of snow down a slope. They often reoccur in the same areas and can be triggered by varying weather patterns and human activity. The volcanic soils in the eastern portion of the Plumas National Forest are prone to landslides. Areas concentrated along the North and Middle Forks of the Feather River are also susceptible to landslides.

The rate of erosion is influenced by a myriad of variables, such as rainfall, runoff, slope gradient, vegetation, physical soil characteristics, and human activity. Human activities, such as timber harvesting, water diversion, irrigation practices, road and railroad construction, grazing, and mining have all contributed to in-stream water quality issues, such as sediment transport, that impact aquatic life and riparian vegetation. Approximately 70% of the County is considered as having a moderate potential for soil erosion, while less than 1% is considered a high potential for soil erosion. The remaining portion of the county is either considered low erosion potential or is not mapped. High erosion potential occurs at higher elevations in the County.

Expansive soils change due to moisture content within the soil. Expansive soils shrink when dry and expand or swell when wet. The swelling and shrinking can cause damage to homes, foundations, roads, utilities, and other structures. The California Building Code and Uniform Building Code (1994) Table 18-1-B both set forth the classifications of expansive soils. The expansion index ranges from 0 to 130, with 0-20 being a very low potential expansion, 91-130 being a high expansive potential, and greater than 130 being a very high expansion potential. Highly expansive soils are undesirable for use as engineered fill or subgrade directly underneath foundations or pavement, and must be replaced with non-expansive engineered fill or require treatment to mitigate their expansion potential.

Asbestos is a naturally occurring fibrous material found throughout California. Disturbance of rocks and soils containing asbestos could lead to several public health issues. The highest concentration of mapped areas containing naturally occurring asbestos is found in the western portion of the County.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
- ii) Strong seismic ground shaking?
- iii) Seismic-related ground failure, including liquefaction?
- iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?
- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact Discussion: The proposed project would not expose people or structures to substantial adverse effects due to earthquakes or seismic shaking.

All future development or improvements would be designed, installed and subject to the requirements of the California Building Code relating to seismic design. The project is located in an area where the probability of significant ground shaking is low.

According to the Earthquake Fault zone maps, prepared as per Special Publication 42, the project site is not located within an identified earthquake fault zone. There are no identified fault traces or fault zones. The area in question has not been evaluated for Liquefaction or Landslides.

Therefore, there is unlikely to be any significant adverse impacts from rupture of known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map. There is unlikely to be strong seismic ground shaking or seismic-related ground failure, including liquefaction or landslides, for the same reason and per the same source material.

Although Plumas County is considered to have a low seismic and liquefaction hazard potential, which renders geologic impacts a less than significant risk to people and structures, the existing structure was constructed subject to the California Building Code. Furthermore, although no buildings or improvements are proposed, any future building or improvement constructed would be subject to the California Building Code. The enforcement and subjection of structures to the California Building Code reduces potential impacts due to liquefaction.

While there are remaining areas on the project site that could be developed could access be found, the site is occupied by The Brewing Lair, a brewery and tasting facility, which includes several structures and parking areas. The adjacent parcel to the east that is part of the project is not yet developed, but it is served by a driveway and road. Therefore, it is not anticipated that the project would result in substantial soil erosion or loss of topsoil.

As part of the parcel map approval, soils were evaluated for wastewater disposal capability and designated leachfield areas on each parcel were designated.

An erosion control plan was prepared for the parcel map (Exhibit 6) and the additional information map recorded concurrently with the parcel map contains conditions that will be applied to issuance of future building and grading permits, based on recommendations in the erosion control plan.

Memo received from Evan Hasse, Engineering Technician, is included as Exhibit 7. Hasse refers to the construction and development notes that are recorded on the Parcel Map for these properties in Book 12 of Parcel Maps Page 105, which include notes relating to erosion control plan requirements.

As discussed below in the **Cultural Resources** section, it is not anticipated that any significant impacts to historical, archaeological, or paleontological resources will result from the project.

A mitigation measure for protection of Cultural Resources was made part of the project approval in 2008 and is listed on the Additional Information Map recorded with the Blount parcel map at Book 12 of Parcel Maps at Pages 103 through 105:

“All building and development plans shall include the following note:
‘Should development activities reveal the presence of cultural resources (i.e., artifact concentrations, including arrowheads and other stone tools or chipping debris, cans, glass, etc.; structural remains; human skeletal remains), work within 50 feet of the find shall cease immediately until a qualified professional archaeologist can be consulted to evaluate the remains and implement appropriate mitigation procedures. Should human skeletal remains be encountered, State law requires immediate notification of the County Coroner. Should the County Coroner determine that such remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State law, to arrange for Native American participation in determining the disposition of such remains.’”

This mitigation measure imposed for the Parcel Map remains in effect for any development proposals on both parcels.

Therefore, impacts to **Geology and Soils** would be *less-than-significant*.

8. GREENHOUSE GAS EMISSIONS.

Environmental Setting: Greenhouse gases (GHGs) are comprised of a variety of gases. Greenhouse gases are carbon dioxide (CO₂), Methane (CH₄), Nitrous Oxide (N₂O), and fluorinated gases. According to the Environmental Protection Agency (EPA), the greenhouse gases emitted are approximately 81% carbon dioxide, 10% methane, 6% nitrous oxide, and 3% fluorinated gases. Greenhouse gases, along with other naturally occurring processes, have been shown to have a significant impact on the warming of the Earth. The rise in temperature is due to the greenhouse gases being similar to an adiabatic process or blanket around the Earth. Some of the solar radiation reflected from Earth’s surface is absorbed by the gases causing the rate at which radiation is emitted from Earth to decrease.

Greenhouse gases are expelled from a variety of sources. The three largest sources are electricity generation, transportation, and industrial processes. The main process that electricity generation, transportation, and industrial processes emit greenhouse gases is through the combustion of fossil

fuels. According to the EPA, carbon dioxide emissions, which are the largest portion of greenhouse gases, is emitted by transportation processes and contributes approximately 34% of the carbon dioxide emissions.

To combat greater increases in greenhouse gases, various forms of legislation have been implemented. Some of the major legislative changes were Executive Orders S-3-05 and B-30-15, AB 32 and SB 32. The first major piece of legislation that set emissions reduction targets was Executive Order (EO) S-3-05, signed by Governor Arnold Schwarzenegger. EO S-3-05 established the target to reduce greenhouse gas emissions to below 2000 levels by 2010, 1990 levels by 2020, and 80% below 1990 levels by 2050. On September 27, 2006, Governor Arnold Schwarzenegger signed into law Assembly Bill (AB) 32, also known as the California Global Warming Solutions Act. AB 32 gave authority to the California Air Resources Board (CARB) to implement and enforce the targets set forth in EO S-3-05. More recently, in 2015, Governor Brown signed EO B-30-15, which was an expansion of AB 32. The expansion set the goal to have a 40% reduction in greenhouse gases by 2030. On September 8, 2016, to further empower CARB to institute regulations to meet the aggressive target set by EO B-30-15, SB 32, also known as the California Global Warming Solutions Act of 2006; emissions limit, was signed into law. To ensure the goals of EO S-3-05 and EO B-30-15 are met, AB 32 established mandatory greenhouse gas emissions reporting, verification, and other requirements for operators of certain facilities that directly emit greenhouse gases.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Impact Discussion: The project would not result in greenhouse gas emissions, either directly or indirectly, that would have a significant environmental impact, and would not conflict with any applicable plan, policy, or regulation to reduce greenhouse gas emissions. The operation of the business and equipment is limited, contributing minimal emissions.

Given Northern Sierra Air Quality Management District standards, the project would limit air pollution to the maximum extent feasible. Because the proposed project would be below anticipated thresholds, and would not conflict with any applicable plan, policy or regulation

adopted to reduce the emissions of greenhouse gases, there would be *no impact* to Greenhouse Gas Emissions.

9. HAZARDS AND HAZARDOUS MATERIALS.

Environmental Setting: Throughout Plumas County, a variety of hazardous wastes may exist and can be transported in a variety of ways. Hazardous wastes can be liquids, solids, or gases. The Environmental Protection Agency (EPA) defines hazardous wastes as hazardous materials that are discarded, abandoned, or recycled. The EPA groups hazardous wastes in three categories: Listed wastes, Characteristic Wastes, and Mixed Radiological and Hazardous Wastes. Examples of the most common types of hazardous materials that are routinely transported and used throughout the County are diesel, gasoline, oils, cleaning materials, and propane.

Transportation-related public health and safety issues also have the potential to occur along the major thoroughfares of the County. The highest potential for transportation-related incidents exists along the County's main east-west thoroughfare, State Route 70, and along State Routes 36 and 89. The majority of hazardous materials shipped through and within the County consists primarily of petroleum products, such as heating fuels, gasoline, diesel and propane. The County's railroad corridors, both the Union Pacific Railroad and Burlington Northern Santa Fe, are an additional public safety concern since freight trains also carry bulk containers of hazardous materials such as petroleum.

Locally, Plumas County Environmental Health manages the County's hazardous materials management program. Environmental Health maintains the Hazardous Materials Business Plan and Inventory Program. The program enforces the State "right-to-know" laws passed in 1984 and requires local businesses to provide public access to information about the types and amounts of chemicals being used on their property. Businesses must plan and prepare for a chemical emergency through the preparation of a Hazardous Materials Inventory that is certified annually, a Hazardous Materials Business Emergency Response Plan that is certified annually and an inventory of hazardous materials updated annually. Environmental Health also regulates the use, storage and treatment of hazardous wastes and above-ground storage tanks.

Wildland fires are a major hazard in Plumas County. Wind, steepness of terrain, and naturally volatile or hot-burning vegetation contribute to wildland fire hazard potential. The principal ingredients of wildland fires-fuel, topography, and weather-combine to make highly hazardous fire conditions throughout much of the county. Fire protection is categorized in three ways, Local Responsibility Areas (LRA) or State Responsibility Areas (SRA) or Federal Responsibility Areas (FRA). Applicable building standards serve to address potential health and safety impacts within the LRA. Wildland Urban Interface Building Standards (WUIBS) serve to address potential impacts with SRA areas designated as High Fire Hazard Severity Zones or Very High Fire Hazard Severity Zones.

Three public-use airports are located in the County: Nervino Airport in Beckwourth, Rogers Field Airport in Chester and Gansner Field Airport in Quincy. Potential safety issues associated with airports include aircraft accidents and noise impacts to surrounding land uses. Airport operation hazards include the development of incompatible land uses, power transmission lines, wildlife hazards, such as bird strikes, existing obstructions such as timbered hillsides, and tall

structures in the vicinity of these airports. Airport safety zones are established to minimize the number of people subjected to noise and potential aircraft accidents through limitations on the type of development allowed around airports. Local Airport Land Use Compatibility Plan zoning regulations provide specific detail for the established airport safety zones.

The Plumas County Office of Emergency Services (OES) is responsible for coordinating the County government's role in preparation and response to a disaster or large-scale emergency within Plumas County. The Office of Emergency Services works closely with other emergency management operations in the City of Portola and various special districts, authorities and joint-power authorities within County boundaries. In the event of an emergency, the Office of Emergency Services is charged with responding to the unincorporated areas of Plumas County, providing support to jurisdictions within Plumas County.

Emergency evacuation is an integral component of the County emergency management system. The Office of Emergency Services also conducts ongoing evaluation of potential evacuation routes, including capacity and condition of roadways and potential barriers to the use of roadways, such as flooding. There are no set evacuation routes; rather, they are established for particular events based on circumstances at the time. The main focus is on three operational concerns: 1) Local/community evacuation; 2) Area-wide evacuation; and 3) Large-scale traffic management during regional evacuations. Primary state and local arterial and secondary ground transportation routes have been identified and are included in general preparedness and response planning efforts.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

acutely hazardous materials, substances, or waste within one-quarter mile of existing or proposed school?

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

Impact Discussion: The existing brewery and tasting room is not anticipated to involve transport, disposal, or use of hazardous materials. The uses permitted by right in the Convenience Commercial (C-3) zone, with the exception of “gas stations” and possibly “heavy equipment services” would not involve the use of hazardous substances. Gas stations and heavy equipment service use would be regulated under other local and state authority. The uses permitted under the Convenience Commercial (C-3) designation are limited, by design, to those uses serving small population centers, highway-oriented commercial uses, commercial-recreation developments, and commercial uses as an integral part of residential developments.

The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

The project site is not located within the Airport Land Use Compatibility Plan or in the vicinity of any known private airstrips.

The proposed project would not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

The project site is not located within the boundaries of the Graeagle Fire Protection District however, in keeping with General Plan policies regarding fire protection for development, the project applicants will be required to contract for structural fire protection and emergency response services or to annex to the Graeagle Fire Protection District. One parcel, APN 123-150-024-000 (67007 SR 70) is subject to a contract with the District but the other undeveloped property, APN 123-150-025-000, is not.

A memo was received from Ed Ward, Fire Chief, Graeagle Fire Protection District, on October 30, 2018 (Exhibit 8). Chief Ward's comments regarding the project include the following:

- "The driveway would need to be improved to meet commercial driveway standards. Paved with shoulders. At current time there is only 1 narrow road for Ingress and Egress. A second roadway would be needed. Could be a separate roadway or widening of existing one.
- "At least 1 Hydrant, which could produce a minimum of 1200 GPM for 60 min. Possibly more with future development.
- "Adequate turning area for a Fire Engine.
- "Caltrans approved Access to and from SR 70.
- "GFPD to review and comment on all future plans."

Although the Graeagle Fire Protection District can impose conditions in conjunction with annexation or contract, the Brewing Lair property is served by a FireSafe driveway constructed under permit from the County (10-703-B). The County code does not contain a commercial driveway standard, only a driveway standard to serve commercial as well as residential development.

The existing encroachment permit was issued as a residential use permit. Updating of the existing encroachment to a commercial use permit will be necessary. CALTRANs has authority to require highway improvements if necessary.

Assessor's Parcel Number 123-150-025-000 has access by existing access easement off State Route 70 which is located at the southeastern corner of the site. This access could provide a secondary looped road connection to State Route 70.

The project site is designated as a State Responsibility Area for wildland fire protection. The State's requirements for building construction and vegetation management, as adopted into county code and certified in lieu of the FireSafe regulations are applicable to the project. Wildland fire protection is provided by the United States Forest Service through contract with the California Department of Forestry and Fire Protection (CALFIRE).

Due to the requirements of Graceagle Fire Protection District and applicable code requirements, the impacts to **Hazards and Hazardous Materials** are *less-than-significant*.

10. HYDROLOGY AND WATER QUALITY.

Environmental Setting: Water quality may be impacted by a variety of factors; one factor is erosion of the earth's soil by natural, physical forces. Erosion is due to, and may be accelerated by, precipitation, running water, and wind. The rate of erosion is influenced by myriad of variables, such as rainfall, runoff, slope gradient, vegetation, physical soil characteristics, and human activity. Human activities, such as timber harvesting, water diversion, irrigation practices, road and railroad construction, grazing, and mining have all contributed to in-stream water quality issues, such as sediment transport, that impact aquatic life and riparian vegetation. Approximately 70% of the County is considered a high potential for soil erosion. The remaining portion of the county is either considered low erosion potential or is not mapped. High erosion potential occurs at higher elevations in the County.

The County contains an extensive network of rivers and other waterways that flow out of higher elevations to the valley areas. The Federal Emergency Management Agency (FEMA) has identified several areas of the County as being within Special Flood Hazard Areas. The City of Portola, Quincy, East Quincy and the American Valley and Greenville are mapped in more detail to show Base Flood Elevation (BFE) data which is determined to be the elevation of the Base Flood or "100-year" flood.

The second means of flooding can occur due to a partial or complete failure of a levee or dam, causing an inundations of water to flood the adjoining regions. There are approximately 28 dams with the smallest being 50 acre-feet and the largest being 1,208,000 acre feet. The dams located within Plumas County that have been identified as having inundation areas are along the North and Middle Forks of the Feather River, Indian Creek between Taylorsville and Antelope Lake, Sierra Valley, and Indian Valley. The inundation areas closely coincide with the flood zones identified by FEMA.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede

sustainable groundwater management of the basin?

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- i. Result in substantial erosion or siltation on- or off-site;
- ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
- iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
- iv. impede or redirect flood flows?

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

e) Conflict with or obstruct implementation of a water

quality control plan or sustainable groundwater management plan?

Impact Discussion: The project is not anticipated to violate any water quality standards or waste discharge requirements as the project does not specifically propose any further development beyond the existing Brewing Lair facility.

The Brewing Lair facility is served by existing public water system provided by well. This system was installed under permit from Environmental Health. The other parcel is currently undeveloped.

A memo was received from Rob Robinette, Plumas County Environmental Health, on August 10, 2018 (Exhibit 9).

“Pursuant to Plumas County Code, Title 6, Chapter 9, Section 6-9.01, the proponents must obtain an ‘approved water supply’ for the current and future facility operation that can be either: a potable water service connection from an existing public water system; or a water system operating permit issued by Environmental Health.

- *The proponents are encouraged to obtain a potable water service connection from a public water system as this will remove the requirement to obtain a water system operating permit.*
- *If the proponents find that a service connection to an existing public water system is not possible or reasonable the proponents must apply for a water system operating permit from Environmental Health.”*

The memo goes on to outline procedures and requirements. With the existing requirements that must be followed to permit the water system, it is unlikely that the project would substantially decrease groundwater supplies or interfere substantially with groundwater recharge.

An email was received from Rob Robinette, Plumas County Environmental Health, on July 1, 2020 (Exhibit 10) which indicates that the Brewing Lair now has an operating permit for a Public Water System issued by Environmental Health. Therefore, the conditions of the previous memo from Environmental Health have been satisfied.

The proposed project would not cause the construction of or place housing within the 100-year flood hazard area. The project site is identified as Zone X (06063C1300E, effective date March 2, 2005).

Due to the project location, the project would not expose people or structures within the area of a levee or dam.

Due to the location of the property, the project would not be inundated by a tsunami or mudflow. Seiche is a possibility for any body of water, but this general plan amendment and zone change would not increase the possibility of a seiche.

Due to the location and nature of the project, pollutants are not at risk of release due to inundation of the project and the project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Therefore, the project would result in a *less-than-significant* impact on **Hydrology and Water Quality**.

11. LAND USE AND PLANNING.

Environmental Setting: The predominant land use within Plumas County consists of open space use with a majority of land, approximately 94% of the total County area, dedicated to timberland or other unmanaged resource uses. Consequently, many of these lands are managed for a combination of resource values, including, but not limited to recreation, mining, timber production, agriculture production and cultural and historic resources. That leaves approximately 6% of the land area for uses such as residential, commercial, industrial, and public service.

Resources, history and people have all had a significant role in defining Plumas County. Communities originally developed and evolved on the landscape based on proximity to the resources that provided a livelihood. The Mountain Maidu established villages in the valleys of the County where there was shelter from winter storms and access to good hunting and plant gathering sites. Upon arrival and settlement of Europeans in the mid-1800s, towns first grew up around mining activities, then log mills and later around transportation such as stagecoach and railroad.

The land use pattern across the County today reflects this historical approach to settlement in a time before the automobile. Today many counties and cities across California and the United States are trying to institute smart growth, transit-oriented design, form-based development and to re-focus their communities into walkable places. Plumas County has, with a few exceptions, maintained its rural character with its compact and walkable communities.

The Land Use Element of the Plumas County General Plan defines the goals, policies and implementation measures that will facilitate appropriate growth and development. Between the years of 1981 and 2012, Plumas County encountered an approximate 13% increase in population. In recent years, between 2000 and 2010, Plumas County experienced a 4% decline in population. Although, the California Department of Finance predicts that Plumas County's population growth will be approximately 1% per decade between 2010 and 2050.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

a) Physically divide an established community?

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Impact Discussion: The project is a general plan amendment and zone change from Rural Residential, Scenic Road and R-10 (Rural) and SP-ScR (Special Plan Scenic Road) zoning to Commercial, Scenic Road and C-3 (Convenience Commercial) and SP-ScR (Special Plan Scenic Road) zoning to allow the existing use to come into compliance.

Due to the nature of the project, it would not physically divide an established community.

Table 1-3 Land Use Designations and Permissible Densities lists the **Commercial** designation as: **Commercial:** This designation identifies locations that are appropriate for a wide range of businesses, including retail, offices and services. These businesses range in scope from those located near dense residential areas and population centers to those providing highway-oriented commercial uses, commercial-recreation developments and commercial uses as an integral part of residential developments.

The Plumas County 2035 General Plan contains a variety of policies related to commercial development. Two specific policies and implementation measures address commercial development being located adjacent to or within existing planning areas. The following two policies and implementation measures address commercial development located adjacent to or within Planning Areas:

1.1.1 Future Development

The County shall require future residential, commercial and industrial development to be located adjacent to or within existing Planning Areas; areas identified on Plumas County's General Plan Land Use Maps as Towns, Communities, Rural Areas or Master Planned Communities (see Figures 9-15), in order to maintain Plumas County's rural character with compact and walkable communities. Future development may also be approved within areas for which Community Plans or Specific Plans have been prepared. Small, isolated housing tracts in outlying areas shall be discouraged as they disrupt surrounding rural and productive agricultural lands, forests, and ranches and are difficult and costly to provide with services. Land division may be allowed outside of Planning Areas only when the resulting development complies with all applicable General Plan Policies and County Codes.

Land Use Implementation Measures

1. Encourage all new residential development projects to be located within or adjacent to mapped Planning Areas where basic infrastructure, services,	1.1.1	Planning
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and adequate response times for such services as water, wastewater disposal, utilities, fire protection, police and emergency medical, and commercial services typical for the planning area type, exist or require that the project provide its own internal infrastructure and services that are bonded for long term maintenance.

1.1.2 *Infill Development*

The County shall plan to concentrate new growth both within and contiguous to existing Towns and Communities and require expansion of existing infrastructure as needed to efficiently and safely serve the new growth.

2. Establish a database which identifies vacant and underutilized parcels within existing developed areas. Make this information available to the public. The permitting process shall be streamlined for projects meeting in-fill goals.

1.1.2 Planning

The project is consistent with General Plan Policy LU 1.1.1, *Future Development*, and LU 1.1.2, *Infill Development*, due to the project being located within an existing Planning Area (town of Graeagle).

In addition to policies LU 1.1.1 and 1.1.2, the Plumas County 2035 General Plan also contains two goals, three policies, and three implementation measures related to commercial development. The goals, policies, and implementation measures are set forth as follows:

**LU
1.6**

To designate lands for commercial and industrial development appropriate for these uses and facilitate business and industrial opportunities. Encourage compact development contiguous to existing urban centers, active transportation corridors, or resource production areas. Discourage linear and leapfrog development patterns. Facilitate the re-use of abandoned industrial sites as appropriate.

1.6.1 Land for Commercial and Industrial Uses

The County shall provide adequate amounts of land in and adjacent to identified Towns and Communities and within Rural Places to be designated and zoned to allow for and support commercial and industrial development.

The project site is located along the State Route 70 corridor and to the west is the State Route 70 and State Route 89 intersection. The project site is located directly adjacent to property already designated Commercial and zoned C-3 (Convenience Commercial) although currently undeveloped. Therefore, the redesignation and rezoning of this project site would not be considered as "leapfrog development" or spot zoning. It is located within a Planning Area (Town of Graeagle). The project site is also located across the highway from Blairsden (designated Rural Place).

The project will reduce travel time to provide services to the areas served. Depending on the final end use, this may greatly assist in reduction of Vehicle Miles Traveled (VMT).

**LU
1.8**

To develop land use patterns which minimize travel to jobs and services.

1.8.1 Land for Large-scale Commercial and Industrial Uses

The County shall require that sites for moderate-to large-scale industrial and commercial development be located within or near the Town and Community areas; within areas for which Specific Plans or Master Plans have been prepared; or within areas that contain, or are capable of containing, infrastructure adequate to support the use of the property for more intensive non-residential purposes, such as abandoned mill sites. Additionally, the County shall consider the location of such land uses where appropriate to reduce travel and commute times.

16. Incorporate within the Land Use and Zoning Map appropriate industrial and commercial uses within proximity to residential uses to minimize travel times and trip lengths. 1.8.1 Planning

1.8.2 Land for Small-scale Commercial and Industrial Uses

The County shall provide for opportunities for small scale businesses and industrial uses through appropriate zoning.

17. Undertake necessary and appropriate zoning code and zoning map changes to promote and encourage small- 1.8.2 Planning

scale business and industrial
land use growth.

This project is consistent with development of a land use pattern that will serve to minimize travel to jobs and services and certainly provide opportunities for a small scale business, The Brewing Lair.

Overall, the project is consistent with the goals, policies, and implementation measures of the Plumas County 2035 General Plan.

The project, however, is not consistent with the zoning and zoning requirements. Permits issued for Assessor's Parcel Number 123-150-024-000 include 1. Electric service for well house, 2. Two septic system permits and 3. Permit for two-story dwelling and FireSafe driveway.

At some point the dwelling was converted into the brewery and tasting facility. There is no permitted dwelling on the property. There have been various other unpermitted buildings constructed on the property over the years. There was discussion with Planning staff in years past of the possibility of the brewery and tasting room being considered "Home industry" under the code.

"Home industry" is defined as:

"any use permitted in an industrial zone and conducted by a resident of a dwelling unit on the parcel if it can be found that access to transportation routes and facilities, public facilities, and the surrounding land uses and environmental setting will permit the use without major adverse impacts to the rural-residential nature of the neighborhood."

As there is no dwelling on the property, the owners could not apply for a special use permit for "Home industry" in order to bring the operation into conformance with the R-10 (Rural) zoning requirements.

Charles White, Building Official, submitted a comment (Exhibit 11):

"All issues with buildings are being addressed, no further comment."

While the County was updating the General Plan (2005-2013), no applications for general plan amendments and zone changes were processed. Therefore, the owners could not have applied for a general plan amendment and zone change during that time period.

Approval of this general plan amendment and zone change will bring the existing Brewing Lair operation into conformance with the general plan and zoning requirements. Demolition or receiving building permits for the nonconforming structures will get rid of the code enforcement actions.

A public water system permit, issued by Environmental Health, has now brought the operation into conformance with health and sanitation requirements of the County and the State.

Therefore, the potential environmental impacts to **Land Use and Planning** are be *less-than-significant*.

12. MINERAL RESOURCES.

Environmental Setting: Since the 1800s, mineral resources have been a major part of the economy in Plumas County. Gold, copper, aggregate, and silver are some of the mineral resources that have been mined and exported. Although the significance of the mining industry has been declining over the past several decades, gold and copper mining speculation continues to contribute to the County's economy.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Impact Discussion: The proposed project is not located in an area with known mineral resources. The proposed project will not result in the loss of availability of a locally important mineral resource recovery site delineated on the Plumas County 2035 General Plan, any specific plan or other land use plan.

Therefore, there is *no impact* to Mineral Resources.

13. NOISE.

Environmental Setting: The dominant sources of noise in Plumas County are mobile, related to automobile and truck traffic, aircraft and train transportation. Stationary sources in the county include power plants, lumber mills, and aggregate mining and processing facilities. To a smaller extent, construction sites are also considered a stationary source of short-term, or temporary, noise in the County.

The primary factors that determine roadway noise levels are traffic volumes, percentage of heavy trucks and buses on individual roadways, average vehicle speed, and presence of natural or human-made noise attenuation features such as sound walls and landscaping. Given the predominately rural nature of the County, roadway noise impacts are those associated with the larger regional, or Statewide, network.

Stationary or non-transportation noise sources in Plumas County are those caused by a variety of industrial or resource extraction-related activities, including manufacturing operations, power plants, lumber mills, aggregate mining and processing plants, race tracks, shooting ranges and car washes, to name a few. Additionally, noise from temporary wood and gravel processing operations varies significantly from site to site and is the result of factors including noise source location and surrounding natural conditions.

Table 3-1. Inventory of Prominent Noise Sources within the Community areas of Plumas County, *page 63 of the Plumas County General Plan Noise Element*, identifies the Quincy-Gansner Field airport, Plumas District Hospital helipad, Quincy Railroad, and Plumas County Fairgrounds as Stationary Noise sources in the community of Quincy.

Plumas County has two active rail lines used by the Union Pacific Railroad and the Burlington Northern/Santa Fe Railroad. While both lines are primarily used for freight and local shipping and receiving, a portion of the Union Pacific line through the Feather River Canyon is recognized as a scenic route, with occasional chartered passenger trains. Daily traffic on the Union Pacific and Burlington Northern Santa Fe lines in the County consists of a limited number of trains per day. This volume creates minimal noise impacts in term of frequency.

Typically, noise associated with railroad operations is caused by diesel engines, switching operations and whistles. Generally, trains operate at low speeds through populated areas as a safety precaution, and noise levels are correspondingly lower at lower speeds. Switching operations usually occur at stations or depots. Whistles are blown in advance of grade crossings. Table 3-3. Existing Railroad Noise Contours, *page 66 of the Plumas County General Plan Noise Element*, indicate a noise contour of 60 dB L_{dn} at 600 feet.

Construction-related activities can also be a source of stationary (temporary) noise. Two types of short-term noise are emitted during construction. First, construction crew commutes and the transport of construction equipment and materials to construction sites would incrementally increase noise levels on access roads leading to the sites. Second, noise would be generated during excavation, grading and erection of buildings. Construction typically occurs in discrete steps, each of which has a distinctive mix of equipment and, consequently, distinctive noise characteristics. These various sequential phases would change the character of the noise generated on each site and, therefore, the noise levels surrounding these sites as construction progresses.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within an airport land use plan area or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion: Noise exposure due to the project would come from current and future commercial activities on the project site. Currently, one of the parcels (APN 123-150-024-000) is the site of the Brewing Lair brewery and tasting room, with outdoor activity areas and occasional music venue. The other parcel (APN 123-150-025-000) is vacant however if the general plan amendment and zone change is approved, would be designated residential and zoned C-3 (Convenience Commercial), which would allow a wide range of commercial activities by right and subject to review under a special use permit.

Per Plumas County Code section 9-2.413(a), “new uses shall not increase off-site noise to a level which exceeds the ambient noise level for the specific land use area.” A typical ambient noise level for residential is 65 dB measured at property line.

The parcels are 15.44 acres and 14.61 acres in size. The site occupied by the Brewing Lair is located on the rear portion of the property. The likely building site on the unoccupied parcel appears to be in the center of the parcel. Both sites result in buffers between the commercial sites and adjoining properties.

Figure 21 in the Plumas County 2035 General Plan (page 73) contains noise levels for indoor and outdoor types of scenarios. Figure 21 demonstrates that a gas mower at 100 feet corresponds to just over 70 dBA and a commercial area standard corresponds to just less than 70 dBA. The values

from Figure 21 may be compared to the typical ambient noise level as shown in Figure 22 in the Plumas County 2035 General Plan (page 76). It can be concluded that Figures 21 and 22 demonstrate that the proposed commercial use or commercial uses permitted under the C-3 (Convenience Commercial) zoning would not exceed 70 dB CNEL (Community Noise Equivalent) at the property line. The noise level not exceeding the 70 dB is due to sound level spreading in a geometric pattern, also known as “Geometric Spreading”, and attenuating at a rate of 6 dB for each doubling of distance from the noise source. In addition, noise attenuation from ground absorption and reflective-wave canceling adds to the attenuation associated with geometric spreading.

An important point regarding the proposed uses is that many commercial uses in Plumas County, particularly outdoor uses geared towards visitors are seasonal, usually beginning in spring and ending in fall.

It is unlikely that the uses proposed for the site would increase the ambient noise levels to the point where residential noise standards at adjacent property lines would be exceeded. The current use of the Brewing Lair is existing but if any future development was to occur, the Plumas County 2035 General Plan contains the following “mitigating policies” to address impacts due to noise:

3.1.1 Primary Noise Sources

The County shall identify “major environmental noise generation sources” to including but not be limited to: State highways, primary arterials and major local streets, freight on-line railroad operations, County airports and local industrial plants, such as sawmills and other resource production facilities. These sources are defined as those above-noted land uses where the immediate CNEL meets or exceeds an exterior level of 60 dB.

3.1.2 Sensitive Land Uses

The County shall identify “noise sensitive areas” to include: residences, hospitals, convalescent homes, schools, and churches.

3.1.3 Noise / Land Use Compatibility Standards

When considering a discretionary project, the County shall refer to the Noise Land Use Compatibility Standards, as shown in Figure 22, as a guide to ensure compatibility of land uses. New development of noise sensitive land uses will not be permitted in areas exposed to existing or projected levels of noise which exceed the levels specified in Figure 22 unless the project design includes effective mitigation measures to reduce exterior noise and noise levels in interior spaces to the levels specified in Figure 22.

3.1.4 Construction Noise

The County shall seek to limit the potential noise impacts of construction activities on surrounding land uses. The standards outlined below shall apply to those activities associated with actual construction of a project as long as such construction occurs between the hours of 7 a.m. and 7 p.m., Monday through Friday and 8 a.m. and 5 p.m. on weekends or on federally recognized holidays.

Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards.

3.1.10 Noise Buffering

The County shall require noise buffering or construction treatments in new development that includes noise sensitive uses located near major streets, highways, airports, railroad tracks or other significant noise sources. Setbacks shall be the preferred method of noise abatement for residential projects. Noise walls shall be discouraged in favor of less-intrusive noise mitigation measures such as landscaping and berms.

1.2.2 Land Use Compatibility

The General Plan Land Use Designations shall be implemented through adoption and application of compatible zoning districts of the County Zoning Regulations consistent with the following Land Use Designation Compatibility Matrix and through the adoption of zoning district maps consistent with the land use designations.

It is not likely or anticipated that the project will generate or expose people to excessive ground borne vibration and noise levels. The project does not conflict with any of the provisions outlined in the Plumas County 2035 General Plan or applicable standards of other agencies.

Therefore, the impact to Noise is considered *less-than-significant* due to the distance of the existing and most likely commercial sites to adjacent residential properties, the seasonal nature of the existing use and the commercial uses allowed under the C-3 (Convenience Commercial) zoning and the Plumas County Codes and General Plan policies that pertain to noise.

14. POPULATION AND HOUSING.

Environmental Setting: Plumas County is considered one of the most rural counties in California. The population, according to the 2010 United States Census, was 20,007, giving a population per square mile of 7.8. Plumas County's population is expected to grow annually by 0.7 percent through 2050, according to the California Department of Finance. The gradual increase in population would lead to a gradual expansion of home and business developments while maintaining the rural character.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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businesses) or indirectly (for example, through extension of roads or other infrastructure)?

b) Displace a substantial number of existing housing, necessitating the construction of replacement housing elsewhere?

Impact Discussion: The project entails the redesignation and rezoning of two parcels from Rural Residential and R-10 (Rural) zoning to Commercial and C-3 (Convenience Commercial) zoning. Road access is already provided to both parcels. One parcel is already developed with structures and a business and the other is undeveloped. The previous parcel map evaluated the site for onsite sewage disposal and no extension of infrastructure is proposed. Water is provided by a public water system approved under permit by Plumas County Environmental Health.

Therefore, it can be seen that there is *no impact* to Population and Housing.

15. PUBLIC SERVICES.

Environmental Setting: Public services within the unincorporated County are provided by the County of Plumas, state and federal agencies, and numerous special districts, including fire protection districts, school districts, recreation districts, County Service Agencies (CSAs), and Community Service Districts (CSDs).

The Plumas Local Agency Formation Commission governs district boundary changes and services provided outside district boundaries.

The Plumas County General Plan establishes policies that, among other things, direct future growth and land use patterns in a manner that supports existing towns and communities and creates and maintains efficiencies for infrastructure.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities,				

the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion: Comment was received from the Graeagle Fire Protection District (Exhibit 8) and discussed above under **Hazards and Hazardous Materials**. Although some modifications to access, turnarounds, parking, addition of hydrants were listed in the letter received from the Graeagle Fire Protection District, there is no indication that these requirements would lead to a significant adverse impact on the District's facilities, service levels or response times.

Therefore, there is a *less-than-significant* impact on **Public Services**.

16. RECREATION.

Environmental Setting: People utilize the various areas around Plumas County for recreation. Recreation areas within the County include public parks, trails, forest lands, lakes, waterways, and other open space areas which provide natural areas for recreation. There are four independent Recreation and Park Districts within the County.

The project site is located within the boundaries of the Eastern Plumas Recreation and Park District.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Impact Discussion: Population growth is the driving force behind an increased demand for parks and other recreation facilities. The proposed project, which entails a general plan amendment and zone change to Commercial use, would not directly or indirectly induce population growth causing an increased demand for parks or other public recreation facilities. Therefore, there would be *no impact* to Recreation.

17. TRANSPORTATION.

Environmental Setting: The state highway system provides the key inter-community roadway links within Plumas County. East-west access across Plumas County is provided by State Route 36 in the northern portion of the county and by State Route 70 in the central/southern portions of the county, while State Route 89 provides north-south access across the county. State Route 147 serves the east side of Lake Almanor, while State Route 49 and State Route 284 provide access south towards Loyalton and north to Frenchman Reservoir in the far eastern portion of the county. County roads, and city roads in Portola, also provide important access, as do Forest Service roads. In total, there are 1,823 miles of public roadway in Plumas County, including 935 miles of US Forest Service roads, 674 miles of county roadways and 182 miles of state highways.

Due to the relatively dispersed nature of development in Plumas County, traffic congestion is not an issue, with the exception of “bell times” at some school areas and some locations around Lake Almanor during the summer months. State Route 70 in Quincy is the busiest highway in Plumas County, with a peak-month, typically August, Average Daily Traffic (ADT) volume of 12,200. Other relatively busy locations are on State Route 36 in Chester (7,900 ADT) and State Route 70 in Portola (7,800 ADT). Overall, peak month volumes on Plumas County state highways have declined by 12 percent over the past 10 years. This decline has been seen in all regions of the County. Caltrans counts of all trucks countywide have declined by 15 percent since 1992. However, the number of the largest trucks (5 axle and above) has climbed by 45 percent over this same period, particularly along State Route 70.

The Plumas County Regional Transportation Plan was updated in 2020. The 2017 RTP Guidelines have updated the required method of modeling from Level of Service (LOS) to Vehicle Miles

Traveled (VMT). Monitoring VMT instead of LOS is supportive of the state and federal goals of reducing greenhouse gas emissions.

Plumas County has experienced slow growth in population and employment over the past two decades and is forecast to continue this trend into the future. The County will continue to monitor population and employment and VMT growth consistent with the RTP, RTP performance measures, and County and City General Plans. The RTP is a planning document that recognizes that Transportation Demand Management (TDM) and alternative mobility options, including walking, biking, and transit require coordination with land use decisions and improved infrastructure. To this degree, the goals and policies in the RTP are still consistent with the County's General Plan to provide a balanced multi-modal transportation system that includes non-auto choices for access and mobility.

Plumas Transit provides four daily round trips from Quincy and Portola and three daily round trips from Portola to Quincy via State Route 70. The Plumas Transit system has two operation contracts with Far Northern Regional Center and with Feather River College. Far Northern Regional Center is a resource agency for people with a disability and their families. In addition, Plumas County Senior Services, Plumas County Veterans Services and other county service agencies provide transit services to clients.

CEQA Guidelines Section 15064.3(b) states that generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

Although there is no passenger rail service in Plumas County, there are two active freight rail operations. Union Pacific Railroad operates a line connecting Roseville, CA to the west with Salt Lake City, UT to the east. Burlington Northern Santa Fe (BNSF) Railroad operates track from Keddie and along Lake Almanor into Lassen County and Oregon.

While there are no commercial airports in Plumas County, there are three publicly owned airports; Gansner Field Airport in Quincy, Rogers Field Airport in Chester and Nervino Airport in Beckwourth. As a whole, these airports serve approximately 44,000 operations (takeoffs plus landings) annually. In addition to the airports, the Plumas District Hospital in Quincy, the Indian Valley Health Care District in Greenville and the Eastern Plumas Hospital in Portola have heliports.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Would the project:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be consistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion: The uses proposed under the Commercial designation and Convenience Commercial (C-3) zoning are limited to those serving small population centers and residential developments. The purpose of the C-3 zone is “to provide for commercial uses serving small population centers, highway-oriented commercial uses, commercial-recreation developments and commercial uses as an integral part of residential developments”. Due to the nature of the project which is an addition of area allowing limited commercial services located within the existing Town of Graeagle adjacent to areas already zoned for commercial use, Vehicle Miles Traveled (VMT) would be reduced. General Plan policies such as LU 1.1.1 and LU 1.1.2 Infill Development (see **Land Use and Planning** discussion) reduce the impacts from commercial and residential growth outside Planning Areas.

Commercial development is expected to be sufficient to serve the local residents and visitors, but to not be so large as to attract new trips from areas outside the county. Adoption of the 2035 General Plan resulted in a reduction in future growth of vehicle miles traveled as associated with development of 4.4 percent. *Plumas County General Plan Traffic Analysis, Appendix C, Plumas County 2035 General Plan Environmental Impact Report, October 19, 2012.*

In addition, State Highway 70 can be considered an existing transit route, therefore the project is consistent with CEQA guidelines section 15064.3(b) and presents a less-than-significant impact.

According to the 2020 Plumas County Regional Transportation Plan, Table 2.23 Future Average Annual Daily Traffic is predicted to increase by 1,316 along the segment of State Route 70 between the junction of State Route 89 and the City of Portola. It is expected that VMT will increase minimally on Plumas County roadways over the lifetime of the proposed project due to little or no population growth projected over the coming decades. Overall, VMT in Plumas County will increase at an estimated rate no greater than 1.0% annually between 2020 and 2040. Total VMT in 2040 is anticipated to be 1084 vehicle miles traveled per day.

New permanent population and second-home residents of Plumas County, as anticipated by the 2035 General Plan, will generate the large majority of growth in vehicle trips generated within Plumas County. Future commercial and public service development will also occur, but is expected to largely serve the future growth in residential population. This future non-residential growth is not expected to be large enough to generate new vehicle-trips from outside of Plumas County. As a result, the vehicle-trips to and from the commercial/public service uses are those that are accounted for in the residential trip generation, with the exception of delivery and service trips. *Plumas County General Plan Traffic Analysis, Appendix C, Plumas County 2035 General Plan Environmental Impact Report, October 19, 2012.*

The project, a general plan amendment and zone change, will not increase hazards due to a design feature, such as a sharp curve or a dangerous intersection, or incompatible use.

The project, specifically the Brewing Lair brewery and tasting facility, has resulted in some traffic issues in the past. The entrance to the Brewing Lair is located within one-quarter mile from the heavily used intersection of State Route 70 and State Route 89. There are no dedicated turn lanes or deceleration lanes adjacent to the entrance. There is one way in and one way out of the Brewing Lair, although the adjacent property to the east has a dedicated highway access through road easement and would appear to have a road/driveway that could be connected to the entrance road providing a secondary access located further to the east from the intersection.

A memo was received from Bob Perreault, Public Works Director, regarding the need for traffic data. Mr. Perreault recommended in the memo that necessary traffic data, including daily traffic numbers, required parking spaces, and a description of existing and proposed encroachments onto State Highway 70 and any other information requested by Caltrans be provided (Exhibit 12).

Information provided by the applicants indicates that approximately 35-40 cars can park on the Brewing Lair site and that 8-10 cars can park on the adjacent parcel. Generally, there would be less car traffic unless there is a special event. The Brewing Lair proposes to hold six events per year on the site.

Emails received from Marcelino Gonzalez, Local Development Review and Regional Transportation Planner, are included in Exhibit 13. The specific requirements are based on such things as number of events, safety hazards, etc.

"If traffic generated by this facility causes adverse traffic impacts on SR 70 verified by law enforcement, Caltrans personnel, or citizen complaints, further improvements may be needed on the highway. Improvements could include right and left turn lanes" from the highway.

"Parking shall be completely contained on site."

"No advertising signs are allowed within the Caltrans highway right of way."

Therefore, Caltrans authority extends not only to the issuance of encroachments but also to requiring right and left turns lanes to the facility. The existing encroachment permit providing

property owners the right to utilize and maintain an existing roadway connection “serving a single-family residence” was issued December 6, 2010. Property owners/operators will be required to obtain a revised encroachment permit for the Brewing Lair usage before issuance of building permits. Any other usage of the property would also trigger review in light of Caltrans’ comments.

Owners/operators have committed to only holding 6 events or less per year.

Therefore, impacts to **Transportation** are considered *less-than-significant*.

18. TRIBAL CULTURAL RESOURCES.

Environmental Setting: The cultural resources located throughout Plumas County can be attributed to the rich history of the county. The history of Plumas County begins from the time that the glaciers began to recede from the Sierra Nevada and Cascade Mountain ranges. Due to the glacial recession, for thousands of years, humans have been utilizing the Sierra and Cascade ranges.

The primary inhabitants of the county prior to European settlement were the Mountain Maidu. The Mountain Maidu people have lived in Plumas County from hundreds to thousands of years ago, and still live here. Other tribes, such as the Washoe and the Paiute most likely utilized the area while not settling permanently. It is likely that the Mountain Maidu people existed in small, scattered, familial groups in the valleys of Plumas County. While maintaining permanent villages in the lower elevations of the glacial valleys, during spring and fall, smaller groups traveled to the higher elevations, such as to the ridge tops and valleys of the Sierra, setting up open brush shelters. During the winter months, villages remained occupied and relied mostly on stored and preserved food.

In the spring of 1850, gold-seeking miners poured into the region in search of the fabled “Gold” Lake. Mining camps throughout the County were quickly established. Rivers were turned from their beds, ditches were dug to bring water from distant sources to the diggings, and the land was turned upside down.

The Mountain Maidu adapted to the changing environment by living on portions of ranch properties. In some cases the Mountain Maidu adopted the name of the ranching family associated with the ranch on which they resided. European settlers brought illnesses the Maidu had never been exposed to, causing a significant decline of the Maidu population.

To help preserve the rich Native American history, such as that in Plumas County, on September 25, 2014, Governor Brown signed Assembly Bill 52 (AB 52). AB 52 went into effect on July 1, 2015, and added tribal cultural resources to the categories of cultural resources in the California Environmental Quality Act. According to AB 52, a project has an impact on the environment if it has a substantial adverse change in the significance of a tribal cultural resource. A tribal cultural resource is considered significant if it is defined in Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, in

a local register of historical resources, or is a resource determined to be significant pursuant to Public Resources Code Section 5024.1 subdivision (c).

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion: An archaeological inventory survey was prepared by James A. Cullum in November, 2006 for the previous project; a parcel map that resulted in the creation of the two parcels that are involved in the general plan amendment and zone change. In the report submitted for the project, it was stated that no prehistoric period sites were identified during a pedestrian survey.

Although no archaeological or prehistoric sites were discovered as a result of the pedestrian survey, prehistoric sites have been located within the project vicinity in the past.

A mitigation measure for protection of Cultural Resources was made part of the project approval in 2008 and is listed on the Additional Information Map recorded with the Blount parcel map at Book 12 of Parcel Maps at Pages 103 through 105:

“All building and development plans shall include the following note:
“Should development activities reveal the presence of cultural resources (i.e., artifact concentrations, including arrowheads and other stone tools or chipping debris, cans, glass, etc.; structural remains; human skeletal remains), work within 50 feet of the find shall cease immediately until a qualified professional archaeologist can be consulted to evaluate the remains and implement appropriate mitigation procedures. Should human skeletal remains be encountered, State law requires immediate notification of the County Coroner. Should the County Coroner determine that such remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State law, to arrange for Native American participation in determining the disposition of such remains.”

The existing mitigation measure would result in protection in the event of the discovery of unanticipated remains or prehistoric artifacts significant to a California Native tribe.

Based on the previously-applied mitigation measures, there is *no impact to Tribal Resources*.

19. UTILITIES AND SERVICE SYSTEMS.

Environmental Setting: Utilities that are used within Plumas County are electricity, gas, water, and wastewater disposal. Depending on location within Plumas County, electricity may be provided by Pacific Gas & Electric (PG&E), Plumas Sierra Rural Electric Cooperative, or Liberty Utilities. As there is no natural gas service in the County, propane and heating oils are used as a significant source of heat and are provided by companies such as Amerigas, Ferrelgas, High Sierra Propane, and Hunt & Sons, Inc.

Water is provided by individual wells or water systems under permit by the County, by public providers such as Community Service Districts (CSDs), County Service Areas (CSAs), Public Utility Districts (PUDs) and other entities such as Mutual Water Companies.

Many properties have onsite wastewater disposal systems under permit by the County. Wastewater treatment within the unincorporated County is also provided by individual small wastewater systems with some areas served by sewage collection and treatment facilities operated by special districts, County Service Agencies (CSAs), and Community Service Districts (CSDs).

Curbside solid waste disposal services are provided throughout the unincorporated areas of the County by Feather River Disposal, a subsidiary of Waste Management, with the eastern portion of the County being served by Intermountain Disposal. Solid waste is transferred to transfer stations by two methods, one being through curbside pickup and the other being individuals hauling personal waste. Solid waste from the five transfer stations located in the County is transferred to Lockwood Regional Landfill located in Nevada.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

infrastructure, or otherwise impair the attainment of solid waste reduction goals?

e) Comply with federal, state, and local statutes and regulations related to solid waste?

Impact Discussion: No new utility systems would be required to be constructed to serve the project as proposed. If further development of the property was to occur, extension of infrastructure may be necessary but is not seen to create any adverse impacts.

Therefore, the project would result in *no impact* to Utilities and Service Systems.

20. WILDFIRE.

Environmental Setting: Suppression of natural fires has allowed the forest understory to become dense, creating the potential for larger and more intense wildland fires. Wind, steepness of terrain, and naturally volatile or hot-burning vegetation contributes to wildland fire hazard potential. In reviewing fire threat mapping data provided by the California Department of Forestry and Fire Protection, it appears that a majority of the County is classified as having a “Moderate” to “High” threat of wildland fire.

More specifically, reviewing Figure 26 from the Plumas County 2035 General Plan shows the location of the proposed project as being located within the “Very High” Fire Hazard Severity Zone of the State Responsibility Area.

The Fire Hazard Severity Zones Map is an implementation of Government Code Section 51178 which requires the California Department of Forestry and Fire Protection to identify “Very High Fire Hazard Severity Zones.”

The “Very High Fire Hazard Severity Zones” map is created based on the following criteria, per the “Fact Sheet: California’s Fire Hazard Severity Zones” (Exhibit 14).

1. Vegetation-Fire hazard considers the potential vegetation over a 30- to 50-year time horizon. Vegetation is “fuel” to a wildfire and it changes over time.
2. Topography-Fire typically burns faster up steep slopes.
3. Weather-Fire moves faster under hot, dry, and windy conditions.
4. Crown fire potential-Under extreme conditions, fires burn to the top of trees and tall brush.
5. Ember production and movement-Fire brands are embers blown ahead of the main fire. Fire brands spread the wildfire and they get into buildings and catch the buildings on fire.
6. Likelihood-Chances of an area burning over a 30- to 50-year time period based on history and other factors.

Among the varying intended uses for the Fire Hazard Severity Zone maps is to guide building officials in the implementation and application of the wildland-urban interface standards for new construction.

Furthermore, in 2005, the Plumas County Fire Safe Council created the Plumas County Communities Wildfire Protection Plan to provide mitigations for potential threats from wildfire, such as hazardous fuel reduction, defensible space, land use, and building codes. First adopted in 2005, the Plan has subsequently been updated in 2013 and again in 2019.

The Wildland Urban Interface Building Standards (WUIBS) are applied to all construction in the State Responsibility Area High Fire Hazard and Very High Fire Hazard Severity Zones.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact Incorporation
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d) Expose people or structure to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Impact Discussion: The project is served by two access points off State Route 70; one improved encroachment and one road easement connecting an existing access driveway to State Route 70. Therefore, the project does not substantially impair an adopted emergency response plan or emergency evacuation plan.

The project entails the redesignation and rezoning of two parcels from Rural Residential and R-10 (Rural) zoning to Commercial and C-3 (Convenience Commercial) zoning. There will be less residences allowed to be constructed on the properties as a result. Road access is already provided to both parcels. One parcel is already developed with structures and a business and the other is undeveloped. The development of the remaining parcel will be according to existing regulations pertaining to wildfire mitigation strategies such as the Wildland Urban Interface (WUI) Building Standards code and the FireSafe regulations as adopted into the County code, which result in reduction, not exacerbation of wildfire risks. The project occupants will not be exposed to greater pollutant concentrations from a wildfire than before the project.

The project, as proposed, will not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. One parcel is already developed with an existing business and structures and the other is served by an existing roadway. Both parcels are provided with electric power through existing powerline bisecting the site.

The site is sloped, however State Route 70 lies downslope and any risks from downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes would not impact people or structures.

Therefore, the project would result in *no impact* to Wildfire.

21. MANDATORY FINDINGS OF SIGNIFICANCE.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Discussion: The analysis as presented in this Initial Study for the proposed project determined that the project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish and wildlife species, or threaten to eliminate a plant or animal species.

As discussed throughout this Initial Study, the proposed project was analyzed for cumulatively considerable impacts. This Initial Study determined that the project would not have a cumulatively considerable impact when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects.

The Initial Study determined that the project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

EXHIBITS:

1. Application for General Plan Amendment/Zone Change submitted July 10, 2018.
2. Project and Location Maps
3. "No Comment" from Katherine Carpenter, Environmental Coordinator, Plumas National Forest Supervisor's Office, dated August 15, 2018.
4. "No Comment" email from Sam Longmire, Northern Sierra Air Quality Management District, dated August 17, 2018.
5. Letter from Jim Lidberg, Certified Wildlife Biologist, dated March 21, 2008.
6. Erosion Control Plan, Blount property, Soils Engineering, LLC, dated May 7, 2007.
7. Memo from Evan Hasse, Engineering Technician, Plumas County Engineering Department, dated July 19, 2018.
8. Memo from Ed Ward, Fire Chief, Graeagle Fire Protection District, dated October 30, 2018.
9. Memo from Rob Robinette, Environmental Health Specialist II, Plumas County Environmental Health, received August 10, 2018.
10. Memo from Rob Robinette, Environmental Health Specialist II, Plumas County Environmental Health, received July 1, 2020.
11. Comment from Charles White, Building Official, dated July 16, 2018.
12. Memorandum from Bob Perreault, Public Works Director, dated August 13, 2018.
13. Email from Marcelino Gonzalez, Local Development Review and Regional Transportation Planner, California Department of Transportation (CALTRANS) dated May 10, 2019.
14. Fact Sheet: California's Fire Hazard Severity Zones, California Department of Forestry and Fire Protection Office of the State Fire Marshal

DEPARTMENTAL USE ONLY
Initial Completeness Verified by _____
Date Rec'd 7/10/18
Receipt No. 1038603 \$ 1,658.00
File No. GPA 7-18/19-01

GENERAL PLAN AMENDMENT

Instructions to applicant(s):

1. Complete the form and mail or take to: Planning & Building Services
555 Main Street
Quincy, CA 95971
2. Pay the filing fee set forth in the fee schedule (attached).
3. Make the check payable to Planning & Building Services.

APPLICATION FOR:

GENERAL PLAN MAP AMENDMENT
 For a residential development with at least 25% low or moderate income housing

GENERAL PLAN TEXT AMENDMENT

ZONE CHANGE
 Petition by property owner, or
 Resolution of intention requested

A. Applicant (s)

Name RICHARD & SUSAN DELANO THE BREWING LAIR
Mailing Address PO Box 11651 FRESNO CA 93610-3
Telephone 530 394 0940

B. Owner (s)

Name RICHARD & SUSAN DELANO
Mailing Address 10275 WINTERGREEN, PORTOLA CA 96122
Telephone 530 832 4187

C. Property

Street Address 67007 & 67163 Hwy 70
Nearest Town BLAISDEN

Assessor's Parcel Number(s) 123-150-024 + 123-150-025 Acreage 30

D. Applicants Interest in Property

OWNER
 OWNER'S AGENT
 OTHER (Specify) _____

EXHIBIT 1

Use additional sheets of paper as necessary to complete the information requested.

List the existing and proposed General Plan designation and the existing and proposed zoning.

EXISTING GENERAL PLAN DESIGNATION R10 Rural Residential

PROPOSED GENERAL PLAN DESIGNATION COMMERCIAL

EXISTING ZONING R10

PROPOSED ZONING C-3

REASON FOR REQUEST BUSINESS HAS EXPANDED BEYOND A HOME INDUSTRY. WE NEED TO ADDRESS + COMPLY WITH ADA PARKING + PERMITTING OF BUSINESS-SUPPORTING STRUCTURES.

SUPPORTING INFORMATION The Planning Department can provide information on the necessary supporting information for each possible General Plan Amendment.

HOW WOULD THE AMENDMENT BE OF ECONOMIC, SOCIAL, AND ENVIRONMENTAL BENEFIT TO THE COUNTY?

THE BREWING LAIR HAS BECOME A TOURIST DESTINATION, WE CURRENTLY EMPLOY 8 PEOPLE AND BRING IN APPROXIMATELY \$500,000 IN YEARLY REVENUE. ENVIRONMENTALLY, WE HAVE DEVELOPED LOW IMPACT RECREATION FOR OUR GUESTS WITH TRAILS + DISC GOLF; KEEPING THE FOREST; PLUMAS COUNTY BEAUTIFUL.

If this is an amendment for a residential development with at least 25% low or moderate income housing, describe how occupation by or availability to persons and families of low or moderate income shall be assured.

If this application for a General Plan Amendment within the Sierra Valley Groundwater Management District, attach a groundwater supply evaluation which meets the standards of that district.

CERTIFICATE AND WAIVER

I, the applicant, certify that the information provided is correct and waive any action against the County of Plumas in the event the County's action is set aside due to erroneous information provided herein; and I, as an owner of the property affected by this amendment, petition for this amendment.

Susan Dolan

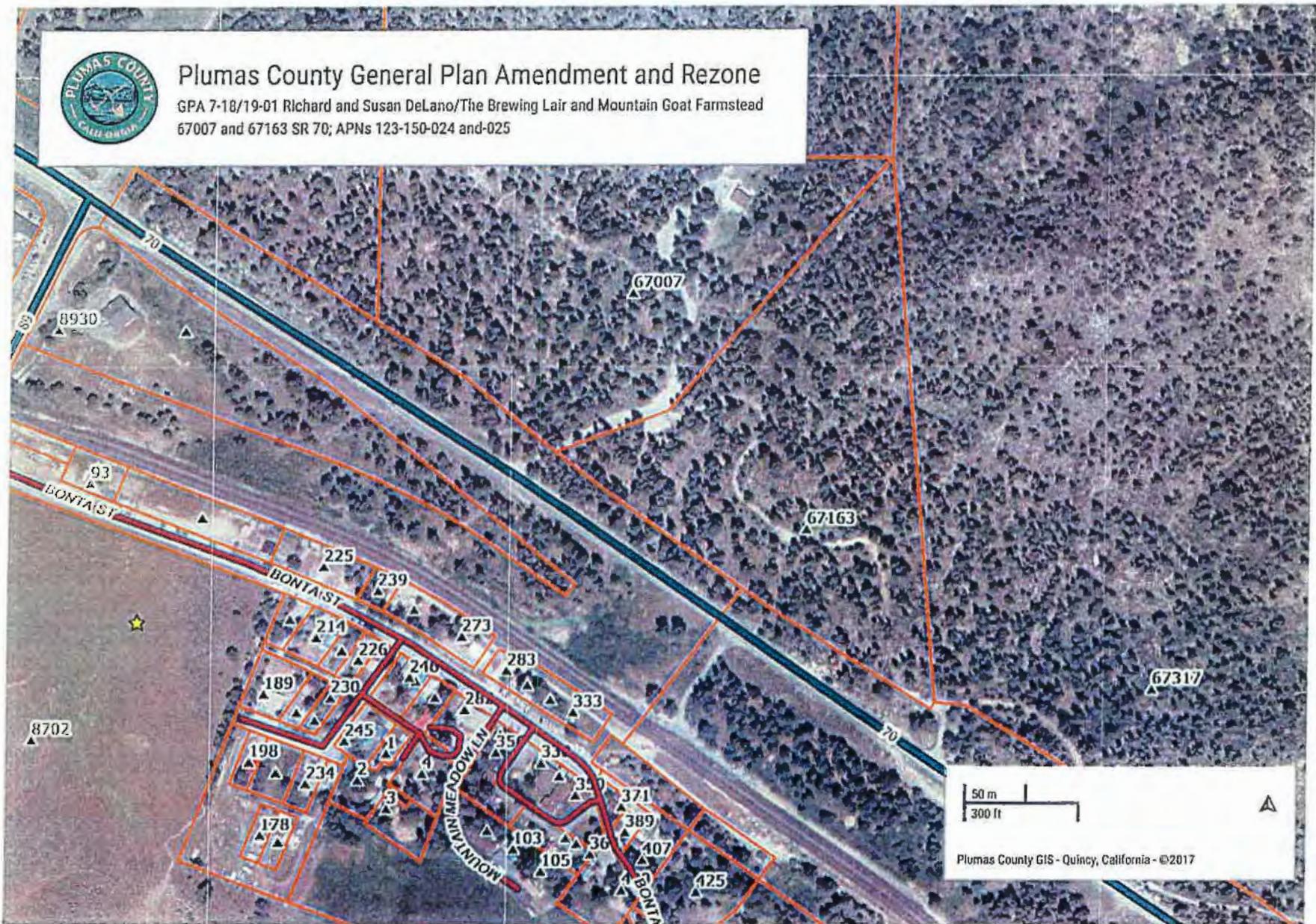
Date

8 July 2018

R.R.

Date

July 8, 2018





PLUMAS COUNTY PLANN

555 Main Street, Quincy, CA 9
(530) 283-7011

16 July 2018

TO: USDA/USFS Plumas National Fores
FROM: Rebecca Herrin *WCL*
Senior Planner

No comment.

RECEIVED

AGS 16 2018

PC Planning + Building

8/15

cml
Kacarpenter@fs.fed.us

Katherine Carpenter
Environmental Coordinator
Plumas National Forest
Supervisor's Office
159 Lawrence St.
Quincy, CA 95971
530 283 7742

RE: Preliminary Review & Consultation
General Plan Amendment and Zone
Change
DeLano/The Brewing Lair
Mountain Goat Farmstead, LLC
GPA 7-18/19-01

We have received an application for a General Plan Amendment and Zone Change from Rural Residential and Scenic Road (R-10, SP-ScR zoning) to Commercial, Scenic Road (C-3, SP-ScR zoning). The applicants are Richard and Susan DeLano (The Brewing Lair and Mountain Goat Farmstead, LLC). This project is located at 67007 and 67163 SR 70, Blairsden, Unincorporated Plumas County, CA; Assessor's Parcel Numbers 123-150-024-000 and 123-150-024-000; Township 22 North, Range 12 East, Section 10, MDM.

Enclosed is information on this project. I am reviewing this project to determine if the application is complete and to determine if the project may have a significant effect on the environment. **If you need more information, let me know. Please be as specific as you can, as that will assist me in obtaining information you might need.**

If you have no comment on this project, I would appreciate being told. Return of this memo with a "no comment" written on it will be fine. Please respond by August 17, 2018, whether or not you have a comment. If you intend to respond but can't do so by August 17, 2018, please call me at (530) 283-6213.

Thank you for your assistance.

EXHIBIT 3

Herrin, Becky

From: Sam Longmire <nsaqmd.sam@gmail.com>
Sent: Friday, August 17, 2018 4:32 PM
To: Herrin, Becky
Cc: Gretchen Bennett
Subject: 67007 & 67163 SR 70 - The Brewing Lair Rezone

Dear Ms. Herrin:

The Northern Sierra Air Quality Management District (NSAQMD) has reviewed the Preliminary Review & Consultation for a General Plan Amendment and Rezone of 67007 & 67163 SR 70 - The Brewing Lair, and has no comment.

Sincerely,

Sam Longmire, APCS

--

Samuel F. Longmire, MSES
Air Pollution Control Specialist III
Northern Sierra Air Quality Management District
200 Litton Drive, Suite 320
Grass Valley, CA 95945
Phone: (530) 274-9360 x106

James L. Lidberg
P. O. Box 115
Meadow Valley, CA 95956
(530) 283-5630
Email: jmlidberg@sbcglobal.net

March 21, 2008

Mr. James Graham, Senior Planner
Planning and Building Services
555 Main Street
Quincy, CA 95971

Re: Blount TPM 2-06/07-11

Dear Mr. Graham:

I was asked by Mr. Robert Blount to assess the potential impact to wintering mule deer habitat that might be caused by splitting his property into two parcels. The property is located at 67007 Highway 70, just northeast of the intersection of SR 70 and SR 89 near the Community of Blairsden. The site is within the known winter range of the Sloat deer herd.

The proposed project is to split the 30.07-acre parcel into two parcels of 15.42 acres and 14.62 acres. The primary vegetation type on the property is Sierran mixed conifer, consisting of Ponderosa Pine, Incense Cedar and Douglas Fir with a limited amount of willow and Aspen along a perennial watercourse. The site has a very limited understory component consisting of bitterbrush, greenleaf manzanita, ceanothus and western serviceberry. There are pockets of relatively dense trees/shrub habitats that are suitable for winter thermal cover, but most of the area is quite open. There is a relatively limited forage base which reduces the overall habitat quality for deer.

During my site visit, deer use was evident, with numerous tracks of both adults and fawns crisscrossing the area. Because of the snow cover present, no deer scat (pellet groups) was observed, but I would expect that there would be some present.

Even though this site has evident deer use, I don't believe that permitting this parcel split will cause a significant adverse impact to the winter range of the Sloat deer herd.

If you have any questions about these comments, please feel free to contact me at the letter-head address.

Sincerely,

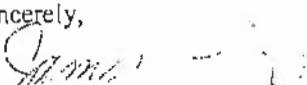
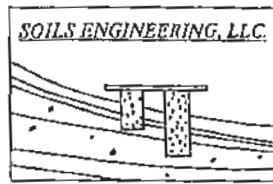

James L. Lidberg
Certified Wildlife Biologist

EXHIBIT 5



May 7, 2007
OS 06-06

Bob and Jeanie Blount
11090 Palisades Drive
Truckee, California 96161

Erosion Control Plan
Blount Property
Highway 70 and Highway 89
67007 Highway 70
Blairsden, California
APN 123-150-009-000

Dear Mr. & Mrs. Blount,

As requested by the Plumas County Building Department, please find attached to this letter our Erosion Control Plan for the referenced project.

This completes the scope of our services at this time. Please feel free to contact our firm with any questions you may have regarding this letter or the results of our testing.

Sincerely yours,
Soils Engineering, LLC.

HUGH L. EZZELL, C.E.T. #8246
REGISTRATION NO. 40246
Exp. 6/30/08

5/10/07

Hugh L. Ezzell, C.E.T. #8246
(775) 358-2092 Office
(775) 240-2092 Cell

10000 ROAD RUNNER ROAD • RENO, NV 89510 • PHONE (775) 358-2692

EXHIBIT 6

Erosion Control Plan

Blount Property
Highway 70 and Highway 89
67007 Highway 70
Blairsden, California
APN 123-150-009-000
Plumas County

Introduction and Project

This report presents the results of our field investigation conducted for the referenced site and conclusions developed in preparation of erosional control procedures for the proposed development. While overall site disturbance is anticipated to be minimal, this erosional plan is presented to further reduce erosional potential for the site as much as practically possible. Plate 1 is the vicinity map for the project. The project, as we understand, will ultimately consist of subdivision of the current property into two separate lots. Lot 1 is developable for 1 primary residence and 1 guest house and Lot 2 is developable for 2 primary residences and 1 guest house. Plate 2, attached, is the site plan for the property.

Lot 1 is intended to gain access through the existing highway encroachment and driveway. Lot 2 is intended to gain access through an existing access easement located at the south eastern corner of the lot. At that location, an existing highway encroachment already exists.

As a part of this development, the existing and new roadways will be upgraded to a minimal County standard gravel surface. Culverts are proposed to be installed to improve creek crossings and house pads will be excavated.

Each single family residence will be served by a dedicated water well and septic system wastewater disposal. How other utility services will be provided to the proposed residences is unknown, however, overhead power is available on site.

Development Plan

The project consists of a single property to be divided. While subdivision into three separate parcels is supported by County planning ordinances, the owners have selected an option to subdivide the parcel into two larger parcels. Two larger parcels were selected over three smaller parcels in order to facilitate development and to protect an existing meadow area on one of the parcels.

Access to the existing parcel is by an unimproved roadway leading from Highway 70 onto the site. This roadway is a single track, undeveloped driveway which, at one point, crosses a perennial stream. The age of this roadway is unknown, however, soil surfaces in old cuts and ditches associated with it are protected by a reasonably thick layer of forest litter. Moderate erosion of the soil surface of the roadway occurs in scattered locations with locations of low to flat slopes being the least affected.

Currently, other than the noted existing driveway, no other excavation is known to have occurred on the property within recent time.

The Owners of the property intend to improve the existing driveway to gain acceptable access to Lot #1. Lot #2 shall gain access through an existing access easement located at the south eastern corner of the property. Development is planned to be grading of the existing roadway surface, development of bar ditches and the application of a gravel wear surface to retard erosion and provide a passable roadway during times of inclement weather.

Roadway width and structural sections are intended to follow County Standards for gravel driveways. A steel culvert with associated soil fill will be placed at the only creek crossing on the site.

Site Topography

The site is in a mountainous location. Topography falls abruptly from the North property line to Highway 70 on the South side. Several moderate creek channels have cut the property in a North/South direction. While slopes on the site can be up to 25%, soil slopes in association with areas of this project to be developed vary up to about 15%.

Existing Vegetation

The site is covered with next-growth conifer forest to 50' in height. Scattered below the canopy is the usual assortment of bitter brush, buck brush and various grasses. In the perennial and ephemeral stream channels are found willows and alder. The meadow areas are predominantly tall grasses and moss. Rotting stumps and logs from previous logging litter the site and have provided scattered ground cover.

Soils and Geology

The Regional Geologic Map of the Chico Quad (Map of the Chico Quadrangle, California, 1:250,000, G.J. Saucedo and D.L. Wagner, 1992, California Geologic Survey) indicates the site underlain by andesitic rock of the Miocene-Pliocene intrusive series with surface units of this rock being associated with areas of alluvial fan soils derived from the same basic rock units.

Our field exploration indicated near surface soils to be comprised of clayey sand soils. While the exact source of observed soils was unknown at the time of our exploration (exposed bedrock outcrop was not observed at the site), sands and clays are noted to be the by product of weathering of andesitic rock, indicating that the results of our site field observations agree with published geologic mapping for the project site.

Site soils observed within our two test pits (Plates 3 and 4) and excavated at the locations noted on Plate 2, are noted to have a minimum erosional potential due to clayey binder within sandy grains. Exposed surfaces quickly develop resistance to further erosion. Observation of on site creek channels suggests the lack of flocculating clays or silts susceptible to high rates of erosion as well as the presence of a limited amount of cobble sized rock fragments.

Published geologic mapping indicates the presence of nearby faults to the North and Northeast of the site. Our field exploration did not uncover the direct presence of faults, landslides or soil slumps on the site. There are several ground water springs at the site with the meadow located at the center of the property being one.

Development Impacts

The site will be impacted to a lesser degree by development. Soil surfaces will be exposed through excavation of roadways, house pads and utility installation. Through good construction practice and implementation of erosional control measures, the overall erosional impact of site development can be significantly reduced through the use of this erosional control plan.

Erosional Control Plan

As noted above, utilization of this erosional control plan will mitigate the detrimental effects of site development to public health and welfare. General detrimental effects posed by development include movement of soils off site through hydrologic soil erosion runoff and dust created by exposed soil surfaces. Typical mitigative efforts usually include protection of exposed soil surfaces to prevent transport.

Roadways and Driveways

At this point, all roadways planned for this development are to be surfaced with gravel or pavement. This is anticipated to reduce or eliminate one of the greater contributions of soil erosion on a site of this type.

Ditches associated with roadway construction should be armored with 6" minus riprap to reduce erosional potential presented by flowing water. Rock riprap coverings for ditches should include the invert, the entire side adjoining the roadway and a minimum of 6" of the opposing sidewall. Ditches or swales having a longitudinal slope of 2% or less require no armoring. Exposed soil ditch slopes not requiring armoring should be covered with straw and planted with grass seed as noted below.

A minimum of one 24" culvert is planned for the site. All culverts should be constructed in such a manner that during construction the creek is either dry (preferably) or suitably diverted so as to reduce or eliminate erosion of disturbed soils by flowing water. During construction of culverts, site disturbance should be kept to an absolute minimum, particularly the creek bed. Culvert backfills should be in accordance with the geotechnical report for the project or standards of Plumas County. All culverts should be carefully placed so as to precisely match the pre-existing creek longitudinal invert slope. Once constructed, both inlet and outlet inverts of the streambed approaching and leaving the culvert should be appropriately armored with 12" minus rock riprap. Such riprap should extend a minimum of 12" below the creek bed invert and a minimum of 10 feet away from the mouth of the culvert. Riprap should be carefully track rolled with a small tracked device. The fill slope surface on both the upstream and downstream side of the roadway should be covered with 6" minus rock riprap to a depth of 6". This riprap should extend up to the side of the roadway ear surface, whether it be gravel or pavement.

House Pads and Yard Areas

House pads excavated but not immediately planned to be developed should be covered with straw and grass seed if the pad is to pass into the fall/winter season. Developed house pads encompassing yard areas should be graded such to retain water runoff from the site for a longer period of time. Such grading should be incorporated into the required positive grading normally constructed around residential structures such that water is free to leave the site, but in a restricted manner, yet stored way from the structure. Once the residential structure is completed, but before the yard areas are developed, all disturbed yard areas should be covered with straw as noted below until such time that development can take place.

Cut and Fill Slopes

Relatively minor slopes generated through site excavation are anticipated. One driveway on the southern side of the project will generate relatively minor cut/fill slopes and the two house pads to be constructed are in relatively flat areas. Slopes generated through the construction of house pads and excavation of additional driveway areas should be treated with straw and grass seed as noted below. All cut or fill slopes shall be graded to slopes flatter than 2 to 1 (Horizontal:Vertical). Slopes cut entirely into bedrock, as determined by the geotechnical engineer, shall be allowed to be vertical. Soil slopes less than 3 feet high shall be graded to a slope of 3 to 1 or flatter. All soil slopes shall be covered with straw and grass seed as prescribed below.

Vegetative Soil Cover

The following applies to all disturbed soil surfaces on the project. Soil surfaces cut into bedrock or ripraped shall be exempt from the requirements of this section.

In order to protect exposed soil surfaces, properly prepared surfaces should be covered with a layer of wheat straw and seeded with native grass species. The overall effect of this protective layer is to break the energy of falling precipitation and to shield the soil surface from wind.

All disturbed soil surfaces shall be first track rolled with the equipment moving up and down slope. Tracked equipment, in this manner, will dimple and compact the soil surface in preparation for seeding. Once the soil surface is fully track-rolled, the area to be covered shall be seeded through mechanical or manual broadcasting of native grass seed. Application rates shall be 52 pounds per acre of Orchard grass or Wheat grass. Fertilization at 250 pounds per acre is suggested but not required.

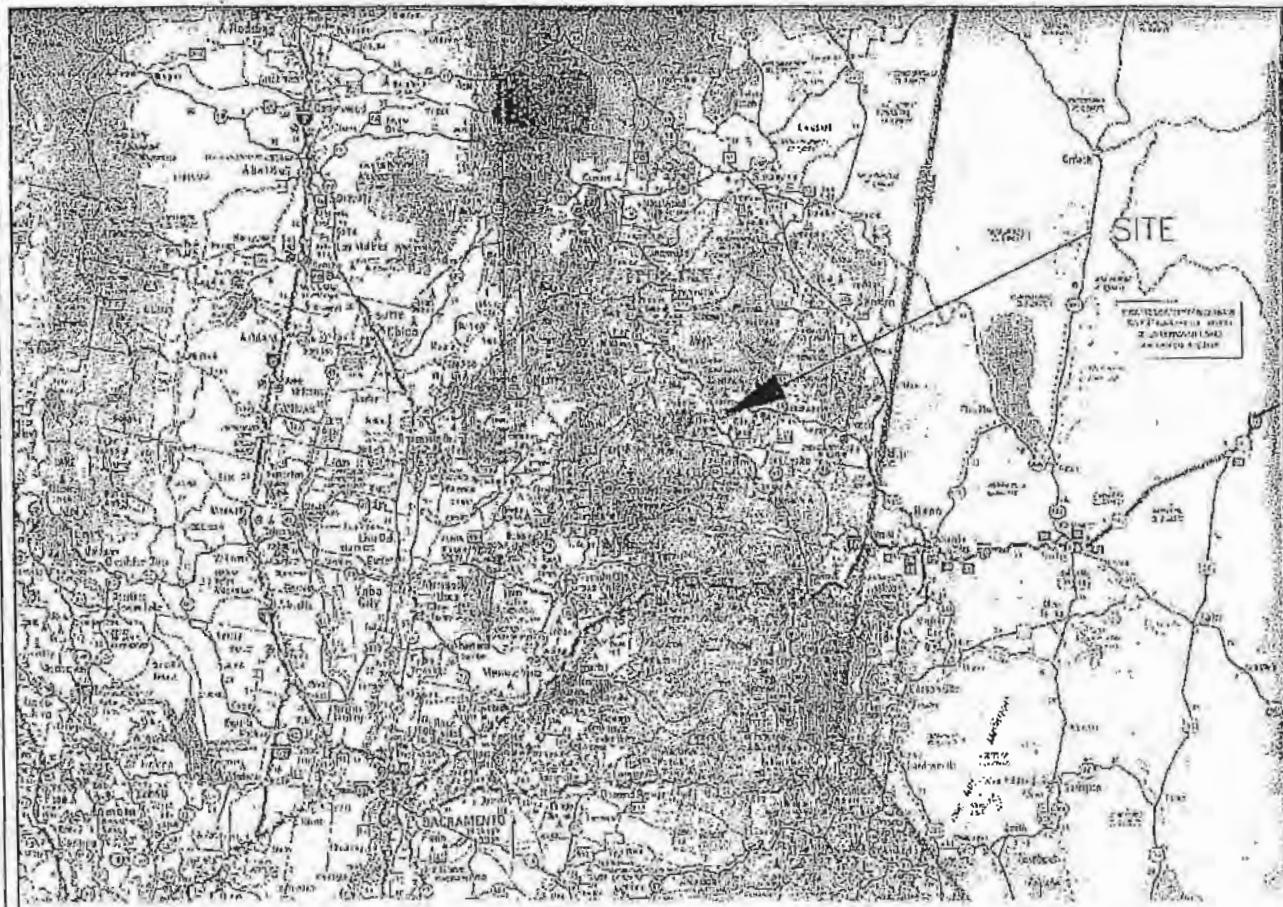
Once the soil surface is seeded, it shall be dragged with an improvised chain link drag towed behind all terrain vehicle (or appropriate, similar means) to cover the seeded areas.

Finish the treatment of the soil area by covering with a minimum of 1" thick wheat straw, broadcast in such a manner so as to provide a uniform covering of the area. Straw may be chopped for this purpose.

Once straw is applied, utilize a water truck with medium fine spray nozzle to thoroughly wet the straw surface in order to compact and interlock the straw fibers and to initially wet the grass seed below.

SOILS ENGINEERING, LLC.

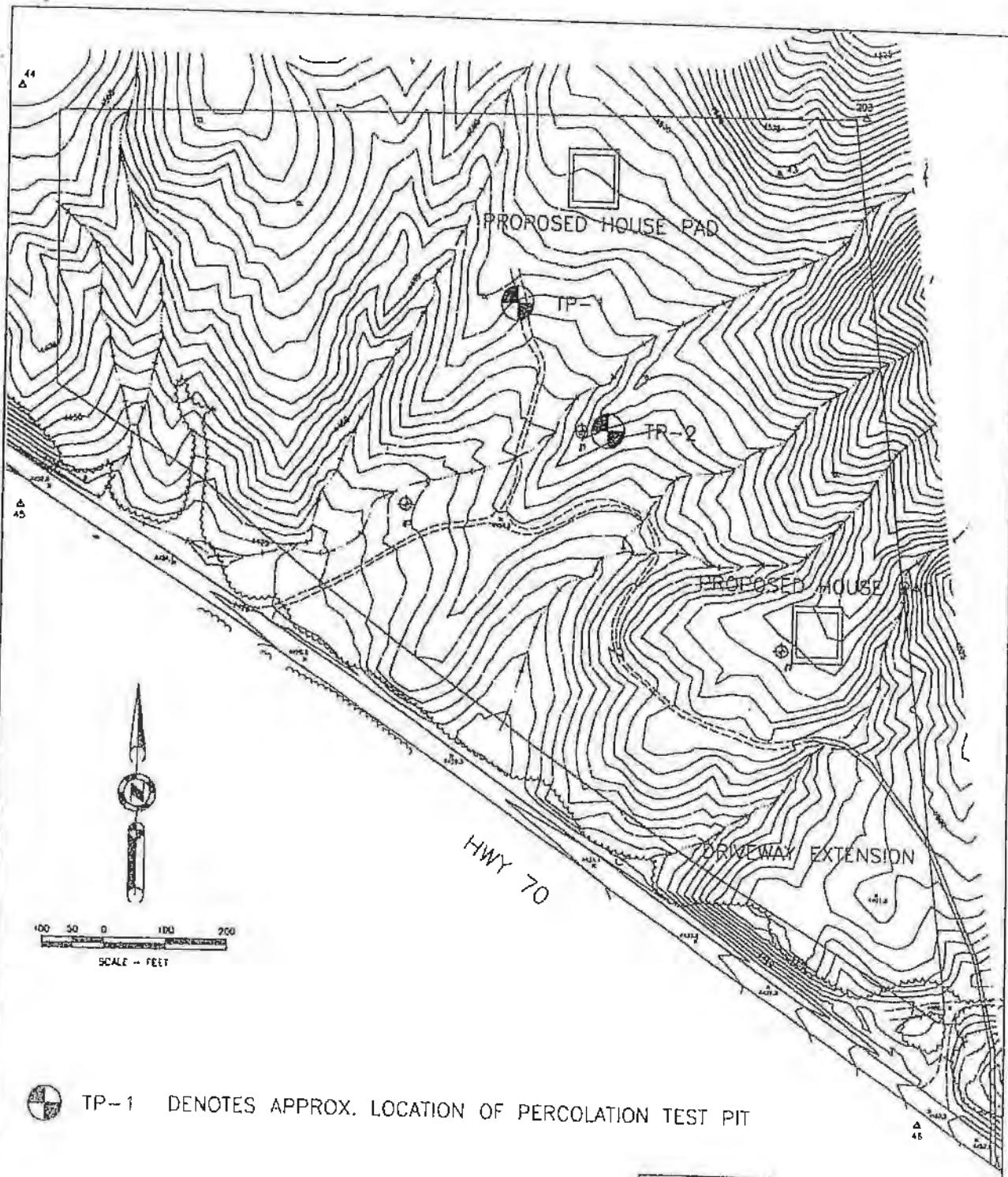
One month after initial application of the above soil cover, any areas of the soil surface which have been re-exposed shall be repaired.



NOT TO SCALE

VICINITY MAP

SOILS ENGINEERING, LLC. 10000 ROAD RUNNER ROAD RENO, NEVADA 89510 (775) 358-2692	Job Name: BLOUNT PROPERTY Location: 67007 Highway 70 Blairsden, Ca. Job Number: OS 06-06	PLATE # 1
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TP-1 DENOTES APPROX. LOCATION OF PERCOLATION TEST PIT

SITE PLAN

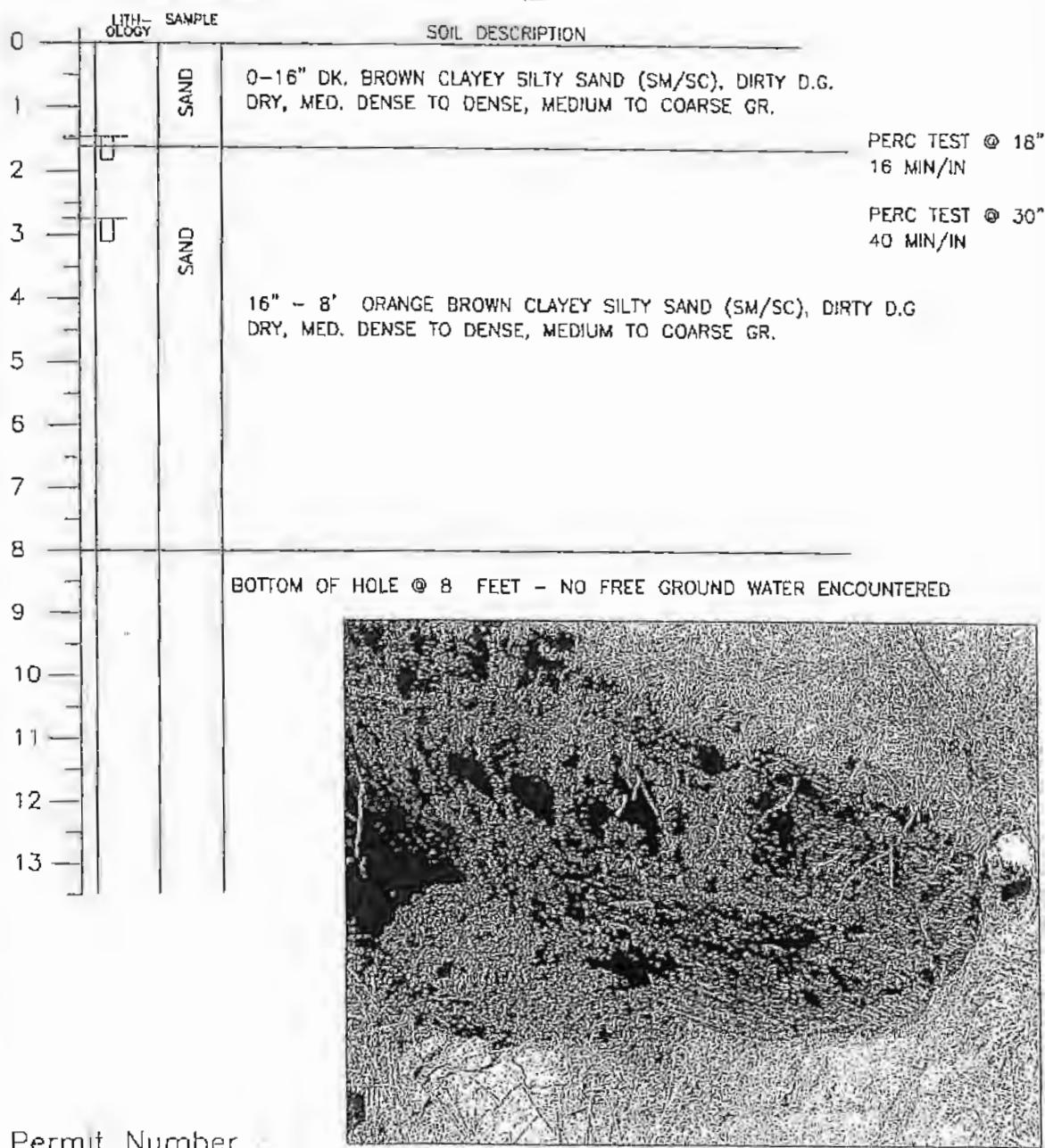
Site Plan by HARRY SURVEYING - (600) 637-2071
65 N. BURBANK STREET, PORTOLA, CA 96172
ACB # 04258

SOILS ENGINEERING, LLC. 10000 ROAD RUNNER ROAD RENO, NEVADA 89510 (775) 358-2692	Job Name: BLOUNT PROPERTY Location: 67007 Highway 70 Blairsden, Ca. Job Number: OS 06-06 PLATE # 2
---	---

LOG OF TEST PIT #1 BLOUNT PROPERTY
EQUIPMENT CAT EXCAVATOR
ELEVATION NA

SOILS ENGINEERING, LLC.

DATE: MAY 4, 2006



Permit Number

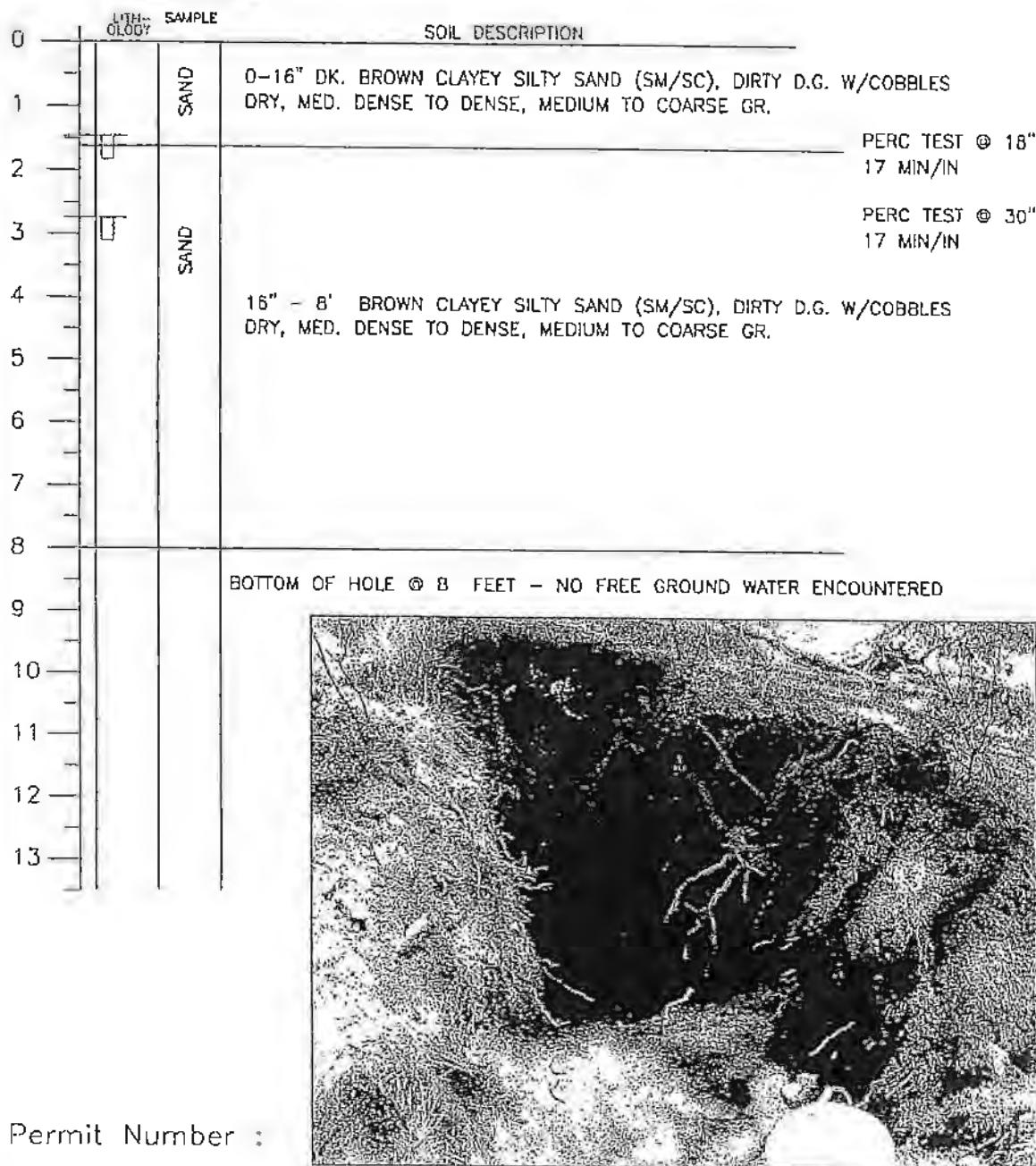
SEE SITE PLAN FOR TEST PIT LOCATION

SOILS ENGINEERING, LLC. 10000 ROAD RUNNER ROAD RENO, NEVADA 89510 (775) 358-2692	Job Name: Location: Job Number:	BLOUNT PROPERTY 67007 Highway 70 Blairsden, Ca. OS 06-06 PLATE # 3
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LOG OF TEST PIT #2 BLOUNT PROPERTY
EQUIPMENT CAT EXCAVATOR
ELEVATION NA

SOILS ENGINEERING, LLC

DATE: MAY 4, 2006

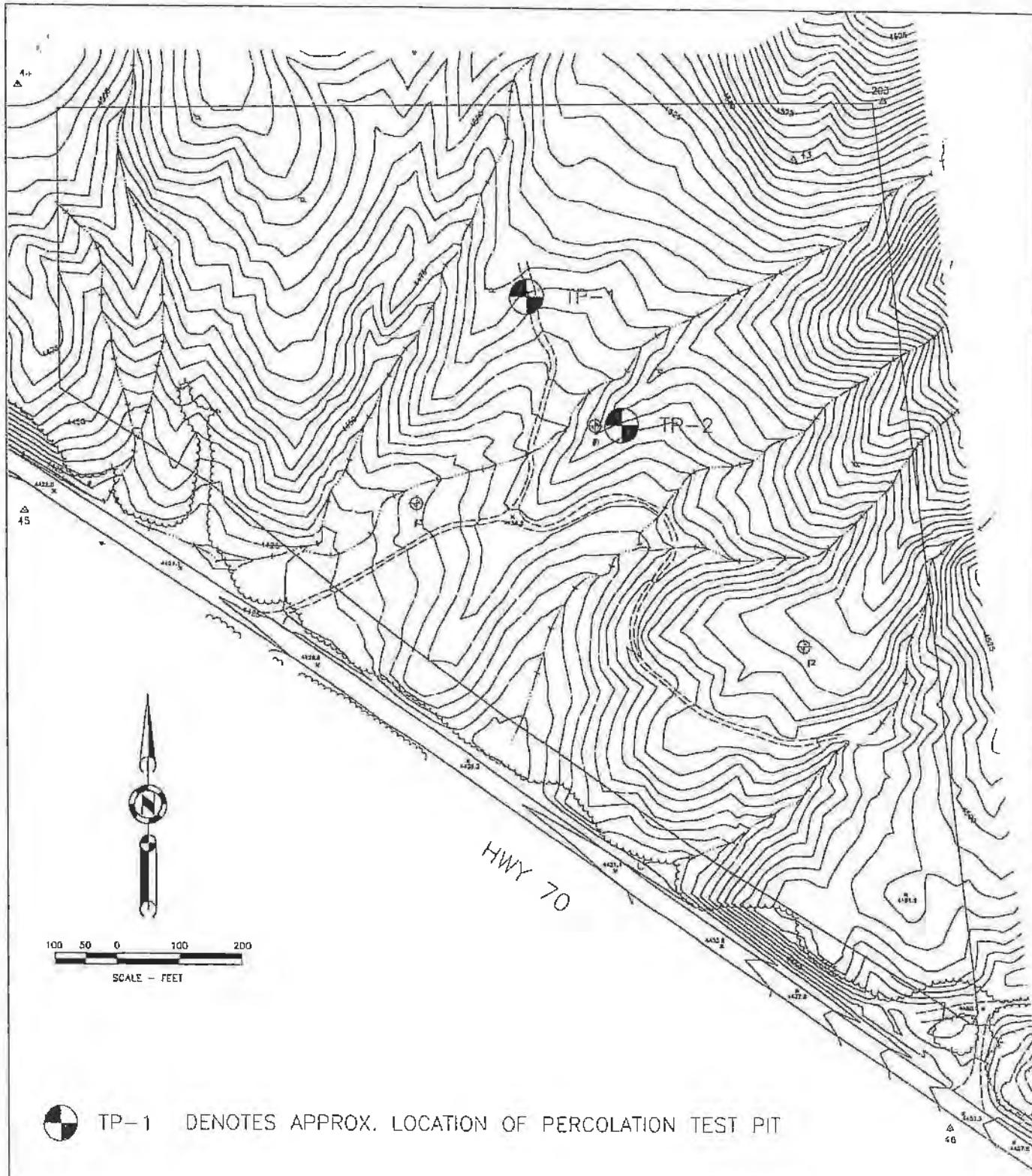


Permit Number :

SEE SITE PLAN FOR TEST PIT LOCATION

SOILS ENGINEERING, LLC.
10000 ROAD RUNNER ROAD
RENO, NEVADA 89510
(775) 358-2692

Job Name:	BLOUNT PROPERTY
Location:	67007 Highway 70 Blairsden, Ca.
Job Number:	OS 06-06
	PLATE # 4



TP-1 DENOTES APPROX. LOCATION OF PERCOLATION TEST PIT

SITE PLAN

Permit Number :

BASE PLAN BY HANBY SURVEYING - (510) 832-5571
65 N. BECKWITH STREET, PORTOLA, CA. 96127
JULY 04258

SOILS ENGINEERING, LLC. 10000 ROAD RUNNER ROAD RENO, NEVADA 89510 (775) 358-2692	Job Name: Location: Job Number:	BLOUNT PROPERTY HWY 70 @ HWY 89 SEE VICINITY MAP OS 06-06 PLATE # 2
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PLUMAS COUNTY ENGINEERING DEPARTMENT

555 Main Street, Quincy, CA 95971 – Telephone (530) 283-6209 Facsimile (530) 283-6134



July 19, 2018

TO: Rebecca Hertin, Senior Planner
Plumas County Planning Department

RE: Preliminary Review & Consultation General Plan Amendment and Zone Change
DeLano/The Brewing Lair Mountain Goat Farmstead, LLC GPA 7-18/19-01

Having received and reviewed the preliminary project packet as described above for the site location of 67007 and 67163 SR 70, Blairsden, Unincorporated Plumas County, CA, the Plumas County Engineering Department does not foresee any potential concerns with the project. However, the applicant to be fully aware of the construction and development notes that are recorded on the Parcel Map for these properties in Book 12 of Parcel Maps 105.

Sincerely,

A handwritten signature in black ink, appearing to read "Evan Hasse".

Evan Hasse
Engineering Technician

Attachments: 12 PM 103-105

RECEIVED

JUL 19 2018

PC Planning + Building

cc: File

EXHIBIT 7

GRAEAGLE FIRE PROTECTION DISTRICT

**7620 Highway 89
P.O. Box 64
Graeagle, CA 96103
530-836-1340
Fax 530-836-2645
admin@graeaglefire.org
www.graeaglefire.org**



30 October 2018

**TO: Rebecca Herrin
 Senior Planner**
FROM: Graeagle Fire Protection District

The Graeagle Fire Protection District (GFPD) has a few comments in the request of the Zone Change from Rural Residential property to Commercial property. The project located at 67007 and 67163 SR 70, Blairsden, CA (The brewing Lair and Mountain Goat Farmstead LLC.)

This property is located outside of the GFPD District. The property at 67007 SR 709 is under a fire contract with GFPD. The property at 67163 SR 70 is not.

Following is a list of GFPD's comments:

- The driveway would need to be improved to meet commercial driveway standards. Paved with shoulders. At current time there is only 1 narrow road for Ingress and Egress. A second roadway would be needed. Could be a separate roadway or widening of existing one.
- At least 1 Hydrant, which could produce a minimum of 1200 GPM for 60 min. Possibly more with future development.
- Adequate turning area for a Fire Engine.
- Caltrans approved Access to and from SR 70.
- GFPD to review and comment on all future plans.

Thank you for considering these comments. If you have any questions please contact Ed Ward at 530-251-6798.

Ed Ward
Fire Chief, GFPD

EXHIBIT 8



Plumas County Environmental Health

270 County Hospital Road, Ste. 127, Quincy CA 95971

Phone: (530) 283-6355 ~ Fax: (530) 283-6241

DATE: August 6, 2018

TO: Rebecca Herrin, Senior Planner
Plumas County Planning & Building Services

RECEIVED

AUG 16 2018

RE: Preliminary Review and Consultation
General Plan Amendment and Zone Change
DeLano / The Brewing Lair
Mountain Goat Farmstead, LLC
GPA 7-18/19-01
APN: 123-150-024-000 and 123-150-025-000

PC Planning+Building

This is to notify you that this Department:

APPROVES
 APPROVES SUBJECT TO:
 CANNOT APPROVE DUE TO THE FOLLOWING:
 FINDS THE APPLICATION INCOMPLETE DUE TO:

Approved Water Supply:

- Pursuant to Plumas County Code, Title 6, Chapter 9, Section 6-9.01, the proponents must obtain an "approved water supply" for the current and future facility operation that can be either: a potable water service connection from an existing public water system; or a water system operating permit issued by Environmental Health.
 - The proponents are encouraged to obtain a potable water service connection from a public water system as this will remove the requirement to obtain a water system operating permit.
 - If the proponents find that a service connection to an existing public water system is not possible or reasonable the proponents must apply for a water system operating permit from Environmental Health.

EXHIBIT 9

- Provided the proponents are able to self-certify that the operation of the facility does not exceed 59 days annually where 25 or more persons are present, the proponents may apply for a Local Small Water System (LSWS) operating permit.
- If the proponents determine that the current and/or anticipated future operation of the facility is 60 or more days annually when 25 or more persons are present, the proponents will be required to start the process of obtaining a Transient-NonCommunity (TNC) public water system operating permit.
 - Subsequent to CA Health and Safety Code, Section 116527, the proponents will be required to submit a "preliminary technical report" at least six (6) months prior to starting any water system related construction to the CA State Water Board with a copy to Environmental Health. It is possible that the Water Board report review could result in a determination that consolidation with an existing public water system is required and that the creation a new public water system will not be allowed.
 - If the technical report is approved by the Water Board for the creation of a new public water system, the proponents will be required to submit an application for a public water system operating permit along with a water system "Technical, Managerial, and Financial" (TMF) statement and five (5) year water system operating budget projection to Environmental Health.

Current or Future Food Service:

- If the project will include food service, the proponents must submit construction plans to the Plumas County Building Department and to Environmental Health prior to any food related construction.

Sincerely,



Robert Robinette,
Environmental Health Specialist II

Herrin, Becky

From: Robinette, Rob
Sent: Wednesday, July 01, 2020 10:19 AM
To: Herrin, Becky
Subject: RE: The Brewing Lair

Becky...

I should have updated you earlier on the water system issue.

Brewing Lair cannot connect to Blairsen water as Blairsden Water will not will not allow a connection due to capacity limitations.

Brewing Lair has their own Public Water System operating permit issued by Environmental Health supplied by their own commercial well.

Please disregard the request to have Brewing Lair connect to an existing Public Water system.

Rob Robinette
Plumas County Environmental Health
270 County Hospital Road
Courthouse Annex Room 127
Quincy, CA 95971
Talk: (530) 283-6355 (Front Office)
 (530) 283-6593 (Direct)
Fax: (530) 283-6241
Email: robrobinette@countyofplumas.com

COVID-19 Informational Resources

Plumas County Hotline 530-283-6400 or covid19@countyofplumas.com

[Plumas County Public Health COVID-19 Webpage](#)

NOTICE: This e-mail message, including any attachments is for the sole use of the intended recipient(s) and may contain confidential information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

From: Herrin, Becky
Sent: Friday, June 26, 2020 11:18 AM
To: Robinette, Rob
Subject: The Brewing Lair

Hi Rob,

I am still working on the zone change for the Brewing Lair. You sent a memo that suggested they get water from an existing public water system. Do you think that the Blairsden Water system would be able to serve them?

Thanks,
Becky

EXHIBIT 10

*Rebecca Herrin
Assistant Planning Director
Plumas County Planning and Building Services
555 Main Street
Quincy, CA 95971
(530) 283-6213*



PLUMAS COUNTY PLANNING & BUILDING SERVICES

555 Main Street, Quincy, CA 95971
(530) 283-7011

www.countyofplumas.com

16 July 2018

TO: Charles White, Building Official
FROM: Rebecca Herrin *RE*
Senior Planner

RE: Preliminary Review & Consultation
General Plan Amendment and Zone
Change
DeLano/The Brewing Lair
Mountain Goat Farmstead, LLC
GPA 7-18/19-01

We have received an application for a General Plan Amendment and Zone Change from Rural Residential and Scenic Road (R-10, SP-ScR zoning) to Commercial, Scenic Road (C-3, SP-ScR zoning). The applicants are Richard and Susan DeLano (The Brewing Lair and Mountain Goat Farmstead, LLC). This project is located at 67007 and 67163 SR 70, Blairsden, Unincorporated Plumas County, CA; Assessor's Parcel Numbers 123-150-024-000 and 123-150-024-000; Township 22 North, Range 12 East, Section 10, MDM.

Enclosed is information on this project. I am reviewing this project to determine if the application is complete and to determine if the project may have a significant effect on the environment. If you need more information, let me know. Please be as specific as you can, as that will assist me in obtaining information you might need.

If you have no comment on this project, I would appreciate being told. Return of this memo with a "no comment" written on it will be fine. Please respond by August 17, 2018, whether or not you have a comment. If you intend to respond but can't do so by August 17, 2018, please call me at (530) 283-6213.

Thank you for your assistance. *All Issues with buildings are being addressed, no further comment*

cc:cc
7/16/18

EXHIBIT II

PLUMAS COUNTY DEPARTMENT OF PUBLIC WORKS

1834 East Main Street, Quincy, CA 95971 – Telephone (530) 283-6268 Facsimile (530) 283-6323
Robert A. Perreault Jr., P.E., Director John Mannle, P.E., Asst. Director Joe Blackwell, Deputy Director



Memorandum

RECEIVED

AUG 10 2018

Date: August 13, 2018

PC Planning+Building

To: Becky Herrin

From: Bob Perreault, Public Works Director

Re: Response to Preliminary Review & Consultation memo for General Plan Amendment and Zone Change for Richard and Susan DeLano (The Brewing Lair).

Public Works recommends that necessary traffic data be provided to Caltrans so that they can adequately evaluate traffic related impacts to State Route 70 and recommend appropriate mitigations.

This traffic data should include daily traffic numbers, required parking spaces, and a description of existing and proposed encroachments onto State Highway 70 and any other information requested by Caltrans.

Please forward the aforementioned information to the Public Works Department together with any response from Caltrans on this project.

A handwritten signature of Bob Perreault in black ink, followed by a solid horizontal line.
Bob Perreault
Director
Department of Public Works

EXHIBIT 12

Herrin, Becky

From: Gonzalez, Marcelino@DOT <marcelino.gonzalez@dot.ca.gov>
Sent: Friday, May 10, 2019 9:31 AM
To: Herrin, Becky
Cc: Chaffin, Fred N@DOT; Grah, Kathy M@DOT; Battles, Michael@DOT; Maxwell, John G@DOT; Barnes, Stacey@DOT
Subject: FW: REPLY: GPA 7-18 19-01 PLU-70-66.87 BREWING LAIR

Hi Becky,

Here are our comments. If you prefer a letter response, let me know.

If traffic generated by this facility causes adverse traffic impacts on SR 70 verified by law enforcement, Caltrans personnel, or citizen complaints, further improvements may be needed on the highway. Improvements could include right and left turn lanes from SR 99.

Parking shall be completely contained on site. The use permit should include a condition that prohibits parking on the highway shoulder. The site plan parking plan should demonstrate that adequate onsite parking will be provided for the associated vehicles.

No advertising signs are allowed within the Caltrans highway right of way.

Thanks for the opportunity to comment.

Marcelino "Marci" Gonzalez
Local Development Review
& Regional Transportation Planner
(530)225-3369

From: Herrin, Becky <BeckyHerrin@countyofplumas.com>
Sent: Tuesday, March 12, 2019 9:56 AM
To: Gonzalez, Marcelino@DOT <marcelino.gonzalez@dot.ca.gov>
Cc: Grah, Kathy M@DOT <kathy.grah@dot.ca.gov>; Maxwell, John G@DOT <john.maxwell@dot.ca.gov>; Stinger Jr, Rob F@DOT <rob.stinger@dot.ca.gov>; Chaffin, Fred N@DOT <fred.chaffin@dot.ca.gov>
Subject: RE: REPLY: GPA 7-18 19-01 PLU-70-66.87 BREWING LAIR

The owners/applicants are pursuing a general plan amendment and rezone to commercial zoning rather than a special use permit. This is in response to a code violation.

I am gathering information so that an environmental document can be prepared and circulated for the general plan amendment/rezone.

If the amendment is approved, the use will be permitted by right. That being said, as a result of the violation, the County can apply additional requirements to the operation.

The Brewing Lair is proposing to hold six (6) events per year, but would be satisfied with one event per year or none if that presents significant issues.

35-40 cars can park on site and an additional 8-10 cars can park on the adjacent property.

EXHIBIT 13

*Let me know if I can provide anything further. Thanks.
Becky*

FACT SHEET:

California's Fire Hazard Severity Zones

California Department of Forestry and Fire Protection

Office of the State Fire Marshal



While all of California is subject to some degree of fire hazard, there are specific features that make some areas more hazardous. The California Department of Forestry and Fire Protection (CAL FIRE) is required by law¹ to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors.

These zones, referred to as Fire Hazard Severity Zones (FHSZ), influence how people construct buildings and protect property to reduce risk associated with wildland fires. The maps were last updated in the mid-1980s and early 1990s. They are currently being updated to incorporate improved fire science, data and mapping techniques.

The proposed Fire Hazard Severity Zone maps for lands where the state has financial responsibility for wildland fire protection, known as state responsibility area or SRA, are available for review and public comment. A series of public hearings is being conducted in 56 counties with state responsibility area lands to gather comment for consideration. After the comment period ends, the CAL FIRE Director will either modify or adopt the Fire Hazard Severity Zone maps.



In 2008, CAL FIRE will produce Fire Hazard Severity Zone maps for the areas of California where local governments have financial responsibility for wildland fire protection, known as local responsibility areas, or LRA. Only lands zoned very high are identified within local responsibility areas.



Buildings on the fringes of California's wildland areas face a greater fire hazard than those in cities and towns.

Fire Hazard Elements

Vegetation - Fire hazard considers the potential vegetation over a 30- to 50-year time horizon. Vegetation is "fuel" to a wildfire and it changes over time.

Topography - Fire typically burns faster up steep slopes.

Weather - Fire moves faster under hot, dry, and windy conditions.

Crown Fire Potential - Under extreme conditions, fires burn to the top of trees and tall brush.

Ember production and movement - Fire brands are embers blown ahead of the main fire. Fire brands spread the wildfire and they get into buildings and catch the building on fire.

Likelihood - Chances of an area burning over a 30- to 50-year time period based on history and other factors.

¹(PRC 4201-4204 and Govt. Code 51175-89)



Burning embers, known as firebrands, spread fire ahead of the flame front and can ignite buildings up to a mile away from the main fire.

How are zones determined?

The Fire Hazard Severity Zone maps were developed using a science-based and field-tested computer model that assigns a hazard score based on the factors that influence fire likelihood and fire behavior. Many factors are considered such as fire history, existing and potential fuel (natural vegetation), flame length, blowing embers, terrain, and typical weather for the area. There are three hazard zones in state responsibility areas: moderate, high and very high.

Urban and wildland areas are treated differently in the model, but the model does recognize the influence of burning embers traveling into urban areas, which is a major cause of fire spread.

What is the map for?

The Fire Hazard Severity Zones identify fire hazard, not fire risk. "Hazard" is based on the physical conditions that give a likelihood that an area will burn over a 30 to 50-year period without considering modifications such as fuel reduction efforts. "Risk" is the potential damage a fire can do to the area under existing conditions, including any modifications such as defensible space, irrigation and sprinklers, and ignition resistant building construction which can reduce fire risk. Risk considers the susceptibility of what is being protected.

Fire Hazard Severity Zone maps are intended to be used for:

- Implementing wildland-urban interface building standards for new construction
- Natural hazard real estate disclosure at time of sale
- 100-foot defensible space clearance requirements around buildings
- Property development standards such as road widths, water supply and signage
- Considered in city and county general plans



How do I determine the fire hazard in my area?

Visit the CAL FIRE Website at www.fire.ca.gov. You can enter your address and easily find your Fire Hazard Severity Zone IF your property is in the state responsibility area. The statewide map and maps for each county with state responsibility area lands are also posted. For more information about Fire Hazard Severity Zones or wildland-urban interface building codes, contact your local CAL FIRE Unit.

RESOLUTION NUMBER P.C. 2020-3

RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS THAT THE BOARD OF SUPERVISORS
FIND THAT THE GENERAL PLAN AMENDMENT AND ZONE CHANGE (GPA 7-18/19-01) APPROVAL
WOULD NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT, ADOPT NEGATIVE DECLARATION
NO. 677, AND APPROVE THE GENERAL PLAN AMENDMENT AND ZONE CHANGE

WHEREAS, Richard and Susan DeLano, property owners/applicants, submitted a General Plan Amendment and Zone Change application on July 10, 2018 to change the Rural Residential land use designation and Rural (R-10) zoning to the Commercial land use designation and Convenience Commercial (C-3) zoning, while retaining the Scenic Road designation, Special Plan Scenic Road (SP-ScR) zoning for the properties located at 67007 and 67163 State Route 70, near Blairsden, unincorporated Plumas County, California, APNs 123-150-024-000 and 123-150-025-000; and

WHEREAS, Negative Declaration No. 677 was prepared and sent to the Governor's Office of Planning and Research (OPR) State Clearinghouse (SCH # 2020080271) for circulation and a 30-day agency and public review period (August 18, 2020 through September 18, 2020), which resulted in no agency or public comments; and

WHEREAS, as per Senate Bill 18, Government Code 65352.3 and 65352.4, as well as Assembly Bill 52, Public Resources Code Sections 21080.1, 21080.3.1 and 21080.3.2, local governments are required to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans and Community Plans. The County contacted the tribes on July 7, 2020. No comments or concerns were raised during the consultation process and none of the California Native American tribes traditionally and culturally affiliated with the project area have requested consultation; and

WHEREAS, the Planning Commission held a properly noticed public hearing on November 19, 2020 for the General Plan Amendment and Zone Change (GPA 7-18/19-01) and received testimony from all interested parties; and

WHEREAS, the testimony and evidence received justifies the recommendation to amend the General Plan as set forth in Exhibit "A".

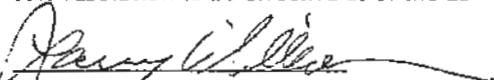
NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the County of Plumas, State of California, recommends that the Board of Supervisors:

1. Find that the General Plan Amendment (GPA 7-18/19-01) approval would not have a significant impact on the environment and adopt Negative Declaration No. 677.
2. Approve the General Plan Amendment and Zone Change as shown in Exhibit "A" attached.

The foregoing Resolution was duly passed and adopted by the Plumas County Planning Commission at a meeting held on the 19th day of November, 2020, by the following roll call vote:

AYES:	Commissioners: <i>Stout, McGowan, Williams, West</i>
NOES:	Commissioners: <i>None</i>
ABSENT	Commissioners: <i>None</i>

Said resolution to be effective as of the 19th day of November, 2020.


Larry Williams
Chair, Plumas County Planning Commission

ATTEST:

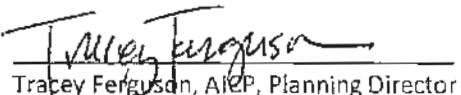

Tracey Ferguson, AICP, Planning Director

EXHIBIT 3



STATE OF CALIFORNIA

Gavin Newsom, Governor

NATIVE AMERICAN HERITAGE COMMISSION

July 1, 2020

RECEIVED

Rebecca Herrin

JUL 6 1 2020

Plumas County

PC Planning+Building

Via Email to: becky.herrin@countyofplumas.com

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Merri Lopez-Kaifer
Luiseño

PARLIAMENTARIAN
Russell Attebery
Karuk

COMMISSIONER
Marshall McKay
Wintun

COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

COMMISSIONER
Julie Tumamait-
Stenslie
Chumash

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: Native American Consultation, Pursuant to Senate Bill 18 (SB18), Government Codes §65352.3 and §65352.4, as well as Assembly Bill 52 (AB52), Public Resources Codes §21080.1, §21080.3.1 and §21080.3.2, GPA 7-18/19-01 General Plan Amendment and Zone Change, Plumas County

Dear Ms. Herrin:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced counties or projects.

Government Codes §65352.3 and §65352.4 require local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans and Community Plans.

Public Resources Codes §21080.3.1 and §21080.3.2 requires public agencies to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to tribal cultural resources as defined, for California Environmental Quality Act (CEQA) projects.

The law does not preclude local governments and agencies from initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction. The NAHC believes that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

Best practice for the AB52 process and in accordance with Public Resources Code §21080.3.1(d), is to do the following:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The NAHC also recommends, but does not require that lead agencies include in their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential affect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE, such as known archaeological sites;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
 - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:
 - Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.

3. The result of the Sacred Lands File (SLF) check conducted through the Native American Heritage Commission. The request form can be found at <http://nahc.ca.gov/wp-content/uploads/2015/08/Local-Government-Tribal-Consultation-List-Request-Form-Update.pdf>.
4. Any ethnographic studies conducted for any area including all or part of the potential APE; and
5. Any geotechnical reports regarding all or part of the potential APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS is not exhaustive, and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event, that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Nancy.Gonzalez-Lopez@nahc.ca.gov.

Sincerely,



Nancy Gonzalez-Lopez

Cultural Resources Analyst

Attachment

**Native American Heritage Commission
Tribal Consultation List
Plumas County
7/1/2020**

***Estom Yumeka Maidu Tribe of
the Enterprise Rancheria***

Glenda Nelson, Chairperson
2133 Monte Vista Avenue
Oroville, CA, 95966
Phone: (530) 532 - 9214
Fax: (530) 532-1768
info@enterpriserancheria.org

Maidu

***United Auburn Indian
Community of the Auburn
Rancheria***

Gene Whitehouse, Chairperson
10720 Indian Hill Road
Auburn, CA, 95603
Phone: (530) 883 - 2390
Fax: (530) 883-2380
bguth@auburnrancheria.com

Maidu
Miwok

***Greenville Rancheria of Maidu
Indians***

Kyle Self, Chairperson
P.O. Box 279
Greenville, CA, 95947
Phone: (530) 284 - 7990
Fax: (530) 284-6612
kself@greenvillerancheria.com

Maidu

***Washoe Tribe of Nevada and
California***

Serrell Smokey, Chairperson
919 Highway 395 North
Gardnerville, NV, 89410
Phone: (775) 265 - 8600
serrell.smokey@washoetribe.us

Washoe

***Mooretown Rancheria of Maidu
Indians***

Benjamin Clark, Chairperson
#1 Alverda Drive
Oroville, CA, 95966
Phone: (530) 533 - 3625
Fax: (530) 533-3680
frontdesk@mooretown.org

KonKow
Maidu

***Washoe Tribe of Nevada and
California***

Darrel Cruz, Cultural Resources
Department
919 Highway 395 North
Gardnerville, NV, 89410
Phone: (775) 265 - 8600
darrel.cruz@washoetribe.us

Washoe

Susanville Indian Rancheria

Deana Bovee, Chairperson
745 Joaquin Street
Susanville, CA, 96130
Phone: (530) 257 - 6264
Fax: (530) 257-7986
dovee@sir-nsn.gov

Maidu
Paiute
Pit River
Washoe

Tsi Akim Maidu

Don Ryberg, Chairperson
P.O. Box 510
Browns Valley, CA, 95918
Phone: (530) 383 - 7234
tsi-akim-maidu@att.net

Maidu

Tsi Akim Maidu

Grayson Coney, Cultural Director
P.O. Box 510
Browns Valley, CA, 95918
Phone: (530) 383 - 7234
tsi-akim-maidu@att.net

Maidu

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7080.5 of the Health and Safety Code, Section 5087.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Sections 65352.3, 65352.4 et seq. and Public Resources Code Sections 21080.3.1 for the proposed GPA 7-18/19-01 General Plan Amendment and Zone Change, Plumas County.

Local Government Tribal Consultation List Request

Native American Heritage Commission

1550 Harbor Blvd, Suite 100

West Sacramento, CA 95691

916-373-3710

916-373-5471 – Fax

nahc@nahc.ca.gov

Type of List Requested

CEQA Tribal Consultation List (AB 52) – *Per Public Resources Code § 21080.3.1, subs. (b), (d), (e) and 21080.3.2*

General Plan (SB 18) - *Per Government Code § 65352.3.*

Local Action Type:

General Plan General Plan Element General Plan Amendment
 Specific Plan Specific Plan Amendment Pre-planning Outreach Activity

Required Information

Project Title: GPA 7-18/19-01 General Plan Amendment and Zone Change

Local Government/Lead Agency: Plumas County

Contact Person: Rebecca Herrin

Street Address: 555 Main Street

City: Quincy Zip: 95971

Phone: (530)283-6213 Fax: (530)283-6134

Email: beckyherrin@countyofplumas.com

Specific Area Subject to Proposed Action

County: Plumas City/Community: _____

Project Description:

General Plan Amendment and zone change from Rural Residential and R-10 zoning to Commercial and C-3 zoning, retaining the Scenic Road designation and SP-ScR zoning

Additional Request

Sacred Lands File Search - *Required Information:*

USGS Quadrangle Name(s): _____

Township: _____ Range: _____ Section(s): _____



PLUMAS COUNTY PLANNING & BUILDING SERVICES

555 Main Street, Quincy, CA 95971 (530) 283-7011 www.countyofplumas.com

7 July 2020

Estom Yumeka Maidu Tribe of the Enterprise Rancheria
Glenda Nelson, Chairperson
2133 Monte Vista Avenue
Oroville, CA 95966

RE: Native American Consultation, Pursuant to Senate Bill 18, Government Code §65352.3 and §65352.4, as well as Assembly Bill 52 (AB52), Public Resources Codes Sections 21080.1, 21080.3.1 and 21080.3.2
General Plan Amendment and Zone Change GPA 7-18/19-01; Plumas County, CA

Dear Ms. Nelson,

The Plumas County Planning Department received an application for a General Plan Amendment and Zone Change for the property located at 67007 and 67163 State Route 70, Unincorporated Plumas County, CA; Assessor's Parcel Numbers 123-150-024-000 and 123-150-025-000; T22N, R12E, Sec.10, MDM.

The property located at 67007 and 67163 State Route 70, is zoned R-10 (Rural), which permits residential uses. Although the property located at 67007 is zoned for residential use, it is the site of a brewery and tasting facility known as "The Brewing Lair". The General Plan Amendment and Zone Change will change the Rural Residential designation and R-10 zoning to the Commercial designation with C-3 (Convenience Commercial) zoning, retaining the Scenic Road designation and SP-ScR (Special Plan Scenic Road) zoning.

The general plan amendment and rezone is intended to bring this property and its uses into compliance with zoning.

Pursuant to Senate Bill 18 and Government Code §65352.3 and §65352.4, local governments are required to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans, and Community Plans. You are being contacted at this time because the Maidu Tribe of the Enterprise Rancheria was identified on the NAHC consultation list of tribes with traditional lands or cultural places located within the boundaries of Plumas County.

A previous project involving the property was a two parcel split. An archeological survey was done for the project (Cullum 2006). Although no archaeological or prehistoric sites were discovered as a result of the pedestrian survey, prehistoric sites have been located within the project vicinity in the past.



PLUMAS COUNTY PLANNING & BUILDING SERVICES

555 Main Street, Quincy, CA 95971 (530) 283-7011 www.countyofplumas.com

A mitigation measure for protection of Cultural Resources was made part of the project approval in 2008 and is listed on the Additional Information Map recorded with the Blount parcel map at Book 12 of Parcel Maps at Pages 103 through 105:

"All building and development plans shall include the following note:
'Should development activities reveal the presence of cultural resources (i.e., artifact concentrations, including arrowheads and other stone tools or chipping debris, cans, glass, etc.; structural remains; human skeletal remains), work within 50 feet of the find shall cease immediately until a qualified professional archaeologist can be consulted to evaluate the remains and implement appropriate mitigation procedures. Should human skeletal remains be encountered, State law requires immediate notification of the County Coroner. Should the County Coroner determine that such remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State law, to arrange for Native American participation in determining the disposition of such remains.'"

This mitigation measure applies to all future development activities on the project site.

This letter serves as the formal notification that the Maidu Tribe of the Enterprise Rancheria has 30 days to request consultation, pursuant to Public Resources Code §21080.3.1(d), in regards to the above mentioned project.

Please don't hesitate to give me a call at (530) 283-6213 or email me at beckyherrin@countyofplumas.com if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Rebecca K. Herrin".

Rebecca Herrin
Assistant Planning Director



Mooretown Rancheria

Matthew Hatcher

Tribal Historic
Preservation Officer

(530) 533-3625 Office

(530) 693-7720 Cell

#1 Alverda Drive
Oroville, CA 95966

matthew.hatcher@mooretown.org

~ ~ ~ ~ ~

July 22, 2020

Mooretown Rancheria

Alverda Drive

wille, CA 95966

(530) 533-3625 Office

(530) 533-3680 Fax

~ ~ ~ ~ ~

JUL 29 2020

PC Planning+Building

Ms. Rebecca Herrin
Assistant Planning Director
Plumas Co. Planning & Building Services
555 Main Street
Quincy, CA 95971

Re: Proposed (Amendment and zone Change GPA 7-18/19-01) Project – Plumas Co, CA

Dear Ms. Herrin:

Thank you for your letter dated, July 7 2020, seeking information regarding the proposed GPA 7-18/19-01 project in Plumas County, California. Based on the information provided, the Mooretown Rancheria is not aware of any known cultural resources on this site. However, as the project progresses, if any new information or human remains are found, we do have a process to protect such important and sacred artifacts (especially near rivers or streams).

Please contact the following individuals if tribal cultural items or Native American human remains are found:

THPO
Mooretown Rancheria
#1 Alverda Drive
Oroville, CA 95966
(530) 533-3625 Office
(530) 533-3680 Fax
E-mail: matthew.hatcher@mooretown.org

Thank you for providing us with this notice and opportunity to comment.

Sincerely,

Matthew Hatcher
Tribal Historic Preservation Officer

"Concow - Maidu"

Herrin, Becky

From: Darrel Cruz <Darrel.Cruz@washoetribe.us>
Sent: Thursday, August 13, 2020 4:36 PM
To: Herrin, Becky
Subject: Zone Change

Hello Rebecca,

Thank you for consulting with the Washoe Tribe of Nevada and California on the General Plan Amendment Zone Change GPA 7-18/19-01 and providing a background summary regarding cultural resources. At this time we have no comments or concerns regarding the General Plan Amendment Zone Change GPA 7-18/19-01.

Darrel

Darrel Cruz, Director
THPO/CRO
Washoe Tribe of NV & CA
919 Highway 395
Gardnerville, NV. 89410
P. (775) 265-8600
C. (775) 546-3421
darrel.cruz@washoetribe.us

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