

**TRINITY COUNTY PLANNING COMMISSION
STAFF REPORT**

APPLICANT: Terry Mines

REPORT BY: Colleen O'Sullivan

OWNER: Jill Lee et al

APN: 015-490-08, 015-490-09, 015-490-10 and 015-490-11

PROJECT DESCRIPTION: Request for a rezone of four parcels from Highway Commercial to Industrial (total acres = 5.65).

LOCATION: Marshall Ranch Road, Douglas City (Figure 1).

PROJECT INFORMATION:

- A) Planning Area: Douglas City
- B) Existing General Plan Designation: Village
- C) Existing Zoning: Highway Commercial (HC)
- D) Existing Land Use: vacant, warehouse
- E) Adjacent Land Use Information:

	<u>Land Use</u>	<u>Zoning</u>	<u>General Plan Des.</u>
North:	junk yard, residential	HC/RR-2.5	Village
South:	mini-storage, tank farm	HC	Village
East:	equipment yard	Industrial	Village
West:	residential, open space	RR-2.5/OS	Village

BACKGROUND INFORMATION:

The Douglas City Community Plan was adopted in 1987. Among other things, it preserved the “Village” General Plan (GP) designation for the core area of Douglas City – the post office/general store/motel area, DC elementary school, the residential areas along Riverview Road and the first mile of Steiner Flat Road, and south along Highway 3 (Figure 1). Most zoning districts are consistent with the Village GP designation, including Industrial zoning.

Along Highway 3 all the parcels between Marshall Ranch Road and the highway are zoned Highway Commercial, except for APN 015-490-07, which was rezoned to Heavy Commercial (C-3) in 1989. At one time there was a pallet manufacturing plant operating on APN 015-490-10. A mini-storage business was established to the south (the two properties share a state highway encroachment), and a propane company (Amerigas) has a tank farm to the south of that (rezoned to C-3). The pallet site became Shelton Logging for a number of years but ceased operating about 4 years ago.

A large parcel (400+ acres) was rezoned to AF-160 and RR-2.5 and TPZ in 1996 as part of a large subdivision (Readings Creek Tree Farm). The project area encompasses most of the land around the HC/C-3/Industrial parcels through this stretch of the highway. Across the highway several parcels are zoned Industrial. In effect, there is commercial zoning on the west side of Highway 3 and Industrial zoning on the east side.

Residential parcels and homes are located below the subject parcels (on a river terrace), between the county road and the Trinity River. Access to these parcels is by either the county road or Highway 3.

PROJECT EVALUATION:

Staff’s evaluation centered on the following: suitability of rezone request, access (state and county) and wastewater discharge capabilities.

Suitability of Rezone Request

The Douglas City Community Plan, in its discussion under the chapter Economic Development, emphasizes the following:

- Designate an industrial area or similar employment intensive activities in the Douglas City Core Area.
- Maintain a surplus of commercially zoned acreage within the Plan area (page 22)

The Land Use Element of the General Plan includes the following language regarding the Village GP designation:

The “Village” designation allows a variety of land uses within the area, including: single-family residences, service stations, grocery stores, fast-food and regular restaurants, post offices and other state and federal service facilities, county service facilities,

schools, recreation facilities, general stores, hardware stores, realty offices, agriculture, feed stores, and the like.

Not allowed in the village are heavy industrial uses that are potentially dangerous to surrounding structures (i.e. highly flammable fuel storage) and multi-family residential units over twelve units per acre. (Trinity County General Plan, Land Use Element, page 10).

This part of the Core Area was zoned for these purposes as part of the Douglas City Community Plan. There are a handful of HC parcels in and around Indian Creek Road and Highway 299 further to the east. General Commercial (C-2) zones were established in the community core area (Figure 1). If the applicant's four parcels are rezoned to Industrial, it will reduce by 50 percent the number of commercially-zoned parcels in this area, and almost double the number of Industrial-zoned parcels.

Past and current uses provide some indication of demand: —a rezone from HC to C-3 to support a propane tank farm, a mini-storage facility in an HC zone, a pallet company and logging operation in an HC zone, an automobile junk yard and three vacant parcels, also zoned HC. In staff's opinion, past and present uses indicate a mix of light Industrial and commercial uses.

Access

The four parcels are accessed by state Highway 3 (APN 015-490-10) and by Marshall Ranch Road (the remaining parcels). A locked gate provides the access from the county road to those parcels. It appears that DC Storage and the applicant share an encroachment from Highway 3. Caltrans is requiring a new encroachment application with the change in ownership. The County Department of Transportation is requiring the county road be improved to a commercial driveway encroachment. The applicant has submitted an application for a Cannabis Distribution use permit, so these encroachment improvements will be required under that entitlement request, should this rezone be approved.

Wastewater Discharge Capabilities

The Industrial properties across the highway (Figure 2) have had issues with hazardous materials clean-up in the past, plus poor sewage disposal capacity. It's unclear whether these same issues are present on the subject parcels. A logging company and pallet manufacturing activities could mean unknown hazardous waste has contaminated the soil. This will need to be addressed when additional entitlements are requested.

ENVIRONMENTAL EVALUATION:

An Initial Study and Mitigated Negative Declaration was prepared on March 19, 2018 with the following mitigation measure:

- Encroachment Permits from both Caltrans and the Trinity County Department of Transportation are requirement prior to any onsite activity (with Building Permits).

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Recommend to the Board of Supervisors adoption of the Negative Declaration, finding that on the basis of the whole record, including the initial study, that there is no substantial evidence that the project will have a significant effect on the environment and that a Negative Declaration reflects the County's independent judgment and analysis, and;
2. Recommend to the Board of Supervisors approval of the zoning change of APNs 015-490-08, 09, 10 and 11 from Highway Commercial to Industrial zoning, finding the action to be consistent with the overall goals and policies of the Douglas City Community Plan.

FIGURE 1 - ZONING MAP AND REZONE LOCATION
P-17-45 - MINES

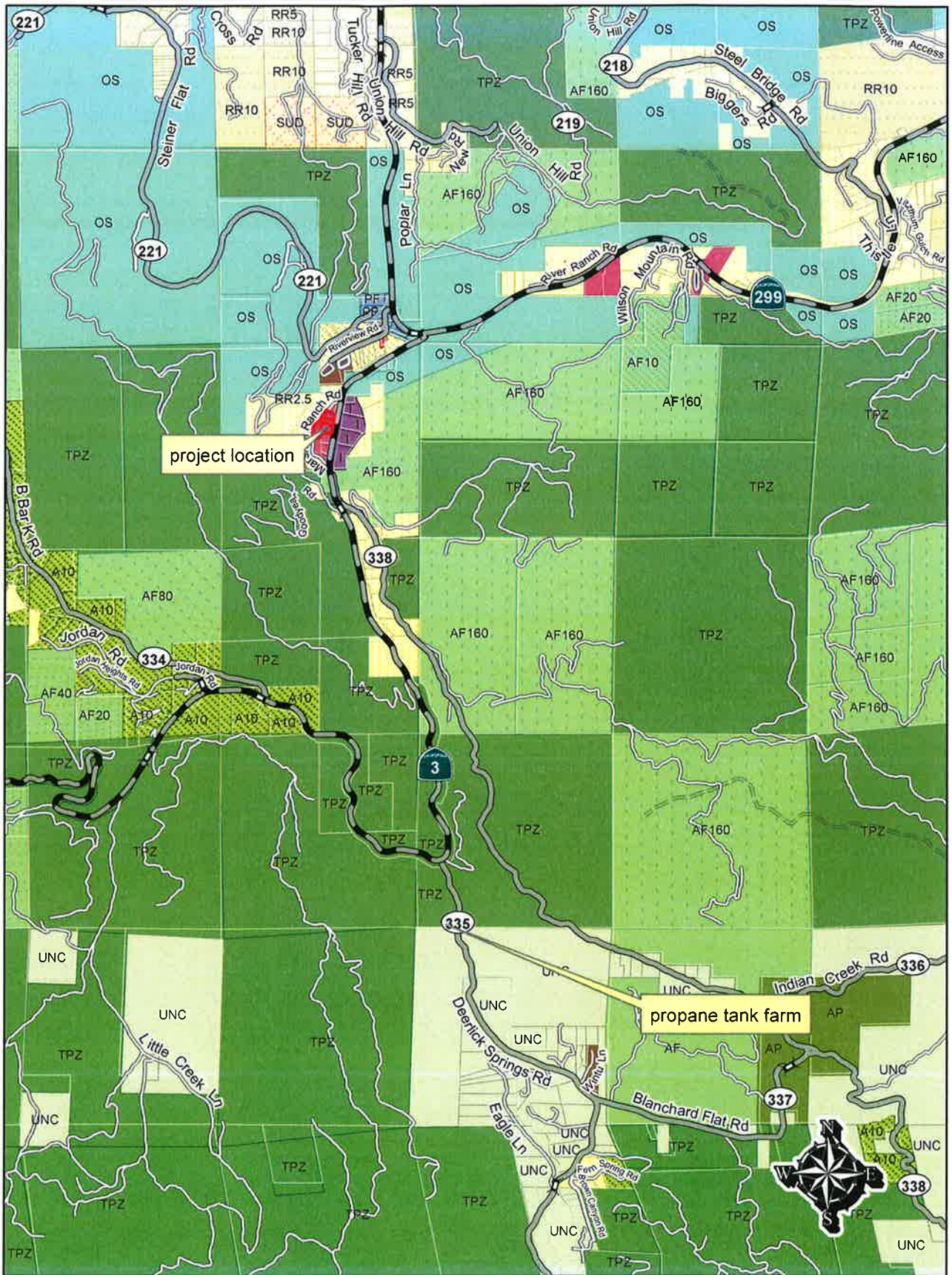


FIGURE 2 - TOPO MAP AND REZONE LOCATION
P-17-45 - MINES

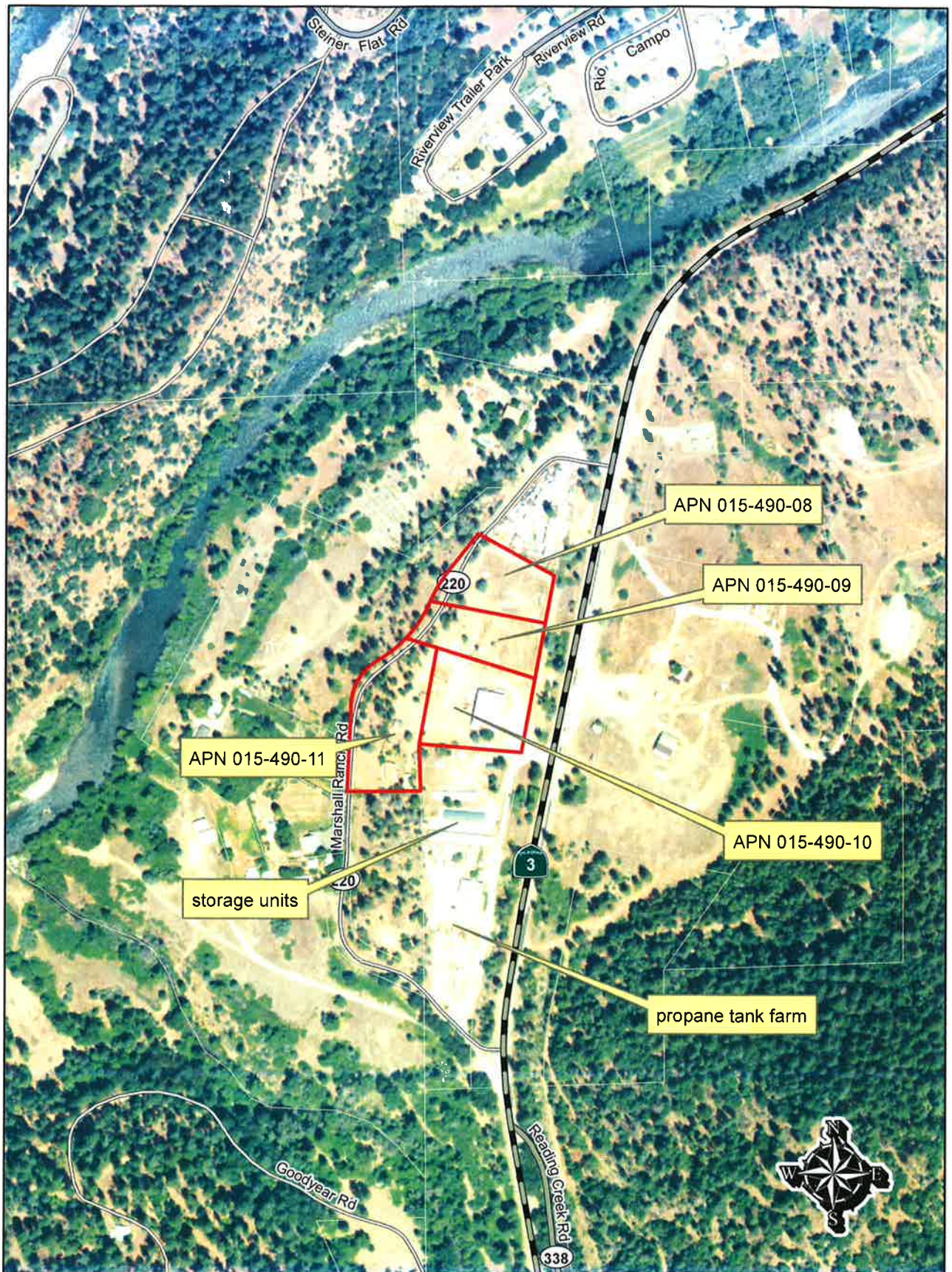


FIGURE 3 – COMPARISON OF HIGHWAY COMMERCIAL AND INDUSTRIAL ZONING

HIGHWAY COMMERCIAL-NO CUP	INDUSTRIAL-NO CUP
CONVENIENCE FOOD STORE-NO PETROL	WELDING SHOP
RESTAURANT W/O DRIVE-THRU	PLUMBING SHOP, WHOLESALE SALES & STORAGE
AUTO SERVICE STATION	WAREHOUSE AND MINI STORAGE
HOTEL/MOTEL – 10 UNITS OR LESS-LOCAL SEWER	CABINET-AUTO REPAIR SHOPS
GENERAL OFFICE, RETAIL STORES W/ OTHER USES	AGRICULTURAL USES (NO HOGS)
RECYCLING CENTER – INDOORS	OFFICE USES, CONSTRUCTION STORAGE YARDS
OTHER USES FOUND SIMILAR	PUBLICATION USES, BOTTLING WORKS, MACHINE SHOP, PUB. UTIL. BLDGS, METAL FABRICATION, LIMITED RETAIL USES IN CONJUNCTION W/ MANUFACTURING OR INDUSTRIAL USES (NO MORE THAN 25% OF GROSS SQUARE FOOTAGE)
	HEAVY EQUIP. & TRUCK REPAIR SHOP, SECONDARY WOOD PROCESSING FACILITY.

HIGHWAY COMMERCIAL-CUP	INDUSTRIAL - CUP
RECYCLING CENTER W/ OUTDOORS	BIOMASS, COGEN, GEOTHERMAL PLANTS & FAC
CAMPGROUND, COMM. AMUSEMENT PLACE	COAL REFINING AND PROCESSING PLANTS
HOTEL/MOTEL OVE 10 UNITS-NO COMM. SEWER	NUCLEAR POWER PLANTS
RV PARK	LUMBER MILL
RESTAURANT W/ DRIVE-THRU SERVICE	HAZARDOUS WAST TREATMENT FACILITIES
RESORT, TRUCK SERVICE STATION, AUTO REPAIR	SEPTAGE/HAZ. WASTE HAULERS
BUS PASSENGER STATION, LAUNDROMAT, OUT-DOOR STORAGE, CAR WASH, AUTO SALES, MINI-STORAGE, RESIDENTIAL CARETAKER UNIT, OFFICE OVER 10,000 SQUARE FEET	OFFICE OVER 10,000 SQUARE FEET, ASSORTED MINING OPERATIONS, OIL OR GAS DRILLING, MANUFACTURE AND STORAGE OF EXPLOSIVES, ASSORTED ANIMAL PROCESSING FAC., MAUFACTURE OF VARIOUS PRODUCTS, SMELTING, PETROL REFINING, BULK STORAGE OF OIL OR GAS (INCLUDING TANK FARMS), OTHER USES FOUND SIMILAR

FIGURE 4 – PROJECT PHOTOS
P-17-45 – MINES REZONE



Figure 4c – Looking south, with Highway 3 on the left and DC Storage in the distance



Figure 4d – Existing building on APN 015-490-10, with tank on right. Looking west

FIGURE 4 - PROJECT PHOTOS
P-17-45 - MINES REZONE



Figure 4a – Ditch between subject parcels and Highway 3 – looking north towards vehicle yard



Figure 4b – Subject sites, looking north



TRINITY COUNTY

PLANNING DEPARTMENT

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PROJECT INITIAL STUDY - ENVIRONMENTAL CHECKLIST AND EVALUATION OF ENVIRONMENTAL IMPACT

This document has been prepared by the Trinity County Planning Department as lead agency in accordance with the California Environmental Quality Act, CEQA (Public Resource Code, § 21000 *et seq.*).

Date: 3/7/18

Project No.: P-17-45

Lead Agency:

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Project Planner:

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Project Information:

Project Name: Terry Mines Rezone of four parcels

Project Applicant(s): Terry Mines

Agent: n/a

Project Location:

221, 141 and 123 Marshall Ranch Road and 30661 State Highway 3, Douglas City, CA
Section 12; T32 N R10 W; MDM – APNs 015-490-8, 9, 10 & 11
Weaverville 7.5 minute USGS Quad
See Figures 1 & 2

General Plan Designation:

Village

Zoning:

Highway Commercial

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mines 4 Parcel Rezone (P-17-45)

Project Description: The applicant wishes to obtain the necessary entitlements to rezone four parcels, totaling 5.65 acres, from Highway Commercial Zone to Industrial Zone. APN 015-490-10 was the site of a number of industrial/light manufacturing activities, including a pallet-making facility. The other three are vacant.

Surrounding Land Uses and Environmental Setting: The four parcels are part of a Highway Commercial Zone along Highway 3 between Marshall Ranch Road to the west and Highway 3 (8 parcels total). APN 015-490-07 was rezoned to Heavy Commercial (C-3) in 1989 in order to establish the Amerigas tank farm). There are five parcels zoned Industrial on the east side of Highway 3. The parcels along the highway are flat, with vegetation concentrated along the perimeter of the general area. The Reading Creek Tree Farm, a 19+acre parcel that lies between the Rural Residential property to the west of Marshall Ranch Road and the Trinity River, is also zoned Highway Commercial. A large storage yard for vehicles is adjacent to the applicant's parcel 015-490-08 (north end). Amerigas has a storage facility at the south end of Marshall Ranch Road and is zoned Heavy Commercial (C-3). Douglas City Storage provides storage rentals between Amerigas and the parcel that contains the large building (Figures 1, 2 & 4).

The parcels located to rear of the Industrial/Highway Commercial parcels are zoned Rural Residential, 2.5 acre minimum and support a variety of vegetation on the west side, and dense tree cover on the east side. Trinity River is located to the west of the residences behind Marshall Ranch Road. Large tracts of BLM and SPI (TPZ) lands lie to the east and west of the highway corridor.

Other Public Agencies whose Approval is Required:

- Caltrans-Encroachments
- Trinity County Department of Transportation-Encroachments

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project. The significance level is indicated using the following notation: 1=Potentially Significant; 2=Less Than Significant with Mitigation; 3=Less Than Significant.

3	I. Aesthetics	3	II. Agriculture Resources	3	III. Air Quality
3	IV. Biological Resources	3	V. Cultural Resources	3	VI. Geology / Soils
3	VII. Greenhouse Gas Emissions	3	VIII. Hazards & Hazardous Materials	3	IV. Hydrology / Water Quality
3	X. Land Use / Planning	3	XI. Mineral Resources	3	XII. Noise
3	XIII. Population / Housing	2	XIV. Public Services	3	XV. Recreation
3	XVI. Transportation/Traffic	3	XVII. Utilities / Service Systems	2	XVIII. Mandatory Findings of Significance

Summary of Mitigation Measures:

- Encroachment Permits from both Caltrans and Trinity County Department of Transportation are requirement prior to any onsite activity (with Building Permits). ✓

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mines 4 Parcel Rezone (P-17-45)

Determination:

On the basis of this initial evaluation:

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

Leslie Hubbard, Planning Director,
Trinity County Planning Department

Date

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mines 4 Parcel Rezone (P-17-45)

Environmental Checklist and Explanatory Notes

I. AESTHETICS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

I(a,b): The project is not within sight of a scenic vista or scenic resource, historic buildings or state scenic highways. Highway 3 is not designated a Scenic Highway in Douglas City.

I(c): The project could change the existing visual character of because of the uses allowed in an Industrial zone that are not allowed in a Highway Commercial zone. Please see Figure 3 for a comparison of the two zoning districts.

I(d): The project will not create any new sources of light or glare.

II. AGRICULTURE RESOURCES In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model 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 the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program in 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, timberland (as defined by Public Resources Code section 4526), or timberland zoned timber production (TPZ) as defined by Government Code Section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in 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"/>

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mines 4 Parcel Rezone (P-17-45)

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"/>
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II(a-d): The project site is not on agricultural lands, AG zoned lands, prime farmland, timber land or land that is subject to the Williamson Act.

II(e): The property on which the project is located is in a commercial/industrial district surrounded by residential areas and federal lands.

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

III(a-e): The project does not conflict with or obstruct implementation of applicable air quality plans. Trinity County is in attainment for all criteria pollutants and federal standards. The area occasionally exceeds the state standard for particulate matter. The rezone itself does not directly impact air quality.

IV. BIOLOGICAL RESOURCES Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mines 4 Parcel Rezone (P-17-45)

native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?				
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 Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV(a): A cursory review of the CA Department of Fish & Wildlife’s NDDDB did not reveal any sensitive, candidate or special status species.

IV(b): Riparian habitat is located a quarter mile to the east, along the Trinity River, and one half mile to the south, along Readings Creek. No impacts to this resource are anticipated.

IV(c): There are no wetlands on these four parcels. There is a 3-4 foot drainage ditch between Highway 3 and three of the parcels (site visit 3/17/18). Staff observed frogs and birds in and around the ditch (Figure 4-photo of ditch).

IV(d): Light industrial/commercial-type uses have occurred in this area for decades. Deer and other species move through the area because of the Trinity River and few fences. No impacts to this resource are anticipated.

IV(e-f): There are not policies, ordinances, Habitat or Natural Conservation Plans for this area.

CULTURAL RESOURCES Would the project.	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Cause a substantial adverse change in the significance of a historical resource, as defined in Section 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 Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V(a-d): This area has been disturbed and built on for a long time. In the 1960’s and ‘70’s a pallet construction business operated there, and into the 80’s logging equipment was stored there (Shelton’s Logging Company). Shelton closed the business about four years ago. No impacts to cultural resources are anticipated with this rezone request.

VI. GEOLOGY AND SOILS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

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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 Publication 42.				
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Would the project result in disturbance of ultra-mafic rock or soils potentially containing naturally occurring asbestos?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII(a,c,d): There are no known faults crossing the project area. The area is not mapped on an Alquist-Priolo Earthquake Fault Zoning Map. No Quaternary faults (faults having recent movement within the past 2 million years) have been recognized in the area. Seismic shaking may occur, generated by more distant active faults. However, these would not be likely to lead to ground failure or liquefaction at the project site, due to the nature of the materials underlying the site. The site is underlain by non-marine sediments of the Weaverville Formation and silt/sand deposits from ancient floods. The coarse sediments underlying the site are not subject to liquefaction, expansion, lateral spreading or differential subsidence. The area to be disturbed is flat, and the steep banks of the Trinity River to the west will not be disturbed, so the potential for landslides is very low.

VI(b): There is little topsoil in the project area, which consists of disturbed driving and parking surfaces.

VI(e): The project does involve septic tanks or other wastewater disposal systems.

VI(f): The soils consist of river terrace cobbles, gravelly clay loam and unweathered bedrock. No asbestos occurs in this area.

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

VII(a): The project will not generate new traffic or otherwise generate emissions.

VII(b): No.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mines 4 Parcel Rezone (P-17-45)

VIII. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site that 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use compatibility plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII(a-c): Rezoning these four parcels to Industrial could result in more intensive uses, resulting in potential hazard or risk of accident, depending on the nature of the activity. Most activities involving potentially hazardous materials or manufacturing activities require a CUP, so there is another level of review.

VIII(d): No, but there is most likely some soil contamination from previous activities (oil, gasoline, other hazardous liquids). There is a large tank located next to the building on Parcel 015-490-10 (Fig. 4).

VIII(e-f): Does not apply.

VIII(g-h): No.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mines 4 Parcel Rezone (P-17-45)

IX. HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Violate any applicable water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year floodplain, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year floodplain structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX(a-j): The project will not alter water discharge or drainage patterns as they exist today (low areas collect water during and after rains, the drainage ditch holds runoff for a short time). The rezone will not directly impact drainage and runoff patterns; subsequent activities may result in impacts to hydrology and water quality. None of these parcels are located within the 100 year floodplain of the Trinity River. There is no threat from seiche, tsunami or mudflow.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mines 4 Parcel Rezone (P-17-45)

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

X(a): The project will decrease the number of Highway Commercial-zoned properties in the Douglas City vicinity and increase the number of Industrial-zoned properties. The nearest Highway Commercial properties are further east on Highway 299, in the Indian Creek area.

X(b): The project is consistent with policies in the Douglas City Community Plan for Village General Plan designations, which allow a wide variety of zones and land uses. The Marshall Ranch Road area is just south of the Douglas City Community Core Area, which stresses community and public services. Under Economic Development (DC Community Plan, 1987) both the designation of industrial areas and maintenance of a surplus of commercially-zoned acreage is desired (page 23). A rezone of four parcels from Highway Commercial to Industrial will decrease the number of commercially-zoned land and its attendant uses.

X(c): The project site is not subject to any habitat conservation plan or natural community conservation plan.

XI. MINERAL AND ENERGY RESOURCES Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Result in the loss of availability of a known mineral that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in the use of energy or non-renewable resources in a wasteful or inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XI(a-b): The project will not affect the availability of any mineral resources. Placer and aggregate deposits in the area would continue to be available.

XI(c): No.

XII. NOISE Would the project result in:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to, or generation of, excessive ground-borne vibration or ground-borne noise	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mines 4 Parcel Rezone (P-17-45)

levels?				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use compatibility plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII(a-b): It is possible that with a change of zoning from Highway Commercial to Industrial increases in noise levels would occur, due to the more intensive uses allowed in the Industrial zone.

XII(c-d): Industrial activities can result in higher background or ambient noise levels and in temporary or periodic increases in noise levels. Currently, the Industrial zoned parcels to the east (across Highway 3) do not have industrial activities on them. The Highway Commercial properties have more activity, but it is sporadic in nature due to the types of businesses on them (storage units, Amerigas tank farm).

XII(e): The project is not located within an airport land use compatibility plan.

XII(f): The project is not located within two miles of a private airstrip.

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

XIII(a-c): The project will have no effect on population, nor will it displace housing or businesses.

XIV. PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental 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:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mines 4 Parcel Rezone (P-17-45)

b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV(a) – (f): The rezone request may result in an increase in some public services (police protection, fire protection), depending on what activities are proposed. Caltrans is requiring a new encroachment permit onto APN 015-490-10 from Highway 3. Parcels 8, 9 & 11 have Marshall Ranch Road addresses and are accessed from the county road (#220) through a gate. Presumably, this point of entry provides access to all three parcels. An encroachment permit from the county Department of Transportation is also required for this access and should meet county standards for a commercial driveway.

XV. RECREATION	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV(a-b): The project will not impact existing recreational facilities nor increase the need for more of these resources.

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

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mines 4 Parcel Rezone (P-17-45)

e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI(a-b): The project will not conflict with plans, ordinances or policies that affect Douglas City circulation systems or Highway 3 improvement plans. This section of the highway is broad and open, with very good line-of-sight from Marshall Ranch Road (both encroachments) and the Highway 3 encroachment.

XVI(c): Potential increased traffic levels are unknown at this time.

XVI(d): As stated under a-b, line-of-sight is very good in both directions.

XVI(e): The project will not affect emergency access.

XVI(f): The project will not conflict with non-motorized programs or plans nor substantially decrease the performance or safety of these facilities.

XVII. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII(a-e): The project will not exceed wastewater treatment requirements at this time. The need for improved infrastructure to both provide potable water to and to manage wastewater from proposed activities may need to be addressed when a project is proposed under Industrial zoning. There is a well on the property – sewage disposal is unknown at this time. A grading, drainage and erosion control plan will most likely be required for any proposed project that requires a use permit.

XVII(f-g): The project currently can be served by existing solid waste facilities.

INITIAL STUDY - EVALUATION OF ENVIRONMENTAL IMPACT

Project Name: Mines 4 Parcel Rezone (P-17-45)

XVII. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input 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 probably future projects, as defined in Section 15130.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) 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"/>

XVII(a): As documented in the technical studies performed for this project, the project will have no effect on special status fish or wildlife species or important examples of major periods of history or prehistory.

XVII(b): Since the project will have no effect of sensitive resources, its effects will not result in a cumulative adverse effect on the human or natural environment.

XVIII(c): The project would not have any adverse effects on human beings. Potentially, air quality and traffic levels of service could slightly improve, and there could be potential benefits to public health and well-being if people choose to walk or bicycle rather than drive.

References:

Douglas City Community Plan. Adopted July 1987.

USDA Natural Resources Conservation Service, WSS Program – Soils Data for Marshall Ranch Road, Douglas City, 1999.

Trinity County GIS.

ORDINANCE NO. 315-
AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF TRINITY
AMENDING THE ZONING ORDINANCE NO. 315-
Mines, P-17-45

The Board of Supervisors of the County of Trinity, State of California, ordains as follows:

SECTION 1. That portion of real property situated in the County of Trinity, State of California, located on the west side of State Highway 3 (30661 State Highway 3), and east of County Road No. 220, Marshall Ranch Road (123 Marshall Ranch Road, 141 Marshall Ranch Road, 221 Marshall Ranch Road), Douglas City, being APNs: 015-490-08, 015-490-09, 015-490-10, and 015-490-11

PARCEL A: Parcel No. 1 as shown on the Parcel Map for James S. Macy in Section 12, Township 32 North, Range 10 West, M.D.B.&M., filed for record in the office of the County Recorder of Trinity County, California on April 14, 1983 in book 15 of Maps and Surveys page 71.

PARCEL B: Parcel No. 2 as shown on the Parcel Map for James S. Macy in Section 12, Township 32 North, Range 10 West, M.D.B.&M., filed for record in the office of the County Recorder of Trinity County, California on April 14, 1983 in book 15 of Maps and Surveys page 71.

PARCEL C: Parcel No. 3 as shown on the Parcel Map for James S. Macy in Section 12, Township 32 North, Range 10 West, M.D.B.&M., filed for record in the office of the County Recorder of Trinity County, California on April 14, 1983 in book 15 of Maps and Surveys page 71.

PARCEL D:

Tract No. 1

Parcel No. 4 as shown on the Parcel Map for James S. Macy in Section 12, Township 32 North, Range 10 West, M.D.B.&M., filed for record in the office of the County Recorder of Trinity County, California on April 14, 1983 in book 15 of Maps and Surveys page 71.

Tract No. 2

All that portion of Section 12, Township 32 North, Range 10 West, M.D.B.&M, according to the official plat thereof, described as follows:

Commencing at the center of said Section 12, a rock marked M in a rock mount (now a B.L.M. Monument); thence

Along the Westerly line of Parcels 1 and 2 of book 13 Maps and Surveys page 116, North 1°52'12" West 210.90 feet to the Point of Beginning, thence

Continuing North 1°52'12" West 130.67 feet to a point on the Easterly line on the Smith Flat Placer Mining Claim, thence
Along said line South 21°57'20" West 140.99 feet; thence
North 89°50' East 56.98 feet to the Point of Beginning.

Pursuant to Lot Line Adjustment #P 86-22.

Is heretofore, zoned and classified as "Highway Commercial (HC)" District, be and the same hereby is rezoned and reclassified as "Industrial (I)".

SECTION 2: This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published with the names of the member of the Board of Supervisors voting for and against the ordinance in the Trinity Journal, a newspaper of general circulation published in the County of Trinity, State of California.

Introduced, passed and enacted on this _____ day of _____, 2018 by the Board of Supervisors, of the County of Trinity by motion, second (/), and the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:
- RECUSE:

KEITH GROVES, CHAIRMAN
Board of Supervisors
County of Trinity
State of California

ATTEST:

RICHARD KUNZ, Psy.D
Clerk to the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM AND LEGAL EFFECT:

Margaret Long, County Counsel

David Albierz ^{GONE OUT OF TOWN}
3/28 ^{COULD YOU CONTACT HIM}
^{BEFORE THEN.}

Ref Rezoning Heath
and Safety Issues Douglas City
Commercial to Industrial Zone
May 3. Current Zoning limits
old mining septic and water
drilling issues for residences
and River pollution. Currently
we are already dealing with
all four wells below to Commercial
Zones being polluted. These issues
already recognized in Douglas City Zoning plan
19867

David Albierz
623-9202
daalbiez@gmail.com

RECEIVED

MAR 26 2018

**TRINITY COUNTY
BUILDING DEPARTMENT**



To: Planning Commission Board Members,
 From: David R Albiez, Resident 280 Marshall Ranch Road, Douglas City, Ca 96024

Reference: Objection To: Proposed mitigated negative declaration and rezone of four parcels from Highway Commercial to industrial (I) Located at 123, 141, 221 Marshall Ranch Rd and 30661 State Highway 3, Douglas City APNs 015-49-08, 09, 10, and 11 Applicant Mine (P-17-45)

Board Members,

I strongly object to the applicants rezoning request for all 4 parcels. The effects of the rezoning would be extremely detrimental to my families Health, Safety, and peaceful way of life. Our quiet and peaceful environmental friendly residential neighborhood would be turned into a caustic nightmare unfit for residential use. The rural lifestyle and environment can not, nor should support this rezoning request. My family pioneered this county and has lived and paid taxes here since 1852. I fought for our country and county and retired from the Army with over 29 years of service, with the knowledge I would return to my peaceful home safe from the horrors I witnessed and fought against. Now I find myself fighting again for my home, at home.

The current commercial Zone was established over the objections of my grandfather who could not put up much of a fight at the age of 96. The site was established while he was terminally ill, and had just lost his daughter in Law (my mother), his Wife, and his own life during the commercial site development process. My Father was also unaware of the process as well, receiving news of the notifications after the fact. I was serving my country.

Concession were made by the county, however, that assured us the commercial zone would not be heavily used nor turned into an industrial zone, negatively effecting the residential neighborhoods and environmental quality of life. This was put into the current Douglas City Community Plan - Approved by the County Planning Commission. This is now in jeopardy again.

The DC plan states, "The Douglas City Community Plan is the planning guideline for the future development of the Douglas City Area. The Plan establishes a framework which will guide both private and public projects within the Plan Area while maintaining the area's high quality of life."

Major issues with the Current Commercial to industrial rezoned site also include:

- County Code Enforcement Issues: The lack of county code enforcement officers to adequately police existing code has proven totally inadequate. Despite quality personnel in their respective departments, quantity is severely lacking. All the residents water wells down hill of the current commercial zoned sites are contaminated, despite the past administration assurances this would not happen. Testing within the last year have proven this fact. These commercial zoned business operators have really tried to be good environment stewards, but their efforts have failed. Turning vacant commercial parcels into active industrial sites would dramatically increase the damages to - and endanger the surrounding environment as well as the Trinity River. Because of prior mining operations creating poor to non existent soil percolation, there is nothing to stop industrial waste water discharge from damaging the downhill residential area or its pollution flowing directly into the Trinity River, which is less then 350 feet from the property line.

As per the approved D.C. Community zoning plan Section 3

"Extensively mined areas also have septic development constraints. These areas have generally been mined to bedrock; therefore, there is insufficient soils to allow for adequate percolation. An identified problem area is the proposed industrial site on Highway 3"

The counties own health department issued this warning, and is a major reason only low scale commercial operations have been allowed to operate in this area. As our own residential water quality attests, even these low key operations have caused severe environmental damage.

- Water quality and quantity: After the commercial Zone was established water wells to me and my neighbors properties have run dry during parts of the year and must be severely rationed during the remaining months. We have had to drill additional wells at our own expense and water quantity has still been limited. Water contamination and quality has already been addressed in the preceding paragraph.

As per the approved D.C. Community zoning plan Section 6 and 7

"6. Water

Only an estimated 50 households rely upon community or mutual water systems. The continued reliance upon individual wells is expected to continue with future development, currently, most residents are dependent upon surface water supplies for household use. Within the Plan Area surface water is more frequently utilized for domestic purposes than is deep well water. Development of surface water tends to be less expensive than development of deep wells. Additionally, concentrations of minerals including iron, magnesium and calcium have been reported in well water in portions of the Plan Area. Finally, competition between adjacent wells can decrease water availability. Future growth, and land uses in general, must take into consideration the availability of water not only for development purposes, but also for wildlife and other beneficial uses. In addition, the Plan must incorporate provisions to protect existing water quality. A large portion of the Plan Area (primarily Browns Creek Watershed, Weaver Creek Water Shed and Upper Watershed of Indian Creek) are proposed to incorporate Critical Watershed Overlay Zoning to insure that future land divisions in these areas must develop individual wells. This is to insure adequate surface water for a variety of existing uses. Due to the reliance on individual sewage disposal systems as well as the importance of protecting water quality, densities within the Plan Area must remain fairly low. The Health Department has specifically indicated that portions of the Poker Bar Area and southerly end of Steel Bridge Road are severely restricted for future development due to high groundwater and poor soils. The Plan proposes to direct homesite development to those areas which have soils generally capable of accommodating development without adverse impacts. Regardless of the general soil characteristics of a given area, site-specific soils information will continue to be necessary for all properties in the Plan Area.

7. Drainage

Aside from floodplain areas and the proposed industrial area on Highway 3, the topography of the Plan Area is generally sufficient to properly drain development sites with only minor modification being necessary. Drainage within these areas will be reviewed as development dictates."

- Industrial Zone allowing 24 hour operations: Industrial rezoning would allow for increased traffic congestion, 24 hour operations - creating day and night noise and light pollution negatively effecting not only the current neighborhoods quality of life, but also the residential and business owners in the surrounding area, namely in the communities main industry - leisure and recreation. One example, rezoning would hurt the guided fishing industry as that portion of the Trinity River is heavily used as some of the best guided fishing in the area.

- No adequate service facilities in the Area: Douglas City Fire Department cannot support the necessary fire protection from the one well that currently supports all Four parcel rezoning proposals. Past well production was less than 3 gallons a minute and was inadequate to support the one home on one parcel. The previous owner ran four water trucks that supplied the home and business. The business required only small amount of water (trucking storage and repair maintenance only). The well ran dry 6 month out of the year. Additional water wells needed to support the three other parcels or the additional water required to support industrial demands would be hard to find and wholly inadequate. If any more water could be found on the properties [t would deprive the neighborhood of the little remaining water they have. The previous owners could not locate additional water even though it was of their highest priority.

- None of the following goals set forth in the DC Community plan are served by the rezoning of these four parcels.

“Housing Goals

The Douglas City Community Plan emphasizes the following housing goals in addition to those goals and objectives stated in the 1985 Housing Element. The Plan’s Housing Goals are:

- 1. To insure that future residential development receives adequate public services including, but not limited to: fire protection, police protection, and all weather access.
- 2. To provide for a variety of housing types and costs while maintaining the stability of existing neighborhoods.
- 3. To conserve and improve existing housing stock within the Plan Area.”

Since we have been given limited time to prepare opposition to the proposed rezoning request we reserve the right to bring further related testimony to the board meeting April 12, 2018.

Thank-You Members for your time and attention to our communities concerns. I trust you will find the rezoning request detrimental to my family, our residential neighborhood, community, and economic and ecological preservation. We ask you to please vote against the proposed rezoning request.

**Sent via email
David Robert Albiez**

Colleen O'Sullivan

From: Amy Curry <acurry@tcoek12.org>
Sent: Wednesday, April 4, 2018 8:51 PM
To: Info.Planning
Subject: Rezone concern in Douglas City

Importance: High

April 3, 2018
Trinity County Planning Commission
P.O. Box 2819
Weaverville, CA 96093

To the Planning Commission:

The Notice of Public Hearing has been received regarding the rezoning of Commercial properties on Marshall Ranch Road and Highway 3 in Douglas City.

First we ask that more time be given before a decision is made to rezone these parcels to Industrial status. This is extremely short notice and we have several serious concerns:

- There is no water on these parcels.
- The property does not perc, nor does the adjacent property.
- Industry and industrial waste so close to the Trinity River; run-off and drainage is of great concern to us and for our neighbors on Marshall Ranch Road.
- There seems to be no enforcement regarding the environmental health pertaining to the existing commercial properties on Marshall Ranch Road and Highway 3 in Douglas City.
- For the existing home on one of the parcels, water had to be trucked in for the home and business.
- You cannot turn left onto these parcels coming from the south on Highway 3. Marshall Ranch Road itself is not safe for industrial traffic.
- There are school bus concerns for school children who live on Marshall Ranch Road.
- The value of our property will decline.
- We've heard many statements from the people involved in the process of developing these properties, many of which have turned out to be untrue. So what can we really expect to take place if these properties are established as Industrial?
- We are concerned about the crime issues too close to home.

We purchased the 3.6 acre parcel on Marshall Ranch Road in January 2012 as a retirement haven to enjoy the beautiful river corridor, the abundant birds and wildlife, to raise Rhodesian Ridgeback dogs, and chickens. We love having our daughters and our grandchildren spend time on weekends and holidays at what we fondly call "The River House". The plan is to have the family move onto our property and the children attend Douglas City School

We ask that you seriously and completely consider allowing more time to research the consequences to the neighborhood of Marshall Ranch Road if the properties of concern are rezoned as Industrial, or simply deny the request for obvious reasons.

We thank you for your attention to this matter.

Jim and Amy Curry

20 Marshall Ranch Road
Douglas City, CA
(530) 739-3385