Appendix A

NOP and Comment Letters

COMMUNITY RESOURCES AGENCY

BEV SHANE, AICP
Director

Administration - Building – County Surveyor - Engineering – Environmental Health – Fleet Services - GIS – Housing - Planning – Roads – Solid Waste

48 W. Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 536-1622 (Fleet)
(209) 533-5616 (fax)
(209) 533-5909 (fax – EHD)
(209) 588-9064 (fax – Fleet)
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www.tuolumnecounty.ca.gov

NOTICE OF PREPARATION

DATE: August 12, 2015

TO: Responsible Agencies, Interested Parties and Organizations

FROM: Adam Paszkowski, Senior Planner

SUBJECT: Notice of Preparation of an Environmental Impact Report

The County of Tuolumne will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the project identified below in accordance with the California Environmental Quality Act (CEQA):

Project Title: **Tuolumne County General Plan Update**

Project Proponent: **Tuolumne County Board of Supervisors**
2 South Green Street
Sonora, CA 95370

We are soliciting your comments to assist us in identifying the potential environmental impacts that may result from the proposed project to ensure that the EIR addresses all relevant environmental issues. Responsible agencies are required to use the EIR prepared by our agency when considering the issuance of permits or other approvals for the project.

The project description, location and the probable environmental effects are contained in the attached materials and have been posted on the County's website at www.tuolumnecounty.ca.gov/generalplanupdate.

An Initial Study has not been prepared for these projects pursuant to Section 15063 of the State CEQA Guidelines.

Please send your written comments to Adam Paszkowski at the Tuolumne County Resources Agency, 2 South Green Street, Sonora, CA 95370 at the earliest possible date but not later than **September 11, 2015**. Please provide the name of a contact person for your agency with your comments.

Date: August 12, 2015

Signature: _____

Name: Adam Paszkowski

Title: Senior Planner

Telephone: (209) 533-5633

E-mail: apaszkowski@tuolumne.ca.us

EXHIBIT A: PROJECT DESCRIPTION

The proposed project is the preparation of a comprehensive update of the County's 1996 General Plan. California law requires cities and counties to adopt a General Plan to guide future development. The General Plan is the foundation upon which all land use decisions are to be based. The Draft Tuolumne County General Plan accommodates population growth in the County through the year 2040. The Draft General Plan includes the following Elements:

- Land Use
- Housing
- Noise
- Public Facilities
- Cultural Resources
- Agricultural Resources
- Community Identity
- Columbia Community Plan
- Tuolumne Community Plan
- Water Resources
- Circulation
- Natural Resources
- Safety
- Recreation
- Economic Development
- Air Quality
- Jamestown Community Plan
- East Sonora Community Plan
- Mountain Springs Community Plan
- Healthy Communities

The Draft General Plan is available on the Community Resources Agency website at www.tuolumnecounty.ca.gov/generalplanupdate.

LOCATION: Tuolumne County is located in the center of the California Mother Lode along the western slope of the Sierra Nevada mountain range. The County is bordered on the north by Calaveras County, on the south by Mariposa County, on the west by Stanislaus County, and on the east by Alpine and Mono Counties. Sonora, the County Seat, is the only incorporated city in Tuolumne County.

EXHIBIT B: GENERAL PLAN PROBABLE ENVIRONMENTAL EFFECTS

Aesthetics. The EIR will identify regionally significant aesthetic and scenic resources, and describe the potential effects of implementing the proposed Tuolumne County General Plan on existing viewsheds, scenic vistas, and scenic highways. It will describe the changes in visual character associated with land use designations contemplated in the Tuolumne County General Plan. It will also provide an assessment of lighting/glare impacts, and impacts to the dark sky character of rural communities.

Agriculture/Forestry. The EIR will identify all prime agricultural lands, timber lands and productive farmlands in the unincorporated county based on the California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program (FMMP), and existing County data. The EIR will also evaluate the potential of implementing the proposed Tuolumne County General Plan to convert agricultural and timber land to other uses, and identify any direct or indirect impacts on agricultural and timber lands and/or conflicts with existing zoning for agricultural or timber use or Williamson Act contract lands within the planning area. The EIR will also address the potential of implementing the proposed changes to the County's Williamson Act Contract and Title 17 of the Tuolumne County Ordinance Code, related to agricultural, residential estate and timber zoning districts, and identify any direct or indirect impacts on agricultural and timber lands and/or conflicts related to the proposed changes to facilitate agritourism and other agricultural uses.

Air Quality. The EIR will describe regional and local ambient air quality standards and trends in the project vicinity. Programmatically, the EIR will evaluate the potentially significant air quality effects of implementing the proposed Tuolumne County General Plan, including long-term operations of proposed land uses. The EIR will also evaluate the proposed Tuolumne County General Plan with respect to air emissions, potential to contribute to air quality violations, potential to expose sensitive receptors to substantial pollutant concentrations, potential sources of odor, and effects on climate change. Additional information on impacts to climate change will be discussed in a separate EIR section.

Biological Resources. The EIR will identify important biological resources, including critical and important habitat areas and species of concern based on existing County and State regional mapping data. The EIR will evaluate the impacts in terms of the potential of implementing the proposed Tuolumne County General Plan to result in adverse effects to sensitive habitats or species listed as endangered, threatened, rare, sensitive, candidate, or special status species in a local or regional plan, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service. The EIR will also consider potential effects to federally-protected wetlands, oak woodlands, the movement of resident or migratory fish or wildlife species, or wildlife corridors, and potential conflict with the provisions of adopted or other approved local or regional plans, policies, or ordinances.

Cultural Resources. The EIR will review areas that contain known, significant cultural resources, including archaeological and paleontological resources. The EIR will evaluate, on a regional level, whether implementing the proposed Tuolumne County General Plan would cause a change in the significance of historical or archeological resources, disturb human remains, or destroy unique paleontological resources or unique geologic features.

Geology, Soils and Mineral Resources. The EIR will summarize the geologic and mineral resources setting, including the regional soil types and conditions, major faults, seismicity, and geologic formations in the unincorporated portions of the County based on existing County, regional, and State data, including information from the California Division of Mines and Geology. The EIR will evaluate implementation of the proposed Tuolumne County General Plan in terms of its potential to expose people or future populations and/or structures to the risk of loss, injury, or death involving the rupture of a known earthquake fault, seismic-related ground failure, substantial soil erosion or loss of topsoil, and unstable geologic conditions that could result in landslides, lateral spreading, subsidence, liquefaction,

or collapse. The EIR will also evaluate potential effects to the availability and use of mineral resources within the planning area.

Global Climate Change. The EIR will evaluate the potential of implementing the Tuolumne County Regional Blueprint Greenhouse Gas Study produced by Rincon Consultants, Inc. As such, the EIR will address implementation of the proposed Tuolumne County General Plan in terms of its potential to contribute to GHG emissions and global climate change effects.

Hazards and Hazardous Materials. The EIR will identify hazards and hazardous materials associated with implementation of the Tuolumne County General Plan. Hazardous materials and waste are often used, stored, and transported within the County, and historic agricultural, mining, and industrial land uses may have left residues of such materials in the soil and groundwater that may pose a threat to sensitive receptors and public health. Impacts associated with fire hazards and airport safety hazards will also be evaluated. Specifically, the EIR will analyze impacts related to the sources of hazardous materials within the unincorporated portions of the County.

Hydrology and Water Resources. The EIR will identify County-mapped hydrologic features and water resources including hydrologic basins, floodplain boundaries, surface waters, groundwater resources, dam inundation zones, and areas prone to inundation by seiche or mudflows. The EIR will analyze whether implementing the proposed Tuolumne County General Plan would alter existing drainage patterns, contribute to runoff which would exceed the capacity of existing or planned storm water drainage systems, or place housing or other structures within flood hazard areas. The EIR will determine if implementing the proposed Tuolumne County General Plan would expose people or future populations to a significant risk involving flooding. The EIR will also determine the impacts on a regional level to surface and groundwater quality based on waste discharge requirements, Clean Water Act regulations (e.g. Section 303(d)), and other applicable water quality objectives. Finally, the EIR will analyze whether implementing the proposed Tuolumne County General Plan would substantially deplete groundwater supplies and interfere with groundwater recharge resulting in a net deficit in groundwater volume or a lowering of the local groundwater level.

Land Use and Planning. The EIR will discuss any substantive differences between the proposed and existing County General Plan and other applicable land use plans, ordinances, policies, and regulations including, but not limited to, Community Plans, and various other regional plans, including airport land use plans. The EIR will determine whether implementing the proposed Tuolumne County General Plan would result in any physical division of established communities, and identify the potential for land use conflicts resulting from the proposed land use patterns.

Noise. Long-term noise impacts may result from the increased number of vehicles associated with the designation of certain lands to higher land use intensities. Short-term noise impacts could result from the construction impacts, and impacts could be exacerbated by higher-density development projects. The addition of commercial and industrial designated land uses could also impact noise levels in the County. The noise analysis in the EIR will review the proposed Tuolumne County General Plan for consistency with the most recent State guidelines for General Plans. Noise modeling for transportation-generated noise will be performed for various roadway segments, based on updated traffic data. Noise impacts from stationary sources will be evaluated. The EIR will also evaluate the proximity of sensitive land uses to excessive noise levels and what impacts may result from the adoption of slightly higher noise levels in specific zones compared to what is allowed under the existing General Plan standards.

Population and Housing. The EIR will evaluate population and housing impacts. Although the Tuolumne County Housing Element was updated and adopted in 2014 as part of a separate project, the EIR will describe the anticipated population, employment, and housing effects of the project. It will also assess on a regional level the proposed Tuolumne County General Plan's environmental effects due to changes in population and housing conditions, the potential to displace housing that may cause

housing or people to be moved elsewhere, and whether the plan satisfies the County's fair share of allocated housing types.

Public Services. The EIR will identify types of governmental facilities and services that serve the unincorporated portion of the County (e.g., police, fire, schools, parks). The EIR will discuss the regional location and types of governmental facilities and service improvements that may be required to meet future demand due to the implementation of the Tuolumne County General Plan.

Recreation. The proposed Tuolumne County General Plan would provide services for a greater residential population than under the existing General Plan, placing increased demands on public parks and open space lands. The EIR will analyze the conversion of existing open space lands in the County to urban uses based on the proposed land use plan. The EIR will also evaluate the potential loss of recreational resources.

Transportation/Circulation. Implementation of the Tuolumne County General Plan would result in increased vehicular use of State highways, rural roadways and urban streets throughout the County. This increased use may adversely impact the level of service on these routes. The EIR will analyze the effects of the proposed land uses on the County's regional transportation network. The analysis will compare the potential impacts associated with the proposed Tuolumne County General Plan and alternatives to the existing baseline conditions, and the "no project" condition scenario for roadway, public transit, bicycle, pedestrian, aviation, and rail systems.

Utilities and Service Systems. Increases in land use intensity or the designation of land uses pursuant to the proposed Tuolumne County General Plan may create demand for additional utilities and services beyond the capacity of current systems. The analysis of utilities and service systems will examine utility-related plans to determine if sufficient and adequate capacity is available, and if not, if future utility infrastructure is planned. The EIR will review water supply systems, wastewater treatment capacity, solid waste disposal, electrical supply, and other related wet and dry utilities.

Public Comment Form

Name: Clare Bazzey

Address: 23020 Kumquat Ct Columbia Ca 95310

Email: abuttonlady@earthlink.net

County will send you e-copy Draft EIR, links or other planning docs.

Subject: **Circle one**

1. Columbia Community Plan
2. Dollar General Store
3. Transportation (Pedro "Y" or Parrotts Ferry Roads)
4. Other

Comments: It is helpful to cite a particular reference: Example: Columbia Community Plan Goal 15.A.4: Or Dollar General traffic study, if applicable.

1996

15-A-4 (Encourage) How is this encouraged? By complaint only?

15-A-6 Require - for "New" development does that mean from scratch or New Business in an already developed building.
It seems like Businesses on Parrotts Ferry are just making up "Signs" that could not have ever been removed. Because they would not have passed.
ie:
Does the color Purple fall into "compatible with historic Character"

Continue on reverse if necessary

Mail Comments to: **2S Green Street, Sonora, CA** 95370

for Columbia Community Plan - General Plan revisions **Adam Paszkowski**

for Dollar General **Alex Guilbert**

for Transportation **Duke York**

15 Ag. "discretionary" word is a concern

Population of Columbia Now + 1996 - what are the numbers

15 B-6
Student housing "where" define

15 B-9 is there a map that shows what are ~~Specifically~~ considered scenic resources and landmarks "officially"? That must be protected

Proposed mixed use on Parrotts Ferry a concern
What does that now allow that didnt before
if it allows more businesses on Parrotts Ferry ie: Dollar General, is that the intent.
Maybe that change should not be.

~~Suggestion~~
Goal + implementation
include size limitations
to new individual businesses as
in keeping with Historic Character

Re 15-A-4
there are already several signages on Parrotts Ferry that don't appear as very much encouraged.

Public Comment Form

Name: CLAUDIA CARLSON

Adress: P.O. BOX 82 COLUMBIA CA. 95310

Email: ClaudiaandLisa@gmail.com

County will send you e-copy Draft EIR, links or other planning docs.

Subject: **Circle one**

1. Columbia Community Plan
2. Dollar General Store
3. Transportation (Pedro "Y" or Parrotts Ferry Roads)
4. Other

Comments: It is helpful to cite a particular reference: Example: Columbia Community Plan Goal 15.A.4: Or Dollar General traffic study, if applicable.

~~15.A.4~~ 15.12, 15.B6 - ADD LANGUAGE that Columbia College should add STUDENT HOUSING ON COLLEGE LAND, NOT SOMEWHERE IN COLUMBIA AREA.

Continue on reverse if necessary

Mail Comments to: **2S Green Street, Sonora, CA** 95370

for Columbia Community Plan - General Plan revisions **Adam Paszkowski**

for Dollar General **Alex Guilbert**

for Transportation **Duke York**

Public Comment Form

Name: Marilyn Fullam

Adress: 11076 Green ST, Columbia

Email: Anchntr@Mlode.com

County will send you e-copy Draft EIR, links or other planning docs.

Subject: **Circle one**

1. Columbia Community Plan
2. Dollar General Store
3. Transportation (Pedro "Y" or Parrotts Ferry Roads)
4. Other

Comments: It is helpful to cite a particular reference: Example: Columbia Community Plan Goal 15.A.4: Or Dollar General traffic study, if applicable.

15A4- Keep require
15A9 4 " IN
15B.3 " Require
15B.4 " "
15B 5 " "
15B 6 " " Con college Grounds/Property
Make Parrotts Ferry a gateway to the Park - Keep
rural

Continue on reverse if necessary

Mail Comments to: **2S Green Street, Sonora, CA** 95370

for Columbia Community Plan - General Plan revisions **Adam Paszkowski**

for Dollar General **Alex Guilbert**

for Transportation **Duke York**

From: cris [mailto:cris@crisbarsanti.com]
Sent: Monday, September 07, 2015 6:20 PM
To: Adam Paszkowski
Subject: Comments RE: Columbia Community Plan Update

Adam,

Following are my comments regarding the proposed revisions to Chapter 15 of the General Plan, the Columbia Community Plan, including comments and questions regarding proposed changes to the General Plan Designations in the Columbia Community Planning Area.

CCP Goal 15.A.4 Retain "require commercial signs" and add "in the Design Review area and encourage commercial signs in the remainder of the Community plan area" and retain "to be compatible with the historic character of Columbia". The item would read **"Require commercial signs in the Design Review area and encourage commercial signs in the remainder of the Community plan area to be compatible with the historic character of Columbia."** As you know there area some parcels along Parrotts Ferry Road leading into the State Park from both Hwy 4 and Hwy 49 that do not have Design Review zoning. The proposed changes to this goal could allow any type of sign on any of these parcels which could be detrimental to the gateway to the State Park. Also, If one is just "encouraged", rather than "required", it is less likely that the design review guidelines will be followed and implemented. For example, the very bright yellow with very bright red lettering on the plastic sign next to the post office advertising mining supplies is not in compliance with the Design Review Guidelines. I do not understand why that sign was allowed, if in fact it did go through the process.

CCP Implementation Program 15.A.g Change wording to read "Require signs on property zoned Design Review Combining (D:), and encourage signs on property within the remainder of the Community plan area to conform to the design criteria in the Columbia Design Guidelines. This wording would be consistent with the changes I've proposed to Goal 15.A.4

CCP Goal 15.A.6 Do not add **"that is subject to a discretionary entitlement". In other words leave it as it is.** It is necessary to preserve the historic character and charm of Columbia especially for parcels within the Design Review area whether or not they are subject to a discretionary entitlement.

CCP Implementation Program 15.A.a Do not add "subject to a discretionary entitlement". In other words leave it as it is. This wording would be consistent with the comments I've made regarding proposed changes to Goal 15.A.6

Add a CCP Implementation Program 15.A.m "New Commercial Development"
New commercial development shall blend in with the community's historic ambiance and rural small town character.

CCP Goal 15.B.6 Add “on campus” so the item would read **“Encourage Columbia College to provide on campus student housing in conjunction with increased enrollment.”**

Regarding the General Plan Map changes in the Columbia Community Planning Area.

What is the rationale for changing parcels along Sawmill Flat road from Homestead Residential to Low Density Residential? The change from a non urban to an urban designation which would allow up to 6 dwelling units per acre, rather than the current 1 dwelling unit per 3 acres is an extremely growth inducing change. Those parcels on Sawmill Flat road closest to Parrotts Ferry road could be viewed as more likely to warrant denser use because they are closer to the more urban land uses allowed on Parrotts Ferry Road. If any land use designations in this immediate area should be changed, I suggest that the LDR designation on parcels across Sawmill Flat road be changed from LDR to HR or ER which would be more in keeping with surrounding parcels.

The parcels farther down Sawmill Flat Road closer to the college and those on Red Gulch Road which are proposed to be changed from HR to LDR are of even more concern as they are farther away from the urban development boundary and are even more growth inducing. These proposed changes are in direct conflict with the Distinctive Communities Growth Scenario cited in the Land Use element of the General Plan. Estate Residential, a non urban designation is more compatible with the adjoining land designations and conforms more to the DCGS outlined in Chapter 1.

Thank you for all your hard work on this General Plan update. I appreciate you reviewing my comments and concerns and appreciate you taking them into consideration.

Thanks very much,
Cris Barsanti

I would love to live like a river flows
carried by the surprise of its own unfolding -
John O'Donohue

August 20, 2015

RECEIVED

AUG 24 2015

COUNTY OF TUOLUMNE
Community Resources Agency

Adam Paszkowski
2 S. Green Street
Sonora CA 95370

Dear Adam,

I certainly enjoyed being together with you Wednesday night in the meeting in Columbia, working to improve the quality of life in the Columbia Area through cooperative interactive planning between County planning staff and the general public. I want to assure you that I am a legitimate part of the public, as I have moved my residence from Angels Camp to the address listed below in Sonora and changed my voting registration back to Tuolumne County. After living in Columbia for 22 years and being active on the Columbia Area Planning Commission for 12 of those years, you know I have a deep love for keeping Columbia a wonderful place to live and a viable attraction for tourists from the State, Country and all over the world.

As you recall when we worked together a few years ago to up date the Chapter 15 Columbia Community Plan, I had then, and still have, a compassion to keep inappropriate signs out of the Parrotts Ferry Road corridor. Some of the current proposed changes to the Columbia Community Plan further reduce the control of signage to only new discretionary entitlements. Currently there is a huge problem of indiscriminate signs popping up in both existing commercial establishments and residences fronting on Parrotts Ferry Road. This problem needs to be rectified, by making my recommended changes to the current proposal for the Columbia Community Plan. I have tried to carefully show the changes in the attached pages of the Community Plan. These changes, if enforced, will assure that existing commercial establishments and private residences will not distract the Parrotts Ferry Road gateway to Columbia Historic State Park.

I am aware that County staff is under a lot of pressure from the Supervisors to make the County more business friendly to promote economic development and population growth. However, we all recognize that the Columbia Historic State Park, the area immediately adjacent to the State Park, and the Parrotts Ferry Road corridor approach to the State Park are valuable historic County assets, which attract nearly a half million visitors annually to the County. The county's highest priority should be to NOT do anything to destroy the valuable economic asset of this unique historic area. How many visitors would we attract if this area becomes just another over commercialized area like San Jose?

I will be happy to discuss these changes with you and I wish to be informed of any up coming public hearings where decisions will be made on the revisions to the Columbia Community Plan.

Unfortunately, I will be away on a long planned trip from August 25 to September 22. So I won't be able to interact with you during this period. I will do what I can, on my return, to help keep the beautiful Columbia area the desirable attraction for visitors. My late wife Sally is an eternal resident of Columbia, as she was recently buried in the Columbia Cemetery. In the not too distant future, I expect to reside eternally next to her. The greatest legacy we can leave is to have Columbia remain as our favorite historic place to be forever.

L. Philip Reiss

L Philip Reiss

13079 Beckwith Road # E
Sonora CA 95370
(209) 694-8510
(209) 743-4787 Cell
philreiss37@gmail.com

GOALS, POLICIES AND IMPLEMENTATION PROGRAMS

GOAL 15.A **Preserve and enhance the community identity of the Columbia area.**

Policies

15.A.1 Retain the historic Gold Rush character of the Columbia community.

15.A.2 Maintain the rural, small-town atmosphere of the Columbia area by preserving a mixture of urban and non-urban land uses found in the area.

15.A.3 Support mixed use development within the Columbia Community Plan boundaries to promote infill by providing for flexibility and innovation in such development.

15.A.4 ~~Require~~ Encourage commercial signs WITHIN THE DESIGN REVIEW BOUNDARY to be compatible with the historic character of Columbia.

INSERT SHOWN
– LEAVE IN BLUE "REQUIRE"
DELETE "ENCOURAGE"
JPA

15.A.5 Encourage new development to be designed in a manner that is compatible with Columbia's historic architectural heritage.

15.A.6 Require new development within the Design Review area that is subject to a discretionary entitlement to comply with the Columbia Design Guide to preserve the historic character of Columbia.

15.A.7 Require new development within the Design Review area to utilize landscaping for aesthetic and functional purposes and preserve native vegetation where possible.

15.A.8 Protect and improve the scenic quality along the Parrotts Ferry Road corridor as the gateway to Columbia State Historic Park.

Implementation Programs

15.A.a Design Guide

Continue to maintain a design guide for new development that reflects the historic charm of Columbia and require all new development subject to a discretionary entitlement within the Design Review area to be consistent with the Columbia Design Guide.

15.A.b Design Review Area

Continue to maintain areas surrounding the State Historic Park and within the Columbia Community Plan boundaries as a Design Review area in order to encourage the design of new development in a manner that complements the character of the State Park.

15.A.c Historic Design Preservation (:HDP) District

Consider establishment of a Historic Design Preservation (:HDP) District to recognize the historical importance of the privately owned parcels within the Historic State Park boundaries through the zoning of the portion of Columbia encompassing and immediately surrounding Main Street.

15.A.d Historic (:H) Combining District Zoning

Consider the zoning of parcels which have significant historic structures or features of particular importance to the Historic (:H) combining district.

15.A.e Historic Structure Rehabilitation Projects

Encourage rehabilitation and adaptive reuse of historic properties within the Columbia community. Consider developing a supplement to the ~~Historic Design Guide for~~ Columbia Design Guidelines that would provide "how to" guidelines for the rehabilitation of historic properties and the use of the State Historical Building Code.

15.A.f Tax Incentives for Historic Preservation

Encourage the owners of property featuring historic structures to investigate tax incentive opportunities, such as the Mills Act, when designing, remodeling or renovating projects for those structures.

15.A.g Signage

Continue to utilize the design criteria for signage in the Columbia Design Guidelines only in conjunction with a discretionary permit on property zoned Design Review Combining (:D) within the Columbia Community Plan boundaries. ~~Require signs within the Columbia Community plan boundaries to comply with the specifications of the County's zoning ordinance, Title 17 of the County Ordinance Code except as follows:~~ } DELETE RED TEXT } RETAIN BLUE TEXT JRR

~~1. Detached signs exceeding 32 square feet in size shall be prohibited except for commercial or industrial center signs located on the site of the commercial or industrial use.~~

~~2. The maximum height of any detached or freestanding sign shall be 16 feet as measured from the highest elevation at centerline of roads as they front the site.~~

~~3. Design and appearance of signs shall conform to the Columbia Design Guidelines.~~ – RETAIN BLUE TEXT JRR

~~4. Plastic and neon signs are prohibited within the (:H) Historic Zoning District and discouraged within the (:D) Design Review Combining District.~~ – RETAIN BLUE TEXT JRR

~~5. All signs within the Design Review Combining District shall be reviewed by the Columbia Area~~ COUNTY Planning Commission. – RETAIN BLUE TEXT JRR CHANGE "COLUMBIA AREA" TO "COUNTY"

15.A.h Landscaping Requirements

Require new development within the Columbia Community Plan boundaries to comply with the County's landscape ordinances and guidelines except as provided as follows:

1. Existing limestone outcroppings should be incorporated into new development.

2. Limestone outcroppings proposed for removal or fill within areas designated Design Review shall be delineated on site plans ~~to be reviewed and approved by the Columbia Area~~ COUNTY Planning Commission. ← LEAVE BLUE TEXT IN. JUST CHANGE "COLUMBIA AREA" TO "COUNTY" JRR

3. Ponderosa Pine and native oaks are species of local character for the Columbia Community; inclusion of these species in landscape plans shall be encouraged.

4. All trees which are a minimum of 12 inches in diameter at breast height (4.5' above the ground level on the uphill side) and are proposed for removal within areas designated Design Review shall be delineated on a landscape plan ~~to be~~ ← AND HERE ALSO JRR

COUNTY

reviewed and approved by the ~~Columbia Area Planning Commission~~. Tree removal for the purpose of health and safety are exempt from this requirement.

15.A.i New Development within Community Plan Boundaries

Review new development within the Design Review ~~Control~~ Combining District and Parrotts Ferry Road corridor for its compatibility with and its impact on the historic structures within the State Park.

15.A.j Mixed Use Development

Designate areas on the ~~Columbia Community Plan~~ land use diagrams for the Columbia planning area ~~maps~~ as Mixed Use (MU) to provide for flexibility and innovation in developing infill areas.

15.A.k Design Review ~~Control~~ Combining and Parrotts Ferry Road

Consider designating all properties fronting Parrotts Ferry Road as Design Review ~~Control~~ Combining in order to encourage the design of new development in a manner that enhances the "gateway" entrance into the townsite of Columbia.

15.A.l Strip Commercial Development

Discourage the expansion of the strip commercial development along Parrotts Ferry Road and Highway 49 west of Shaw's Flat Road.

GOAL 15.B Provide a mechanism for growth in an orderly manner that balances the needs and interests of the Columbia community.

Policies

15.B.1 Coordinate development in the Columbia area that meets the needs of the community beginning with the provision of necessary infrastructure and services.

15.B.2 Require urban development to occur in an orderly, contiguous manner around the Columbia townsite in order to maintain a compact development pattern and to avoid premature extension of public facilities and structures in accordance with the Distinctive Communities Growth Scenario.

15.B.3 Encourage the development of industrial, commercial, residential and recreational development which provide economic opportunities to the Community while preserving and enhancing the quality of life in Columbia.

15.B.4 Encourage the use of cluster design techniques in the layout of new residential, commercial and industrial developments.

15.B.5 Encourage new development to be consistent with the Distinctive Communities Growth Scenario.

15.B.6 Encourage Columbia College to provide student housing in conjunction with increased enrollment. (BOSPC)

Implementation Programs

15.B.a Infrastructure

~~reviewed and approved by the Columbia Area Planning Commission~~. Tree removal for the purpose of health and safety are exempt from this requirement.

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INSERT "ON CAMPUS" HERE

Implementation Programs

15.B.a Infrastructure

RECEIVED

SEP 11 2015

COUNTY OF TUOLUMNE
Community Resources Agency

September 10, 2015

To: Adam Paszkowski
Supervising Planner
Tuolumne County Resources Agency
2 South Green Street
Sonora, CA 95370

From: Ron Pickup
P.O. Box 62
Soulsbyville, CA 95372

Re: General Plan Update

Dear Adam,

I thank you for this opportunity to offer input into the General Plan Update process. I am a long time Soulsbyville resident, where my wife Pamela and I continue to live and operate a small apple ranch my family has owned since 1946.

I was born and raised in Tuolumne County, attended local schools, and have lived here most of my adult life. Over the last 30 years I have been active in the conservation, cultural, agricultural, environmental and planning communities of the county. In the 1980s and 1990s I served on the Tuolumne County Farm Bureau Board of Directors, chaired the TCFB Water Committee, and served on the Supervisors Planning Committee during the 1990s General Plan Update Planning process. I am currently a director of the Tuolumne County Land Trust. Over these many years I have seen many changes in the county – some of them good, some of them not so good. And I have a deep and vested interest in our county's future for the next 25 years. Even though I will not see the end of these years, my descendants and younger friends will. And I believe they deserve to inherit some of the county's quality of life that we presently enjoy.

As I expressed to the Board of Supervisors during the Transportation Blueprint Scoping sessions, some time ago before the General Plan Update process, I feel we need to be very careful, in our planning for the county's future, to create a more sustainable form of growth and to not lose sight of our county's most valuable resource and biggest source of income – tourism. The latest figure for that income is around 200 million per year.

We need to be very careful to not out zone or grow over our beautiful natural, rural, historic, agricultural environments that create our tourism. We need to maintain our contiguous zoning for agriculture and open space concerns for habitat, wildlife, and ground water recharge. And we need to maintain the zoning that respects the cultural integrity of our historic towns, and continue to provide for separate identities between existing communities such as historic Soulsbyville, rural Soulsbyville and the Willow Springs subdivision. Only through this planning process will we be able to maintain our unique Tuolumne County natural and cultural resources that we all treasure along with our visitors.

Also, given the fact that the drought created lack of surface water has drastically affected our ground water, resulting in Tuolumne County becoming the 2nd most affected county in California, with over 200 well failures, I would hope the Water Element and Safety Elements would provide some protection for the public's private wells. To overdraft or pollute one's personal source of potable water seems the ultimate violation of private property rights.

I have previously expressed some of these concerns to the Board of Supervisions General Plan Public Workshop on April 15th and to the last Tuolumne County Planning Commission's General Plan Update Public Hearings in July, at which time I presented a letter signed by 129 Soulsbyville residents and neighbors that addresses several planning concerns to maintain Soulsbyville's special cultural identity. (Please see attached letter.)

In regards to the above concerns, I would also like to take this opportunity to point out a few specific areas of the latest General Plan Draft that I feel could be changed to better address these general concerns.

Water Element

On page 19-1, in the description of the Tuolumne County Water Agency, and again on page 19-3, in the Water Supply introduction, the word "conservation" is struck and replaced with the word "stewardship". Since conservation is so important to our water saving efforts, especially in these days of climate change and drought, I feel "conservation" and "stewardship should both be included in these passages.

On page 19-5, under 19.A.1 Water Harvesting and Storage, I feel the language should also consider requiring developers to harvest and store rainwater to conserve and minimize water loss.

On page 19-5, Goal 19-B, I feel that the protection of landowner rights should also include protecting their existing wells.

On page 19-5, 19.B.5, I do not understand why the county would want to develop criteria to allow development to occur in areas of known ground water impact and hazards.

On page 19-6, 19.B.d, Please consider adding to the sentence: "Provide for grey water irrigation", the sentence: "and consider requiring these systems for all new development."

19.B.e, Please consider adding the sentence: "Protect existing wells through the regulation of any new wells."

19.B.f, Please consider adding: ", excluding the use of development wells."

On page 19-7,19.B.k, I don't understand why "vegetation removal" would be seen as a means of flood control in open space zoning. Wetland vegetation is generally considered a deterrent to the concept of flooding, and important for ground water recharge.

On page 19.9, 19.B.r, Please consider adding water recycling systems to this measure.

19.C.b, Please consider including our popular historic ditch system, creeks and rivers in this study.

On page 19-12, **Future**, I feel relying on wells during a drought or any time for public water creates more problems than it solves, and mine water can often be polluted with arsenic. Such mine water has contaminated wells in the Soulsbyville area. More water recycling systems would be a much better option for the future.

On page 19-13, Policy 19.E.4, I feel " Protect", not "Consider" protecting geologic landscape for water quality..." would be better wording for this important group of Policies.

On page 19-14, 19.F.2 I feel the deleted wording: "...and will not impact the water needs of existing residents or other users of water, such as agriculture." should not be deleted from this policy for new development.

19.F.b , I feel the deleted wording: "...and balance the water needs or not impact existing residents or other users of water, such as agriculture." should not be deleted from this policy for new development.

On page 19-20, 19.J.h, I feel that new development should be "required" to install grey water systems where applicable.

19.J. o, I feel that new development should be "required" to incorporate rainwater harvesting and storage facilities to conserve water and minimize water loss where applicable.

Safety Element

On page 1, Drought Considerations, 19.K.j, Groundwater Recharge, I feel new development should not be allowed to disturb the watershed near existing wells.

Again, I thank you for this opportunity for input, and your consideration of these suggestions. I would appreciate your routing them to the General Plan Update Water Committee. I am currently reviewing the other General Plan Elements, and will soon offer input to those.

Respectfully yours,

Ron Pickup

RECEIVED
JUN 23 2015
TUOLUMNE UTILITIES DISTRICT

RECEIVED
MAR 27 2015
COUNTY OF TUOLUMNE
Community Resources Agency

RECEIVED
SEP 11 2015
COUNTY OF TUOLUMNE
Community Resources Agency

Date: February 18, 2015

To: County of Tuolumne
Community Resource Agency

Re: General Plan Update

From: Residents, Neighbors and Adjacent Property Owners of Historic Soulsbyville

In general, we, the undersigned, strongly wish to retain the rural and historical character of the community of Soulsbyville. Specifically, we would like the following to be incorporated into the 2015 General Plan Update:

- The historical significance of our area should be protected and preserved, and not allowed to be violated by any future development.
- A permanent separation of historic Soulsbyville and Willow Springs should be provided via a buffer zone of large parcel zoning in those areas not yet developed between the communities.
- No widening or realignment of Soulsbyville Road should be allowed to deface the town's historic charm or alter its historic structures. Instead, the existing speed limits on this road should be enforced for safety and to discourage increased traffic.
- Given the continuing California drought conditions, no new development should be served water while existing domestic and irrigation water users are asked to conserve and reduce their consumption. And no development relying on ground water as a water supply should be allowed in our general area as this would threaten the many existing private wells in the Soulsbyville area.
- In general, any development, beyond the present capacity of county roads, utilities, public protection and social services, should not be allowed in the Soulsbyville area.

We thank you for your serious consideration of our concerns.

Respectfully yours,

Ronald E. Pickup	20150 Blackberry Lane Soulsbyville, CA 95372
Pamela Pickup	20150 Blackberry Lane Soulsbyville, CA 95372
Emma Amario	19739 Soulsbyville Rd
Alexis Bateman	Soulsbyville, CA 95372
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Donna D. Dean	18237 Yosemite Rd Tuolumne, Ca. 95379
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Kris & Melinda Williams	17227 Burford Lane Soulsbyville CA 95372
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Kristi Allen	19676 Soulsbyville Rd CA 95372
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Diane Noya	20870 Cayldr Dr. Soulsbyville, CA 95372

DEPARTMENT OF TRANSPORTATION
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September 11, 2015

10-TUO-VAR-VAR
Tuolumne County
Draft General Plan and
NOP
SCH # 2015082027

Mr. Adam Paszkowski
Tuolumne County Community Resources Agency
2 S. Green Street
Sonora, CA 95370

Dear Mr. Paszkowski:

The California Department of Transportation (Caltrans) appreciates the opportunity to review the Draft Tuolumne County General Plan (Plan) and Notice of Preparation (NOP). The Plan represents the County's vision for the future of Tuolumne County setting goals and policies to guide County growth and development. Our comments address both the Plan and the NOP.

Caltrans applauds the use of the Tuolumne Tomorrow Blueprint and the Health in all Policies review in guiding the Plan and we are encouraged by the potential of the Distinctive Communities growth scenario to create more livable communities with increased transportation choices and reduced traffic impacts. We encourage the County to review and revise the Plan policies to ensure that this promise is realized.

The Office of Planning Research document *Update to the General Plan Guidelines: Complete Streets and the Circulation Element* (Guidelines) explains the requirements of Assembly Bill 1358, the California Complete Streets Act:

> (A) Commencing January 1, 2011, upon any substantial revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of the streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.
>
> (B) For the purposes of this paragraph, "users of streets, roads, and highways" means bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.

The intent of the Complete Streets Act is that the transportation system meets the needs of all users regardless of their choice of travel mode. The draft Circulation Element segregates travel modes into separate policy sections and includes policies such as Implementation Program 2.A.o which prioritizes improvements for vehicular travel over other modes. A Complete Streets approach does not require that all facilities include sidewalks, bike paths, and transit. But it would address the needs of the users of these modes in all County policies and actions which guide the development of the transportation system.

In a rural context, priorities must be set for accommodating transit and active transportation (AT). A Complete Streets compliant General Plan can be expected to discuss what the County considers to be a Complete Street in various contexts—what kind of bike, pedestrian, and transit facilities are needed and feasible to provide for various types of facilities and to outline goals and an approach to providing improvements including definite commitments to providing priority Complete Streets improvements.

Such commitments could include requiring consideration of the needs of all users when constructing transportation system improvements, requiring review of AT and transit needs and provision of needed improvements through project-level review of development projects, and inclusion of priority Complete Streets improvements in the Capital Improvements Program for an expanded Traffic Impact Mitigation Fee (TIMF) program.

It may seem intuitive that increased residential density near schools, employment, and shopping will lead to increased transportation choices and reductions in vehicle miles traveled and greenhouse gas emissions. But those improvements will only result if the County is successful in providing the infrastructure needed to provide effective transportation choices. There is a notable lack of AT facilities within the defined communities and throughout Tuolumne County. The success of the regional Blueprint and the Plan may hinge on the effectiveness of changing current policies and practices to implement the selected Distinctive Communities scenario.

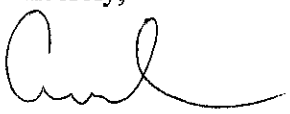
It can be anticipated that the impacts of projected County growth will lead to transportation impacts that cannot be mitigated with the levels of funding available. Continued use of project-level review of vehicle level of service (LOS) impacts due to development and use of the TIMF program can be supplemented with the above measures to help provide Complete Streets in the Distinctive Communities and not only accommodate vehicular traffic but provide improved transportation choices to reduce reliance on private vehicles.

Caltrans has concerns about the wording of Circulation Element subsection 2.A.i. Development projects are not expected to improve the LOS of facilities beyond pre-project LOS. In cases where it is *feasible* to mitigate project impacts to LOS C, to pre-project conditions, or to any lesser extent if that is all that is feasible; we would expect the County to require such mitigation.

We would like to clarify that Caltrans classifies facilities as urban or rural based upon the context. A highway would not be classified as an urban street for operational analyses if it is located in a rural context.

If you have any questions or would like to discuss these comments, please contact me at (209) 948-7325 (e-mail: carl.baker@dot.ca.gov)

Sincerely,



CARL BAKER, Chief
Office of Rural Planning & Administration

c: Bev Shane, Director, Community Resources Agency
Darin Grossi, Executive Director, Tuolumne County Transportation Council
State Clearinghouse

State of California • Natural Resources Agency
Edmund G. Brown, Jr., *Governor*

DEPARTMENT OF PARKS AND RECREATION
Lisa Ann L. Mangat, *Director*
Central Valley District
22708 Broadway Street
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(209) 536-5930

September 10, 2015

Mr. Adam Paszkowski
Senior Planner
Tuolumne County Resources Agency
2 South Green Street
Sonora, CA 95370

Subject: TUOLUMNE COUNTY GENERAL PLAN AMENDMENT,
COLUMBIA COMMUNITY PLAN; COLUMBIA STATE HISTORIC PARK

Dear Mr. Paszkowski:

This letter is written in response to Tuolumne County's August 12, 2015 Notice of Preparation indicating that an Environmental Impact Report is being undertaken by the Tuolumne County Board of Supervisors to update the Tuolumne County General Plan. California State Parks, as the steward of Columbia State Historic Park, is providing the following preliminary comments to the County of Tuolumne regarding the proposed changes to the Tuolumne County General Plan, specifically the Columbia Community Plan.

Protecting Columbia's Designations of Significance

Today, Columbia has the largest single collection of existing gold rush – era structures and many historic artifacts than any other place in California. The designations listed below exist, in part, because of Columbia's exceptional value or quality in illustrating and/or interpreting the heritage of the United States. It is through these designations that Columbia State Historic Park is able to attract its current level of heritage tourism benefitting Tuolumne County.

- California Historic Landmark (No. 123)
  - Columbia is of such significance to California that Columbia State Historic Park is designated as a California Historic Landmark (No. 123).
- National Register of Historic Places
  - Columbia's significance to this country, and even internationally, is evidenced by its placement on the National Register of Historic Places and its designation as a National Historic Landmark District.
- National Historic Landmark District
  - The highest designation possible for historic places as deemed by the National Park Service. State Parks encourages the County to fully understand the NHLD designation and adopt preservationist values as it relates to development in and around Columbia. By understanding the

NHLD designation, the County will come to understand that the designation could be lost if inappropriate development were allowed to occur, which may impact heritage tourism.

- Preserve America Community Status for Tuolumne County (federal recognition)
  - This designation recognizes communities that protect and celebrate their heritage; use their historic assets for economic development and community revitalization; and encourage people to experience and appreciate local historic resources through education and heritage tourism programs. The Columbia Area and Columbia State Historic Park are two big reasons for Tuolumne County receiving this county-wide designation. The County's eligibility for Preserve America grants is one of many reasons to protect this special designation.
- Certified Local Government Status for Tuolumne County (administered by NPS and State Historic Preservation Office)
  - Preservation through Partnership is the goal of this program. Being a CLG demonstrates a community's commitment to saving what is important from the past for future generations. The County's eligibility for grants is one of many reasons to continue with this program.
  - According to the CLG website, studies show that historic districts maintain higher property values, less population decline, more walkability and greater sense of community.

The County should carefully consider the promotion of in-fill and require careful review of signage and other development in the Columbia Area so that all these important designations are not compromised, which may affect the County's eligibility for preservation grants and its ability to draw tourism.

It is recommended that the NHLD boundaries be depicted on a map within the Columbia Community Plan so that County leaders, community members, and future developers are aware of the boundaries for this important and sensitive designation.

Preserve and Enhance the Community Identity of the Columbia Area

Goal 15.A.1 calls for the County to "retain the historic Gold Rush character of the Columbia community." This character begins at Columbia's gateway at the intersection of Highway 49 and Parrotts Ferry. Goal 15.A.8 calls for the County to protect and improve the scenic quality along the Parrotts Ferry Road corridor as the gateway to Columbia State Historic Park. State Parks supports goals that protect the surrounding community and landscape leading from the Highway 49 intersection to Columbia State Historic Park to help convey the feeling and association of Tuolumne County's historical mining past. The aesthetic and visual characteristics leading up to the Park can either set the stage for guests traveling to the Park or lead them to wonder where they are

going. To help avoid the feeling of traveling to a theme park, a sense of traveling back to the California Gold Rush should begin at "Columbia's Gateway".

Softening language from "require" to "encourage" does not help to preserve the rural setting leading to the Park. Specifically, goal 15.A.4, under the proposed amendment, will no longer require commercial signs to be compatible with the historic character of Columbia; the plan will "encourage" signs to be compatible. Signs along Parrotts Ferry Road are highly visible and contribute to helping guests immerse themselves in California's history as they arrive to the Park. Signs along Parrotts Ferry Road should be required to be compatible with the historic character of Columbia. Requirements for signs under the 1996 Tuolumne County General Plan should be retained and actively enforced.

Cumulative impacts in recent decades have lowered the threshold of significance such that potential impacts to the historic status of Columbia should be denied with stricter, not looser, standards applied. Therefore, it is recommended that the following 1996 Tuolumne County General Plan goals and policies be retained and more actively enforced:

2Af Discourage use of local roads for through-traffic;
2Dc Support increasing charges [fees] to mitigate truck traffic impacts;
4I2 Conserve the natural scenic quality and rural character along designated transportation routes in the County;
4I6 Encourage voluntary efforts to protect clusters of native trees and outstanding individual native and non-native trees which help define the character of Tuolumne County;
417 Signs will be regulated in terms of size, location, height, construction, general appearance and safety…to improve the visual attractiveness and appeal…and to protect and enhance its visitor-serving and recreational activities;
4Ik …maintain…trees…[and] clusters of native shrubs [that] contribute to defining the County's character;
9A2 Promote heritage tourism…;
9Bo Include, for projects with conditions of approval related to management of cultural resources, a requirement for preconstruction meetings with project contractors;
9Ci [and 15E2,a and b] Designate…historic transportation [and Heritage] corridors;
9Cj Maintain CLG Certification [and require professionally-qualified design review];
13Ac Support community efforts to retain scenic character;
13B Advocate the master planning of new and existing communities to direct the development of integrated communities containing housing, shops workplaces, schools, parks and civic facilities essential to the daily life of the residents…with a buffer between urban and rural areas;
13B7 Encourage new development to be designed to be compatible with the scale and character of the area…utilize building materials, colors and textures that blend

with the natural landscape and avoid high contrasts;
13Bb Designate land for integrated mixed-use areas which may include…open space and public uses to facilitate travel by transit, bicycle or foot, as well as automobile, and to promote a sense of community;
15Db Promote the development of a Parrots Ferry Road bypass to alleviate thru and industrial traffic through the historic district and school zone to provide safe crossing by pedestrians and cyclists by seeking local, state or federal funds for such development;
15Ee Survey… community landmarks that provide a community "sense of place" that should be preserved.

Promote the Development of Commercial and Industrial Businesses to Meet the Present and Future Needs of Columbia's Residents and Visitors

Goal 15.C.4 calls for the County to "encourage new commercial development to be located at the Pedro Wye and with the immediate area of the Columbia townsite to utilize existing historic structures and to construct on vacant parcels to infill between buildings." This goal appears to conflict with goal 15.A.1, "retain the historic Gold Rush character of the Columbia community" which includes open space and mined out lots.

Protecting the economic viability of Columbia State Historic Park is also important. Any commercial development "encouraged" at the Pedro Wye or leading to the Park should not directly compete with the services and products already provided for within Columbia State Historic Park.

Conclusion

Called the "Gem of the Southern Mines", Columbia is at the heart of the Columbia Community Area in Tuolumne County. It is the State Parks' policy, mission and legal obligation to preserve and protect the historic integrity and atmosphere of Columbia State Historic Park for the public - present and future - and to help preserve its historic rural setting. In doing so, the planning concept of a centralized urban core opposes the Gold Rush character that State Parks and Tuolumne County have worked so hard to protect and preserve.

With approximately 400,000 annual visitors to Columbia State Historic Park, it is in the County's best interest to carefully consider proposed discretionary changes within sight or sound of historic Columbia or along historic transportation routes since Columbia is not only significant as "the architectural showplace of the California Mother Lode" but for its shade-lined streets, mined out lots, living town and for its integrity of feeling and association with the California Gold Rush and its aftermath. In short, Columbia's ability

to convey a sense of history is threatened by encroaching urban development, traffic, noise, sign clutter and other incompatible land uses. In other words, Columbia's cultural and heritage resources are arguably within the Area of Potential Impacts/Effects of proposed developments for the few remaining vacant parcels.

Please take note that the California State Historic Preservation Officer and the Advisory Council for Historic Preservation also have review authority regarding potentially significant negative impacts/adverse effects to the National Historic Landmark District (NHLD) of Columbia. Please forward a copy of the proposed amendments to the Tuolumne County General Plan to the California State Historic Preservation Office and solicit their comments as some of the proposed language may have a cumulative impacts on some of the important designations awarded to the Columbia Area.

It is recommended that the attached definition of "urban" in the CEQA Guidelines is included in the General Plan along with a definition of "architectural compatibility" that avoids inappropriate design components and materials that detract from truly historic resources by intruding on and imitating their designs on historically rural parcels. Thank you for the opportunity to provide these initial comments and California State Parks looks forward to further commenting on future proposed language regarding the Tuolumne County General Plan. Please feel free to contact Superintendent Greg Martin at (209) 536-2916 should any of these comments need clarification.

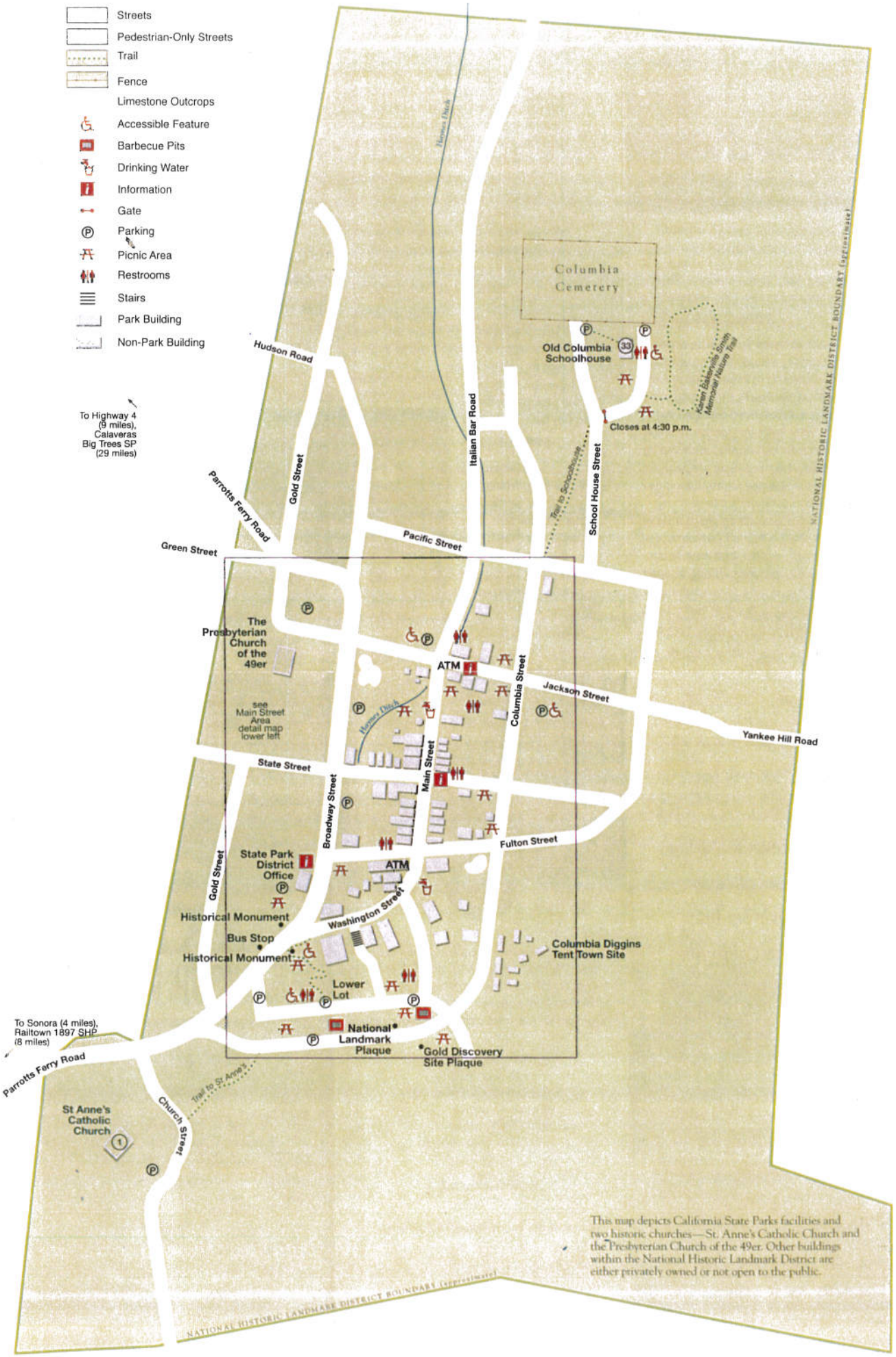
Sincerely,

Greg Martin
Sector Superintendent
Central Valley District

Attachments – National Historic Landmark District Boundaries
CEQA definition

Cc: Julianne Polanco, State Historic Preservation Officer
Leslie Hartzell, Cultural Division Chief
Jess Cooper, Central Valley District, District Superintendent
Liz Steller, Central Valley District, District Services Manager

NATIONAL HISTORIC LANDMARK DISTRICT BOUNDARY



§ 21071. URBANIZED AREA; DEFINITION

"Urbanized area" means either of the following:

(a) An incorporated city that meets either of the following criteria:

(1) Has a population of at least 100,000 persons.

(2) Has a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons.

(b) An unincorporated area that satisfies the criteria in both paragraph (1) and (2) of the following criteria:

(1) Is either of the following:

(A) Completely surrounded by one or more incorporated cities, and both of the following criteria are met:

(i) The population of the unincorporated area and the population of the surrounding incorporated city or cities equals not less than 100,000 persons.

(ii) The population density of the unincorporated area at least equals the population density of the surrounding city or cities.

(B) Located within an urban growth boundary and has an existing residential population of at least 5,000 persons per square mile. For purposes of this subparagraph, an "urban growth boundary" means a provision of a locally adopted general plan that allows urban uses on one side of the boundary and prohibits urban uses on the other side.

(2) The board of supervisors with jurisdiction over the unincorporated area has previously taken both of the following actions:

(A) Issued a finding that the general plan, zoning ordinance, and related policies and programs applicable to the unincorporated area are consistent with principles that encourage compact development in a manner that does both of the following:

(i) Promotes efficient transportation systems, economic growth, affordable housing, energy efficiency, and an appropriate balance of jobs and housing.

(ii) Protects the environment, open space, and agricultural areas.

(B) Submitted a draft finding to the Office of Planning and Research at least 30 days prior to issuing a final finding, and allowed the office 30 days to submit comments on the draft findings to the board of supervisors.

SHUTE, MIHALY & WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: (415) 552-7272 F: (415) 552-5816
www.smwlaw.com

ELLISON FOLK
Attorney
folk@smwlaw.com

September 11, 2015

Via E-Mail and U.S. Mail

Adam Paszkowski
Senior Planner
Tuolumne County Resources Agency
2 South Green Street
Sonora, California 95370
Email: apaszkowski@tuolumne.ca.us

Re: Comments on Notice of Preparation of an Environmental Impact Report for the Tuolumne County General Plan

Dear Mr. Paszkowski:

Shute, Mihaly & Weinberger LLP submits these comments on the Notice of Preparation of an Environmental Impact Report for the Tuolumne County General Plan Update (Project) on behalf of the Central Sierra Environmental Resource Center (CSERC). Balancing the competing demands of sustainable development and preservation of the County's natural and agricultural resources requires vision and leadership on the part of the County.

In recent years, CSERC staff has participated actively in various General Plan revision committee meetings, public open house sessions, and workshops presented for County officials and interested County residents. During those opportunities for input, CSERC emphasized that strengthening General Plan protection for natural resources, open space, water resources, scenic values, and air quality would provide long-term benefits for the local economy and for scenic values tied to tourism. Nonetheless, County officials and building industry interests have advocated for weakening any conservation policies that exceed the absolute minimum requirements mandated by state and federal law. This focus on minimizing protective measures is reflected in the proposed General Plan Update.

As set forth in this letter, the recently released Notice of Preparation (NOP) fails to identify key impacts and alternatives that must be analyzed in the Environmental

Impact Report (EIR) for this Project. The NOP is required to provide adequate and reliable information regarding the nature of the proposed Project and its probable environmental impacts, in order to "solicit guidance from public agencies as to the scope and content of the environmental information to be included in the EIR." CEQA Guidelines § 15375; *see also* CEQA Guidelines § 15082(a)(1). Moreover, an EIR must describe a range of alternatives to the proposed project that would feasibly attain the project's basic objectives while avoiding or substantially lessening the project's significant impacts. Pub. Res. Code § 21100(b)(4); California Environmental Quality Act (CEQA) Guidelines § 15126.6(a).

This NOP underemphasizes the need for analysis of new development strategies, and it provides little information about critical aspects of the proposed Project, including probable environmental impacts associated with proposed updates to the Natural Resources, Land Use, and Agricultural Resources Elements. The County must ensure that the EIR provides extensive, thorough analysis of the impacts of proposed changes to these Elements and addresses alternatives to the proposed changes.

By submitting these comments, we hope to assist the County in drafting a robust EIR that is legally adequate and analyzes growth in ways that serve the County's long-term goals and values.

Biological Resources

In recent years, committees dominated by building industry and pro-development interests collaborated with County supervisors to weaken and eliminate conservation policies and implementation programs deemed to be annoyances or obstacles to development. The proposed re-write of the Biological Resources section of the Natural Resources Element, including its major goals, would reduce the County to a passive administrator of conservation activities. Not only will this limit the mitigation tools and approaches available in the County, the shift itself will have environmental impacts. The EIR must analyze the broad impacts of the County's proposal to abandon the core of its conservation policy and the elimination of many current policies and implementation programs that protect at-risk resources. *Inyo Citizens for Better Planning v. County of Inyo* (2009) 180 Cal.App.4th 1, 9-10 (environmental review required for changes to a general plan that would facilitate future development).

Goal 4.J: The EIR must address the impacts of replacing the County's "proactive planning approach," which emphasizes the County's role in mitigation, with the proposed "balanced approach" that, contrary to its descriptive label, actually

encourages development at the expense of the environment. Proposed General Plan (PGP) at 4-20, 4-27.

The County's termination of key conservation programs will leave project proponents, agencies, and the public with fewer tools for conservation of natural resources and mitigation. *See* PGP at 4-20 to 4-22. In particular, the Biological Resources Conservation Program and Tuolumne County Biological Resources Conservation Handbook have served an important role in mitigation efforts in the County for decades. *See* PGP at 4-21 to 4-22. The proposed elimination of existing policies to maintain the Program and Handbook will leave a hole in the resources available for conservation planning and mitigation, and the impacts of this change must be analyzed in the EIR. Additionally, the proposed removal of explicit "no net loss" policies and programs from the Natural Resources section could lead to other environmental impacts. *See* PGP at 4-20 to 4-22.

Several new proposed policies and programs must be analyzed in the EIR. For example, proposed programs 4.J.e and 4.J.f would require property owner consent for open space designations and zoning, and this requirement may impede mitigation efforts and undermine the County's ability to further conservation goals. *See* PGP at 4-28. Additionally, the reduction in protection of oak resources that would result from the weak thresholds of significance for Oak Woodland Conversion in proposed program 4.J.h must also be assessed. *See* PGP at 4-29. The weakening of oak protection measures is especially important to analyze, because many wildlife species rely on oak woodland, acorns, and old growth oaks as essential habitat.

The County has also proposed several policies and programs aimed at eradicating invasive species and use of native and drought tolerant species that are not addressed in the NOP. *See* PGP at 4-27, 4-29 to 4-30. While CSERC and other conservation groups support efforts to constrain or eliminate invasive species, the EIR must analyze potential impacts of this proposed approach to species management.

Finally, the proposed General Plan Update includes new implementation programs (such as 4.J.p and 4.J.q) that appear to reduce development impacts on rural areas by giving incentives to development in certain defined communities or areas of certain density. However, if there is no connected mechanism to actually reduce development in the County's rural areas, then the new implementation programs would simply incentivize development. An evaluation of all of these proposed General Plan changes is necessary.

Goal 4.K: The EIR must also address impacts of the County's proposed reduction in voluntary and educational efforts to protect biological resources. The Project proposes revising this goal from "[e]ncourage and support voluntary and educational efforts to preserve biological resources" to "[s]upport voluntary and educational efforts to conserve biological resources." PGP at 4-23, 4-30. The elimination of "encourage" highlights the diminished attention to conservation that characterizes the proposed revisions throughout the Natural Resources section.

Specifically, the County's proposal to break apart the Voluntary Conservation/Incentive Program and eliminate components of it that provided support for conservation efforts will likely have environmental impacts that must be analyzed. *See* PGP 4-23 to 4-24, 4-31 to 4-32. Additionally, the elimination of public presentations and brochures addressing biological conservation and management will leave the County with less mitigation guidance, which may contribute to less effective and efficient mitigation measures. *See* PGP 4-23 to 4-25. These impacts must be analyzed in the EIR.

Land Use and Planning

The proposed Distinctive Communities Growth Scenario may introduce a wide range of land use impacts that the EIR must analyze, including the impacts of a complete build-out for the projected population of 63,234 by 2040. *City of Redlands v. County of San Bernardino* (2002) 96 Cal.App.4th 398, 409 ("an evaluation of a first phase-general plan amendment must necessarily include a consideration of the larger project, i.e., the future development permitted by the amendment"). *See* PGP at 1-1 to 1-2. Further, proposed land use policies that would encourage new types of economic and mixed use development will create environmental impacts that must be analyzed. For example, the EIR must address the impacts of the increased economic and mixed use development in urban service areas that would be encouraged by proposed policy 1.A.14. *See* PGP at 1-3. Under proposed program 1.A.k, mixed use areas might also grow to include more commercial facilities and more dense development. *See* PGP at 1-5. The maximum growth and most impactful uses of land allowed under these scenarios must be analyzed, because environmental review of potential development allowed by planning enactments must occur regardless of whether additional impediments to that development remain. *Christward Ministry v. Super. Ct.* (1986) 184 Cal.App.3d 130, 194–95; *City of Carmel-by-the-Sea v. County of Monterey* (1986) 183 Cal.App.3d 229, 235, 240-41 (an EIR must be prepared for rezoning even if "no expanded use of the property was proposed").

The EIR must also assess whether the County may accommodate predicted growth without the growth incentives included in the proposed Land Use Element. The

current proposal strongly encourages development in certain areas, even though the County is already dotted with empty and under-occupied commercial and residential structures. In particular, the proposed density bonus for aligning approved undeveloped projects with the Distinctive Communities Growth Scenario's increased residential densities would encourage growth where it is not needed. *See* PGP at 1-6. Impacts of such policies and incentives must be assessed in light of the existing environment. The EIR should include an updated assessment of vacant commercial offices, buildings, warehouses, and other facilities that are now standing empty, prior to providing any strategy to incentivize new development. The same data is important for analysis of whether there is any need for increased residential development. How many current existing residences in the County are unoccupied? How many existing parcels in the County have no residential structures, but are fully entitled to residences? Does the number of existing vacant parcels already provide for the projected growth demands of the County for the analyzed time period? These are the kinds of critical pieces of information that need to be provided in the EIR.

Agriculture/Forestry

The NOP underemphasizes the probable environmental impacts from agritourism that the EIR must analyze. The County proposes introducing major new policies and programs in the Agricultural Resources Element to facilitate agritourism. *See* PGP at 11-9 to 11-10. It is critical that the EIR thoroughly explore the possibility that the proposed changes will allow significant expansion of many activities that are only tangentially related to agricultural production.

The proposed policies that encourage weddings, farm stays, bed and breakfasts, and similar tourism-focused activities on agricultural land are likely to increase traffic, harm air quality, and place additional development pressure on the region. *See* PGP at 11-9 to 11-10. Such activities would significantly impact the resources and the rural identity of the County. The proposed changes should be compared with alternatives that restrict activities on agricultural land to those that directly promote the viability of agriculture.

Conclusion

The NOP provides an incomplete overview of the broad environmental impacts that may result from the County's proposed abandonment of proactive conservation goals and adoption of development-facilitating policies. CSERC respectfully requests that the County consider and analyze alternatives that promote conservation and rural values as part of the EIR for the General Plan Update. Full

evaluation of impacts and alternatives is critical to provide the basis for a comprehensive analysis of environmental impacts and the identification of feasible Project alternatives.

As a partner with CSERC in evaluating proposed changes in the Tuolumne County General Plan, we appreciate the opportunity to provide these comments. Please keep us informed of all notices, hearings, staff reports, briefings, meetings, and other events related to the proposed Project. Please also notify us of the release of the draft EIR for the proposed Project.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Ellison Folk

707635.9

Public Comment Form

RECEIVED

SEP 02 2015

COUNTY OF TUOLUMNE
Community Resources Agency

Name: Patrick + Mary AmRhein-Macauley

Adress: 10390 Slate Rim Rd. Sonora, CA 95370

Email: pat1658@aol.com

County will send you e-copy Draft EIR, links or other planning docs.

Subject: **Circle one**

1. Columbia Community Plan
2. Dollar General Store
3. Transportation (Pedro "Y" or Parrotts Ferry Roads)
4. Other

Comments: It is helpful to cite a particular reference: Example: Columbia Community Plan Goal 15.A.4: Or Dollar General traffic study, if applicable.

See attached

Continue on reverse if necessary

Mail Comments to: **2S Green Street, Sonora, CA** 95370

for Columbia Community Plan - General Plan revisions **Adam Paszkowski**

for Dollar General **Alex Guilbert**

for Transportation **Duke York**

To: Adam Paszkowski (Columbia Community Plan)

Alex Guilbert (Dollar General)

From: Patrick and Mary AmRhein-Macauley

RE: My responses below apply to both the Columbia Community Plan revision and the Dollar General proposal for Columbia

General Plan Update

15.A.4

Changing the word from "Require" to "Encourage" commercial signs to be compatible...is impotent. The word encourages gives no enforcement strength to assuring that commercial signs retain the historic Gold Rush character of the Columbia community (Policy 15.A.1).

15.A.6

The new insert, "that is subject to a discretionary entitlement" is obtuse and should not be added to the Columbia Community Plan. Who decides that the discretionary entitlement is to be made? It seems that this is another weakening of policy for the community plan. Why have a "Plan" if there are so many provisions for not observing the plan?

15.A.a

"Subject to discretionary entitlement" is vague. What does this mean and who has the authority to determine this? Power and money often take precedent over the community's desires to maintain the historic character of Columbia.

15.A.g

Signage – Rather than eliminating guidelines as currently in place for the Historic Zoning District, perhaps the guidelines need to be updated to reflect what is in place in other designated historic areas of California.

15.B.2

Please explain what is meant by "in accordance with the Distinctive Communities Growth Scenario". This statement is not clear. A reference should be made as to where one can find the definition.

15.B.5

"Distinctive Communities Growth Scenario" needs to be defined.

15.B.6

Statement is appropriate but will most likely not be endorsed unless the State of California and the County of Tuolumne provide funds for more housing. How likely is this?

15.E.b

The "Dollar Store" which is pending development on Parrotts Ferry Road is within the heritage corridor. Now is the time to develop guidelines for addressing the development of such projects. A national store such as this not further enhance the richness of this area or is in keeping with the heritage corridor.

Dollar Store Project Comments

1. A discount retailer is not what Columbia needs. This project takes away from already existing affordable stores in Columbia.
2. Tuolumne County already has four "Dollar Stores" and one huge Walmart to serve the community. Perhaps, the County should be addressing the types of stores that all members of the community desire and those that are attractive to visitors to this community.
3. The community of Tuolumne needs to consider bringing in and supporting business that provide true living wages to its workers. The Dollar store does not provide this. At most, six employees will be full time and we do not know if their wages are above or beyond the poverty level for the State of California. What is the minimum wage being offered to part time workers, medical benefits, etc.
4. The impact of having a business of this size at this intersection is immense. I do not think, after looking at the project site plan that traffic studies are adequate. At what time of year was this study completed - Summer (no school, tourists, logging trucks and other industrial trucks), Winter (rain, snow, fog), Fall (school, commercial trucking), Spring (school, fog). Springfield Rd. has a lot of traffic.
   This intersection is the busiest in Columbia. The streets flowing into Parrotts Ferry (Columbia Airport, Springfield and Howser) are at disjointed points and are on a curve. Parrotts Ferry and Springfield have the greatest amount of traffic for school buses, heavy equipment trucks, and 18-wheelers. There is little room for the larger trucks to turn left from Springfield now.
   There has been little consideration given to pedestrian crossings and bicyclists in this area. While the Dollar Store project provides a pedestrian walk in front of the store, there is no consideration in the traffic study to provide safety to pedestrians along Parrotts Ferry, crossing Springfield etc. Currently, there are two dirt paths along Parrotts Ferry around this intersection and leading up to this intersection. Also, this is a curve area with no or little shoulder room for pedestrians. With so much traffic now, it is difficult to see pedestrians or bicyclists and vehicles as they move in this intersection. Additional traffic from Howser Ln. will be a tragedy waiting to happen.
5. The proposed placement of the Dollar Store is not in compliance with the Planning Guidelines, Section 15.B.d.

Respectfully Submitted,

Patrick Macauley + Mary AmRhein

Patrick and Mary AmRhein-Macauley

10390 Slate Rim Rd., Columbia, CA. (209-532-1400)

Sherrin Grout
Donn Marinovich
P.O. Box 1782
Columbia, CA 95310

Adam Paszkowski
Tuolumne County Planning Department
2 South Green Street
Sonora, CA 95370

Re: Proposed Amendments to the Columbia Community Plan of the Tuolumne County General Plan

On page 15-1, second paragraph last line: Columbia was not that close to becoming the state capital. There is no record in the state archives to substantiate this statement.

15.A.4, 15.A.5, 15.A.6,15.A.b We dislike replacing the word require with encourage. Previous decisions of the Design and Review Committee plus the County's Historic Design Guide for Columbia states the purpose is "To form restrictive guidelines for the preservation of our historic setting and atmosphere."

15.A.e..Change language in second line from "Consider" to "Develop a supplement..."

15.A.g Do not change this section at all, except for 15.A.g 5 as this group has been eliminated. Perhaps there should be specific sign guide and permitting stream.

15.B.b seems to be conflict with 15.B.i, both of which conflict with 15.A.2

We see no mention of parking lots being behind proposed buildings or hidden from view of the general public
We also see no mention restricting the size of proposed buildings.
We see no mention of proposed buildings: to be compatible with the extant brick structures in the historic business core.
We see no mention of protecting the entrance corridor or gateway to Columbia with the above mentioned restrictions, which would protect "the natural and cultural environments."

Sherrin N. Grout

Donn C. marinovich

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SEP 1 0 2005
COUNTY OF TUOLUMNE
Community Resources Agency

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

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SEP 1 0 2015

COUNTY OF TUOLUMNE
Community Resources Agency

4 September 2015

Aaron Paszkowski
Tuolumne County
2 South Green Street
Sonora, CA 95370

CERTIFIED MAIL
91 7199 9991 7035 8418 4455

COMMENTS TO REQUEST FOR REVIEW OF THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, GENERAL PLAN UPDATE PROJECT, SCH# 2015082027, TUOLUMNE COUNTY

Pursuant to the State Clearinghouse's 12 August 2015 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation for the Draft Environment Impact Report* for the General Plan Update Project, located in Tuolumne County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

> *Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*
>
> *This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]
The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit
Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit
If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water

[1] Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification
If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements – Discharges to Waters of the State
If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Regulatory Compliance for Commercially Irrigated Agriculture
If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.

2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100**. Dischargers not participating

in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently $1,084 + $6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have questions regarding these comments, please contact me at (916) 464-4684 or tcleak@waterboards.ca.gov.

Trevor Cleak
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento