

## Rural Quality Coalition

PO Box 1346  
Nevada City, CA 95959  
May 18, 2007

Final

Nevada County Planning Department  
Rood Administrative Center  
950 Maidu Lane  
Nevada City, CA 95959

Re: Pine Ridge Estates Subdivision, Ferrari  
Indian Springs Rd. and Spenceville Rd., Penn Valley  
43 parcels on mapped Farmland of Local Importance  
198 acre site  
51-310-08, 51-310-09

To Whom It May Concern:

Thank you for the opportunity to comment during the Early Consultation period on this project.

We recommend one of the following two options:

1. **Agricultural Protection Redesign.** The project should be sent back for redesign with clustering of all residential parcels located on the portion of the property outside the mapped Farmland of Local Importance area. These parcels should be a minimum of 5 acres in size, which would result in approximately 16 parcels. The remaining property which is Farmland of Local Importance should be retained in one parcel, to be sold for agricultural use, with a deed restriction or conservation easement permitting no further subdivision to allow for economically productive agricultural or grazing use. At the most, only 40 acre parcels should be permitted in this area. Under this scenario approximately one to 4 parcels could result in this area. The entire site could therefore support approximately 17 to 20 parcels maximum.

We recommend this redesign because we do not feel that the project as proposed meets the Agricultural Lands, Important Farmlands section of the Land Use and Development Code and is inconsistent with General Plan policies 6.1b, and 16.9. As such, the application should not be accepted.

Section L-II 4.3.4 of the Land Use and Development Code requires that a Management Plan "avoids or minimizes impacts to the important agricultural

area” and that it “provide for the development of the project on the portion of the site determined to have the least impact on the long-term management of the agricultural resource.” The project as proposed does not meet these criteria, for a number of reasons:

1. The least impact would occur by placing homes on the site’s hillside and protecting the grazing land with parcel sizes capable of supporting grazing or other ag uses.
2. The open space proposed which would snake between the parcels will be commonly owned and not viable as agriculture because of its configuration and residential project ownership. Nor is it proposed for agriculture, but, rather, it is only being “conserved for agricultural opportunities” (Management Plan, page 8). The experience in Nevada County is that, in general, 40 acre parcels are needed to support economically viable agriculture. In addition, it is unlikely that a homeowner’s association would take part in a true agricultural operation.

A strict interpretation of the Land Use standards are required in this case because the site is located on the side of Indian Springs Road which is still largely agricultural. In addition, grazing land is now at a bare minimum to support the cattle industry in Nevada County, according to the RCD.

We must add that the Management Plan does not qualify as such. The only “management” recommended is maintenance of open space within 150 feet of Indian Springs Rd. It is impossible to manage the ribbons of open space between the parcels as viable agricultural land. These lands will simply be commonly owned Homeowner’s Association park land. This is a case where avoidance of the mapped important agricultural area is needed, rather than management of remaining fragments.

-or-

2. **Full EIR on Design as Proposed.** If the project is not redesigned similar to the agricultural protection design described above, a full EIR should be prepared to explore the impacts of the project as proposed.

The project as proposed has the potential to result in a number of significant impacts which would be substantially lessened by reducing the project by half as described above. We recommend a full EIR. However in particular, the following impacts should be analyzed:

Traffic and traffic safety on area rural roads.

Air quality. The size of the project and its suburban configuration would result in a higher trip generation per lot than that of larger parcels sized for agricultural use. This will contribute to a land use and commuting pattern with greenhouse emissions and other vehicle emission constituents which can be at least partially mitigated by reducing the size of the project and changing its use characteristics to a project more typical of agricultural areas. These concerns were not anticipated in the General Plan and Zoning Ordinance EIRs and must be mitigated at this time.

Water quality. Surface water quality impacts (erosion and chemical constituents) due to runoff from suburban sized residential parcels and horse ranchettes must be evaluated.

Project and cumulative impacts to area agriculture must be evaluated which could not have been anticipated in the General Plan and Zoning Ordinance environmental documents before a specific project was proposed. In fact, clustering outside important agricultural lands was anticipated in these documents which was to be accomplished by PD zoning. Since that is not occurring in this case, the mitigation anticipated in the General Plan and Zoning Ordinance environmental documents is not being implemented. We expect that the conclusion will need to be significant, unavoidable impacts for which no overriding considerations are possible unless clustering off of the Important Farmlands is achieved.

A Phase I EA to 1849 and on site testing if indicated should be prepared to ensure that toxic mining residue is not located on the site.

Soil suitability for septic systems must be evaluated.

Potential for success of well productivity must be evaluated.

A full range of project alternatives must be discussed in detail in the EIR on the project including the alternative proposed in this letter.

We have not had a chance to review the biotic, cultural resource, and oak tree reports on the project. We may have further comments on these issues in the future.

Thank you for the opportunity to comment.

Sincerely,

Laurie Oberholtzer

Land Use Projects Director  
Rural Quality Coalition